



Parliamentary Debates

(HANSARD)

FORTIETH PARLIAMENT
FIRST SESSION
2019

LEGISLATIVE ASSEMBLY

Thursday, 26 September 2019

Legislative Assembly

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THE SPEAKER (Mr P.B. Watson) took the chair at 9.00 am, acknowledged country and read prayers.

PAPERS TABLED

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

MENTAL HEALTH WEEK

Statement by Minister for Health

MR R.H. COOK (Kwinana — Minister for Health) [9.04 am]: I rise today to inform the house that Mental Health Week will take place across Western Australia from 6 to 12 October 2019. The week aims to spread the message about positive mental health and wellbeing, and seeking support when it is needed. Almost half of all Australians will experience a mental health issue in their lifetime, so it is important that we do what we can to help spread this important message. This year's theme is about the various everyday settings in which we can support others: "Mental health starts where we live, learn, work and play". One way in which members can spread the message of good mental health and wellbeing is by holding their own event during Mental Health Week or by attending Elizabeth Quay train station at 7.00 am on Thursday, 10 October 2019, to help distribute mental health resource packs to the community. The mental health resource packs will be available in the courtyard today between 11.00 am and 2.00 pm. Members should make sure they drop by and collect their kit for their electorate office or their Mental Health Week event.

All members can take part in a series of Mental Health Week events. On 7 October, there will be an Arts and Mental Health Network exhibition. On 11 October, members could even join in a Jungle Body class: "Drop it like it's hot for mental health!", at the WACA—or not, Mr Speaker! On 12 October, we will see the close of Mental Health Week, with the *Stand Up! For Comedy* show at the State Theatre Centre of WA. Communities across Western Australia are also hosting their own events, so I encourage all members of the house to get into their electorates and see how their communities are helping recognise Mental Health Week. A full calendar of events can be found at mhw.waamh.org.au/events.

WESTERN AUSTRALIAN MUSEUM — 2018–19 ANNUAL REPORT — TABLING

Statement by Minister for Culture and the Arts

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [9.06 am]: Pursuant to section 65 of the Financial Management Act 2006, I advise that the tabling of the 2018–19 annual report of the Western Australian Museum will be delayed and not meet the prescribed 90-day period after the end of the 2018–19 financial year, as required under section 64(1) of the act. This is due to a delay in finalising the valuation of the Museum's collections. I anticipate to be in a position to table those documents on 24 October 2019.

JODY GORE — ROYAL PREROGATIVE OF MERCY

Statement by Attorney General

MR J.R. QUIGLEY (Butler — Attorney General) [9.07 am]: I had not heard the story of domestic violence victim and convicted murderer Jody Gore until I read a recent series of articles by Annabel Hennessy published in *The West Australian*. I sought information on the case and discovered that the Court of Appeal had done something rarely seen, and which I had never seen before, in an appeal judgment, which was to raise the possibility of the exercise of the royal prerogative of mercy. The Court of Appeal concluded that there had been no error of principle by the trial judge, but said —

The tragic outcome of the offending is that, subject to the exercise of the Royal Prerogative of Mercy by the executive government, the Appellant is likely to die in custody away from her family and country.

I called for more information, and after seeing a report of new evidence that detailed Ms Gore's plea for help at the Kununurra Crisis Accommodation Centre in late 2011, I asked the Solicitor-General to give the case consideration. After consideration by cabinet, the government recommended to the Governor in Executive Council the exercise of the royal prerogative of mercy to remit the remainder of Ms Gore's sentence, without pardoning her of the offence. Ms Gore has taken a life. She has served more than four years in prison. I extend my sincere condolences to the family of her victim, who, as it happens, was also the perpetrator of vicious violence against Ms Gore. The government has decided that now is the time for mercy. That decision took into account an assessment of the seriousness of her medical conditions; the greater impact that they have upon her as an Indigenous woman who must be kept imprisoned away from her country and family; the extent to which it is likely that the substantial history of domestic violence caused or contributed to her actions on 13 June 2015; her previous good character; and the fact that she has served more than four years in prison.

In 2008, the Labor government amended the Criminal Code defence of self-defence with the intention to enable victims of family domestic violence to utilise the defence in appropriate circumstances. It appears that these amendments may not have had their intended effect; therefore, the McGowan Labor government will introduce legislative reforms to provide for jury directions and expert evidence to address stereotypes, myths and misconceptions about family and domestic violence.

The exercise of the royal prerogative of mercy in this matter is not and cannot be considered as a precedent in any other case, but turns upon the unique and tragic circumstances of the case surrounding Ms Gore. This decision cannot be seen as any criticism of the judiciary, the prosecutors or the jury who determined the case strictly according to the law. The government will change the law to reflect the complexities of family and domestic violence.

May I conclude, as a wise judge said: let mercy begin where justice ends.

EQUAL OPPORTUNITY COMMISSION — 2018–19 ANNUAL REPORT AND AUDIT STATEMENT — TABLING

Statement by Attorney General

MR J.R. QUIGLEY (Butler — Attorney General) [9.10 am]: Pursuant to the Financial Management Act 2006 section 65, I advise the house that I will be unable to table the annual report and audit statement relating to the Equal Opportunity Commission within the prescribed period, as the audit for the Equal Opportunity Commission only concluded on 24 September 2019. I also advise that I expect to be in a position to table those documents on 15 October 2019.

SPRING ASCOT RACING CARNIVAL — TABTOUCH MASTERS SERIES

Statement by Minister for Racing and Gaming

MR P. PAPALIA (Warnbro — Minister for Racing and Gaming) [9.11 am]: I rise briefly to inform the house about the upcoming spring Ascot Racing Carnival, which includes the 2019 TABtouch Masters series. The Masters comprise three group 1 million-dollar races: the Kirin Railway Stakes Day, to be held on Saturday, 23 November; the Crown Perth Winterbottom Stakes Day, on Saturday 30 November; and the Magic Millions Kingston Town Classic Day, on Saturday, 7 December. The TABtouch Masters series is the world's only single-track thoroughbred racing festival featuring a group 1 race worth at least \$1 million to be held on three consecutive Saturdays. The series presents an opportunity for interstate and international visitors to discover Perth and surrounding regions. What is on offer in WA will be heavily promoted alongside the Masters, as well as accommodation deals in Perth. Tens of thousands of spectators attend the carnival, injecting millions of dollars into the local economy through visitor spend. It is estimated that for every dollar spent oncourse, a further 84¢ is spent offcourse, with retail, fashion, food and accommodation being the major beneficiaries of this expenditure.

As part of the Masters promotion, Racing and Wagering Western Australia hosted a lunch in Sydney and Melbourne last week with key eastern states personalities, including part owner of Winx, Peter Tighe, and legendary trainers Gai Waterhouse and Tony McEvoy. Key journalists from *The Australian*, Channel 7, the *Sydney Morning Herald*, *The Age* and the *Herald Sun* were also in attendance. The event highlighted WA as the ultimate racing and tourist destination, with all guests treated to WA produce, along with a video showcasing the best of the state. The event was well received and high-profile trainers and media have already been confirmed to attend this year's Masters as a result.

Promotion locally will include an activation in Yagan Square from 6 to 8 November, through RWWA's brand, The Races WA. The event will bring Ascot Racecourse to the city to generate excitement ahead of the TABtouch Masters series. The activation will be a carnival with off-the-track horses, horse and cart, and a 24-metre circular screen that people can race against jockeys on an assortment of creatures. However, to see horses race, members will have to go to Ascot. There will also be media personalities, WA jockeys, as well as a race between representatives of different political parties, including me facing off against my colleagues on the track at Yagan Square. The McGowan government is working to make the TABtouch Masters series a key event on Western Australia's annual events calendar that supports and benefits the racing and tourism industries.

SYNERGY — 2018–19 ANNUAL REPORT

Statement by Minister for Energy

MR W.J. JOHNSTON (Cannington — Minister for Energy) [9.14 am]: Today, I table a copy of Synergy's Annual report for 2018–2019 financial year in accordance with section 107 of the Electricity Corporations Act 2005.

[See paper 2866.]

Mr W.J. JOHNSTON: I inform the house that Synergy reported a \$428.9 million impairment on assets and a \$152.4 million onerous contract provision. In reporting this impairment, Synergy has acted in accordance with Australian accounting standards and provided balance sheet transparency to its shareholder, the government of Western Australia. The factors that have contributed to Synergy reporting an impairment loss are not unique to the

Western Australian electricity sector. EnergyAustralia and Infogen Energy are two companies that have also recently reported very substantial impairments. In Synergy's case, the impairment of assets is a result of the business facing increased fixed costs predominantly across its generation operations, increased regulated network charges, some long-term power purchase agreements that no longer reflect current market conditions and other costs that are becoming clearer as the energy landscape changes dramatically. The exponential year-on-year increases of rooftop solar uptake, paired with increases in large-scale renewable generation, decreases the demand for electricity generated from Synergy's baseload assets.

More than one in four households in Western Australia have installed rooftop solar systems. Although this provides benefit to those households and the environment, generating enormous amounts of clean energy comes at a significant cost through the price paid per unit exported to the grid, and the cost of the depreciating value of the generating assets. Since the last election in March 2017, the McGowan government has supported the tough, but necessary, decisions to close baseload generation assets for commercial reasons. In May 2017, Minister Wyatt announced the need to close the unnecessarily refurbished Muja AB units, which was evidence of the waste and lack of strategic planning by the previous Liberal–National government. In August this year, the Premier and I travelled to Collie to announce a staged closure of two of the four remaining operating units at Synergy's Muja power station from October 2022. Closing the C units will allow the D units to be utilised more often, which will be more efficient and cost-effective.

This government is acutely aware of the dramatic change taking place in the energy sector, and we are taking steps to address the challenge for all Western Australians. We need to urgently update our rules and systems to enable the uptake of new, clean technologies. We have established an energy transformation taskforce to deliver on the state's energy transformation strategy to improve the way we plan and access our power system, while embracing new generation technologies and storage systems. The reporting of an impairment is necessary. It is a direct reflection of the challenges being faced by electricity companies globally, and has been undertaken in strict accordance with accounting standards and audited by the Office of the Auditor General. Synergy continues to provide reliable energy to its customers, ensuring the price they pay is as low as possible. It also continues to develop innovative energy solutions to help its customers manage their energy consumption.

REGIONAL AIRFARES

Statement by Minister for Transport

MS R. SAFFIOTTI (West Swan — Minister for Transport) [9.17 am]: I rise to update the house on the actions that the government is taking on regional airfares. At the last election the McGowan government gave a commitment to initiate a parliamentary inquiry into regional airfares—a commitment we delivered after years of inaction under the former government. In November 2017, the Economics and Industry Standing Committee delivered its report into regional airfare prices and the state government responded to all 48 findings and 13 recommendations in April 2018. Since that time, the government has been working to implement these recommendations, and today I want to highlight the progress that this government is making.

As part of the implementation of the parliamentary inquiry's recommendations, nine airfare workshops were held earlier this year on unregulated air routes in the Pilbara, Kimberley, midwest and goldfields. These workshops allowed stakeholders to help inform the state government's review of the state aviation strategy to identify innovative ways to address community concerns about the price of airfares—a key recommendation from the inquiry. The state aviation strategy will identify actions to improve airfares and air services on WA intrastate air routes, and the draft is expected to be released late this year.

Another key recommendation of the inquiry is the provision of flight and passenger data to government. From 1 July 2019, the government has placed conditions on aircraft licences requiring airlines operating on all regional air routes to report this commercially sensitive data, on a confidential basis, to the Department of Transport. This will enable the government to understand the price of airfares in regional WA, track movements in airfares over time and make data-driven decisions. Additionally, we placed new conditions on airlines, requiring them to undertake community and stakeholder engagement when requested by the Department of Transport. Community engagement is critical to enable airlines to better understand the needs of the communities they service.

Since the parliamentary inquiry in 2017, positive collaboration with the government, airlines, airports and the community has taken place across regional Western Australia.

This engagement has resulted in initiatives including the resident airfare program introduced by Qantas; the commencement of regulated air services by Regional Express Airlines to Monkey Mia and Carnarvon, where passenger numbers have increased by 55 per cent and 20 per cent respectively; community fares introduced by Skippers Aviation on northern goldfields routes, including to Mt Magnet, Meekatharra, Wiluna, Leonora and Laverton; affordable airfares to Broome and Exmouth through Qantas and Tourism WA; the removal of the \$99 change fees on the Qantas resident fare program; discounted airfares through Virgin to Kalgoorlie, Karratha, Port Hedland, Newman, Broome and Kununurra; and a \$400 cap on resident airfares to Kalgoorlie and Karratha by Qantas.

Although I acknowledge the improvements in regional airfares to date, there is still more that needs to be done to address the high cost of regional airfares. Affordable airfares are central to the liveability of regional towns for reducing community isolation, improving access to Perth and supporting economic development. The state government will continue to engage and collaborate with airlines, local governments, industry and other stakeholders through the review of the state aviation strategy, and we continue to implement the recommendations of the regional airfare inquiry.

PUBLIC TRANSPORT — PATIENT PARKING CONCESSIONS

Grievance

MR Z.R.F. KIRKUP (Dawesville) [9.20 am]: My grievance this morning is to the Minister for Transport, and I appreciate the minister taking my grievance today. I wrote to the minister in June this year requesting that the minister and the agency look into concessions or parking permits for people in Mandurah who are receiving hospital treatment or treatment for a chronic illness. I deliver this grievance on behalf of the Association of Independent Retirees, which I know has been in close contact with the member for Mandurah and me on this issue. Obviously, I think there is a lot of merit to it already, but I have realised through further research—the member for Mandurah may already know this—that Mandurah has the second-worst incidence of and mortality rates for cancer in Western Australia. Mandurah has the second worst rate of cancer incidence in Western Australia and it has one of the worst cancer mortality rates in Australia. Quite a number of people in our respective communities are unfortunately diagnosed with and receiving treatment for cancer. There are great cancer support services in Mandurah, such as Dot's Place in Greenfields, which provides transport services to and from the comprehensive cancer treatment centre at Fiona Stanley Hospital, but a number of people still drive themselves or seek transport to and from the Murdoch health precinct. Obviously, as the minister will appreciate, many of those are pensioners and are on very fixed incomes. They have approached me and the member for Mandurah to see whether the government could look at instituting a trial or something that would look at providing a concessional parking permit at Mandurah train station for those seeking specialised medical treatment.

The Association of Independent Retirees and a number of other pensioners have said to me that they would like a scheme to be implemented whereby they do not have to pay the full price when they are receiving specialised medical treatment for cancer, in particular. In this case, a long treatment plan is put in place for many patients, and, as I mentioned, as Mandurah has the second-highest cancer incidence rate in Western Australia and one of the highest mortality rates in the country, there is a very high demand for that transport service between Mandurah and Perth more broadly to access treatment. It may not be at only Fiona Stanley Hospital; it could be at Subiaco or other places where patients would be getting long-term treatment. The idea is that a permit system would be put in place whereby patrons who are accessing public transport to attend their cancer treatment program would display a parking permit that allows them to use off-peak bays or an off-peak area at a very reduced rate—so, they do not pay the full price. For many pensioners, parking fees in particular can be quite a burden. This is a serious issue for people in Mandurah, because a number of people need this treatment and they have to travel a significant distance to access it.

I appreciate that the minister has responded to my correspondence, and I appreciate her reply suggesting that there are a number of off-peak and ACROD areas in the car park. The concern I have is that patients receiving treatment for cancer may not necessarily qualify for an ACROD bay. I appreciate that there are a number of ACROD bays and parking permit areas. There are 26 ACROD bays in the Mandurah train station car park. As the government looks to expand the train station car park, there could be the opportunity to look at putting in place concessional permits for cancer patients and other patients seeking long-term treatment. In my district, and undoubtedly in the districts of the members for Mandurah and Murray-Wellington, for people who are very mobile and still have the opportunity to use their own motor vehicle to drive some distance, this would be incredibly helpful and a reflection of goodwill. All of us recognise that cancer treatment occurs at a very difficult time in someone's life. If we remove this friction point so that cancer patients no longer have to pay for parking when they take the train to Murdoch, Subiaco or any other place where they are receiving treatment, it will make a significant difference. That is the message that is coming back to me. The parking fees could even be removed on a trial basis—I know that the government conducts trials in a range of different areas—and it could be assessed to see whether this could be facilitated, particularly in Mandurah. I realise this is something that would undoubtedly be welcomed across the state, but, as I pointed out, I believe that the high cancer incidence and mortality rate in Mandurah and the distance between it and many treatment centres means that we are clearly a special case and deserve some special attention.

I thank the Minister for Transport for taking my grievance this morning. I appreciate the member for Mandurah's continuing support for this. I know he has been supportive of the association, just as I have. All of us want to make sure that people in Mandurah who are sick and receiving treatment have the very best access to care. I think this might go some way to doing that. I look forward to the minister's response. Again, I thank her for taking my grievance this morning.

MS R. SAFFIOTTI (West Swan — Minister for Transport) [9.26 am]: I thank the member for Dawesville for raising this issue. As the member for Dawesville outlined, the member for Mandurah has raised this issue with me, and, more generally, the shortage of parking at Mandurah, which has created a number of issues for everybody accessing that car park. I will talk about that in a moment.

As outlined, the member for Dawesville wrote to me, and I wrote back outlining some of the concessions that are available at the car park. A number of bays are set aside for patrons such as seniors who travel outside of peak periods. These bays are for short-term pick-up and set-down of up to 15 minutes during peak periods, but outside of those peak times, patrons can park for longer. As the member outlined, there are 26 accessible car bays for people with an ACROD permit, and, of course, there are other feeder services. That is what currently exists. I understand that the members for Dawesville and Mandurah have raised this issue on behalf of those seeking serious medical treatment at hospitals further along the train line. It is an issue that has some merit for consideration.

As we have said, there is currently limited access to car parking at Mandurah. I want to take this opportunity to outline the government's commitment to building a new multistorey car park in Mandurah. Again, this was a key election commitment raised by the member for Mandurah, because Mandurah is a collection point for not only those people living in Mandurah, but also some people in the electorates of the members for Bunbury and Murray–Wellington who travel to Mandurah to catch the Mandurah rail line. As we know, there is not a train station in that northern part. We have committed to a new train station north of Mandurah and we will announce some of those details by the end of the year. A new train station, together with the new multistorey car park that will add a net 600 car bays, will, I think, really take the pressure off.

Mr Z.R.F. Kirkup: Is that between the two?

Ms R. SAFFIOTI: No, that is just at Mandurah. There will be a net addition of 600 car bays in Mandurah, plus, of course, a new train station. I think that will take a lot of pressure off Mandurah train station. As part of that, we can consider options for those seeking serious medical treatment.

I thank the member for the grievance. I do not think there is anything we can do right now, given the pressures already on the Mandurah car park. Of course, there is always some inconvenience when there is construction. We are working out some temporary parking to alleviate those pressures over the construction period. We will construct a new multistorey car park, and when that is up and running, we will be able to consider these types of options. Proximity in particular is a big factor. We will look at car spaces in proximity to the train station being set aside for those who potentially seek serious medical treatment, whether it is at Fiona Stanley Hospital, St John of God hospitals, Hollywood Private Hospital or Sir Charles Gairdner Hospital. They are the main hospitals at which people receive cancer treatment.

Mr D.A. Templeman: Bearing in mind of course, minister, that for some cancer sufferers, travelling on public transport is not conducive to their condition. There is that consideration.

Ms R. SAFFIOTI: Yes, it does vary depending on the type of treatment and where the patients are in their treatment cycle for their illness.

This is certainly something that the government will consider. As I said, we are excited about the new train station and car park because it has been called for for many years and I am glad that we will start construction in the near future. The new train station will increase the parking capacity at the Mandurah station by around 600 bays to a total of about 1 700 bays, which will make it one of the biggest car parks in the entire network.

RETAIL THEFT — BELMONT

Grievance

MS C.M. ROWE (Belmont) [9.31 am]: My grievance is to the Minister for Police. My electorate of Belmont has, like many others, a significant issue with shoplifting, theft and fuel drive-offs, especially from local small businesses. Retailers are at their wits' end from having their goods continually stolen, often by repeat offenders, and there being very little recourse under the law to prosecute the offenders who are shoplifting from their premises or stealing from their customers—stealing handbags, credit cards or purchased items. This has been a particular problem experienced by many shops in the Belmont Forum, shops along Belvidere Street, the Kooyong Road shops and petrol stations and convenience stores around the City of Belmont. A number of local petrol stations have been repetitively targeted by the same shoplifters, and they have expressed to me their frustration that those thieves seem to be unperturbed by being caught as there is very little, if any, repercussion for their actions. This is simply not good enough. Action needs to be taken to tackle this persistent issue in my community. It affects storeowners, many of whom are small business owners and have suffered a financial loss by having their goods stolen, but also have had to outlay significant amounts of money to install expensive security cameras and screens to deter shoplifting or to assist in providing information to police when they have items stolen.

One local small business, a bottle shop, has been targeted by shoplifters and has had to install very expensive equipment as a result of the losses he has incurred from continual theft. This includes internal cameras as well as external cameras around the perimeter of his business, and internal television screens to monitor the store and its entrance. He recently asked me to visit his store to see that equipment and he explained to me how that was having an impact on his business and its viability.

This presents a significant problem also for locals who frequent the Belmont Forum and the other shopping precincts I mentioned earlier, where there are often reports of handbags being stolen, and in the process of the theft

people are being pushed over, particularly older people. This causes many in my community to feel unsafe and, in some instances, deters them from shopping in our local area entirely for fear of theft. I know that this is particularly the case for older residents in my community who simply will not go to the shops. They feel too vulnerable and they will ask neighbours or family members to do their shopping for them. People in my community have had enough of this type of crime in our local shopping areas.

Without doubt, the police in Belmont do an exceptional job. They work tirelessly to protect our community. They share the community's frustration at the persistence of theft and shoplifting in our community. I ask the minister: what can be done to hold these shoplifters to account and work towards stamping out this type of theft in my community?

MRS M.H. ROBERTS (Midland — Minister for Police) [9.34 am]: I thank the member for Belmont for her grievance today about this most important issue. Unfortunately, in recent years there has been an attitude that shoplifting and fuel drive-offs happen. Commissioner Dawson and I have had many discussions on this topic and we are both firmly of the view that we need to crack down in both of those areas, and we have been doing that over the past year or so; however, there is a lot of catch-up to be done. It is concerning that clearly the attitude of a lot of the people doing the shoplifting and retail theft is that it is only shoplifting. However, it is theft, and as the member for Belmont correctly identified, far too often it also involves a level of violence or assault. The government aims to act on that.

New systems are being introduced with the convenience stores of Australia, which effectively are the big fuel companies and garages. I expect to be able to give further advice on that in the near future. Before I go into some changes that police have made recently in dealing with retail theft, I highlight some of the local operations in the member's area. In recent times in the Cannington district, police have conducted operations Emulate, Verdun and Crevice to target retail theft by juveniles. Rather than ignoring the issue, specialist operations have been set up to target those who are consistently committing retail theft.

Banning notices have been employed at the Waterford Plaza, Belmont Forum and Westfield Carousel Shopping Centre and at Bunnings stores in the Cannington area. Earlier this year a gang specialising in handbag theft and credit card fraud in the Cannington district was disrupted, resulting in a number of arrests. We know that those people do not stop until they are arrested and brought before the court. Police are working with the national retailers association about shopping centres, and positive feedback has been received on some of the changes that police are making to deal with theft.

Retail theft has a significant impact. I acknowledge the impact it has on small business owners and shop assistants throughout the metropolitan area who are subjected to theft on a daily basis. In the past couple of months a directive went out to police throughout the metropolitan area to look at preferring the highest charges possible when retail theft occurs. Retail theft is up this financial year to date compared with the same time last year. This is something that police have monitored closely. Officers across the metropolitan region have been directed for the first time to charge offenders with the more serious offence of robbery in circumstances in which an incident has escalated to violence. Put simply, simple theft is not an offence that carries an imprisonment term. Robbery with violence has an imprisonment term of up to 20 years; that is very different. I want to put people on notice that the police will not take a soft approach to those who steal from retail premises. Police will look to prefer the highest charges possible because it is plainly unacceptable. Many people are subjected daily to violence when they go to work in their own store or as a shop assistant. If people steal from a shop and assault someone as part of that, they face a sentence of up to 20 years' jail. I hasten to add that it does not mean that everyone will get a sentence of 20 years' jail, but it means that jail time is a very real prospect. People should not think that they can go out and steal with impunity.

Police outlined to me a few recent incidents, one of which occurred in your electorate, Madam Acting Speaker (Ms M.M. Quirk). A robbery occurred at a Girrawheen tavern on 20 October 2018. The accused selected two 10 packs of alcohol. He allegedly pushed them into the chest of the staff member to move him out of the way. The accused was charged and convicted of a robbery, for which he received a two-year imprisonment term from the Perth District Court on 2 August 2019.

Others in progress include an incident in Armadale where three suspects, two female and one male, entered the store and began removing numerous perfume packs from the shelves. One of the female suspects grabbed and pushed a female staff member as she attempted to stop them from leaving the store with property they had not paid for. The two female suspects have both been charged with aggravated robbery. A 16-year-old girl from Armadale will appear in court on 23 October and a 45-year-old woman from Armadale appeared in court on 24 September. I have seen video footage of an incident that occurred at a supermarket in Midland when a man allegedly stole groceries and pushed a shopping trolley into a security guard who was attending other duties and was unable to leave that post. However, the accused man has been identified and charged with robbery and will appear in Perth District Court on 10 December. I will close with the following incident. At a liquor store in Beldon, a male suspect entered the store, picked up a carton of alcohol and walked out without paying and challenged the male staff member. A 39-year-old man from Gosnells has been charged with aggravated robbery and his next court appearance is in November. I want to assure the member for Belmont that police are taking this very seriously. They have been taking a tough, new approach over recent months and that will continue.

**DEPARTMENT OF EDUCATION —
COMMUNITY USE OF SCHOOL FACILITIES AND RESOURCES IN PUBLIC SCHOOLS**

Grievance

MS L. METTAM (Vasse) [9.40 am]: My grievance is to the minister representing the Minister for Education and Training, and I thank the minister for taking the grievance today. It is with regret that I must present a grievance today following the cancellation of a longstanding arrangement that enabled the provision of high-quality music tutoring at Dunsborough Primary School as part of a weekly learning program for interested students. This arrangement has been taking place at the school for about 10 years. Since it began, it has grown to 56 students who receive tutoring in guitar, keyboard, drums and vocals from five different tutors.

Although the issues have been raised with me specifically by the parents of Dunsborough Primary School students, I am aware that this issue also affects some 40-plus students who attend Vasse Primary School. That is almost 100 students who enjoy music tutoring in the region and who have enjoyed a great opportunity to learn music in a school setting not otherwise offered at these regional schools. We see time and again occasions when regional students do not enjoy the same opportunities that their counterparts in the metropolitan areas enjoy. The only reason music lessons can no longer be provided is that red tape is simply getting in the way of commonsense and support for choice for these students. Such rules do not exist for private schools in the region, where students enjoy the benefit of such tuition during class time to counter the challenges of delivering a range of music lessons in a regional area. It is my understanding that a directive was issued by the Department of Education that all WA government schools must ensure they comply with the community use of school facilities and resources in public schools policy. Dunsborough primary then undertook a review that revealed it was in breach of this policy by allowing students to participate in private music lessons at school during school hours and, as a consequence, the parents of the students have been advised that alternative arrangements must be made from next year. As I stated earlier, this arrangement has been in place for a decade and has been successful. The community use of school facilities and resources in public schools policy states —

School facilities and resources must be made available for use by the community, TAFEWA colleges and any other potential users.

Principals must not permit activities which are inconsistent with the educational aims of the school or which interfere with its operations.

Applications for use of school facilities and resources must be approved by the principal and formalised through a written agreement signed by the school principal and a representative of the user group.

Principals will consult with School Councils to establish the schedule of fees or charges to be applied for the hire or use of school facilities and resources.

I do not believe that the provision of music tutoring is inconsistent with the educational aims of the school. The feedback I have received from parents is that such lessons do not interfere with its operations. We are talking about half an hour a week. In fact, in many cases, particularly those involving autistic students, these lessons have had a significant impact on the students' overall concentration and learning outcomes at these primary schools. The minister can therefore imagine the disappointment of parents at Dunsborough Primary School and, potentially, Vasse Primary School, whose children participate in private music tuition at the school during school hours. The fact is the tuition does not impact adversely on the school. The policy has been imposed without consideration for the parents or students and without considering alternatives such as reviewing the policy.

I am sure the minister will agree that this is a case of red tape that needs to be addressed to enable those students to access this important educational opportunity. It concerns me that this may represent the further erosion of the autonomy we are seeing in our public schools as a result of the McGowan government's departure from the independent public school model, which, under the former government, had given schools and principals in particular a greater level of choice in the operation of their schools to better reflect the needs or aspirations of the local community.

Music is widely recognised as assisting students with improvement in cognitive functioning and self-development. Moreover, countries with a stronger focus on musical education tend to score highly in literacy and numeracy. Private music tuition in Dunsborough and Vasse Primary Schools complements the schools' music program, which is available to students for only one semester a year.

Within my electorate, similar to other regions around the state, we face additional challenges that may not be experienced in metropolitan areas due to a limited number of music tutors as well as limited public transport options for after-school opportunities. Music tutors in the region have large waiting lists for after-school work. Schools may have expressed concern that the students are missing out on some school time but the parents in my electorate advise me that it is limited. We are talking about half an hour each week and they have made a conscious decision to allow their children to continue with tutoring because it is important and does not negatively impact their schoolwork. There is a compelling argument to either review or override the community use of school facilities and resources in public schools policy or provide some discretion as it applies to these schools, or for principals to use that discretion, as I have stated.

Minister, let us not have red tape get in the way of a good program and opportunities being provided to students, particularly in regional areas. This is about providing regional schools with additional autonomy, choice for students and support of the musical talents of our youth who may not otherwise have the opportunity.

This grievance seeks the minister's support for the continuation of music tuition for almost 100 students learning to sing or play guitar, drums or keyboards for just half an hour a week in a school setting at no cost to the school. It is a worthy practice that, again, has not been a cost to the school but has been of great benefit to the students. Thank you for listening to my grievance.

MR P. PAPALIA (Warnbro — Minister for Tourism) [9.47 am]: I am responding today on behalf of the Minister for Education and Training. I will do so in a minute and stick quite tightly to what she has provided me. However, before I do that I have a note that the member wrote to the minister exactly two weeks ago about this matter. I suspect that her bringing this in as a grievance two weeks after raising it with the minister in writing has more to do with the deadline of the local paper than with any claim of concern about the students at these schools.

Several members interjected.

Mr P. PAPALIA: As I know the member would agree —

Several members interjected.

Mr P. PAPALIA: Do members want an answer or not?

Several members interjected.

The ACTING SPEAKER: Member for Riverton, you are not in your seat.

Several members interjected.

Mr P. PAPALIA: I might add, another negative story. You are the most negative member of Parliament I have witnessed in this place.

Several members interjected.

The ACTING SPEAKER: Members!

Mr P. PAPALIA: I know the member will agree that learning music and the arts more broadly can provide real benefits for students, and I will come back to that in a minute.

I understand that, as the member said, 10 years ago, Dunsborough Primary School entered into an agreement that allowed commercial providers to use school facilities during school hours. A similar arrangement was also negotiated with Vasse Primary School. These arrangements are a breach of Department of Education policy. Students at the two schools left class during teaching time to attend private music tuition with private music tutors on school grounds and in school time. That is, they missed class time spent on other elements required by the curriculum to attend lessons with private tutors. It is worth noting that over a year, a student receiving one music lesson a week would miss 20 hours of class time in regular school education programs. The principals of Dunsborough and Vasse Primary Schools are working together to establish a common approach and solution within department policy guidelines. Both principals have worked with their school boards to establish solutions that allow families to continue to access private music tuition, without breaching policies. When deciding whether private tutors are permitted to use school facilities, decisions must be made in accordance with the community use of school property, facilities and resources in public schools policy. The deed of licence for use of school facilities, which is used for arrangements under the community use of school property, facilities and resources in public schools policy, is not new and was implemented under the previous government in late 2012. Both schools have offered a deed of licence for use of school facilities to the music tutors to support the delivery of an after-school program on the school site, ensuring continued access for students and families. Students in both schools have access to general music funded through the schools' one-line budgets, as independent public schools.

I will come back to what I was saying before about the arts more broadly. The Department of Education recognises that the arts have the capacity to inspire and enrich all students, exciting the imagination and encouraging them to reach their creative and expressive potential. Therefore, schools provide their students with opportunities to receive a formal music education and participate in co-curricular activities such as music lessons, choirs and ensembles. Schools are expected to make every effort to provide students from preprimary to year 10 with the opportunity to engage with all five arts subjects—dance, drama, media arts, music and visual arts. Schools have the ability to fund general music programs through the schools' one-line budgets. Students are also exposed to music learning through other curriculum-related activities, such as concerts and assemblies. The department supports programs specifically designed to engage children of all ages in music education. These include the WA Primary Schools' Massed Choir Festival and the WA Government Schools' Music Society. I am sure some members will have had the privilege of attending one of these events and I know the Minister for Education and Training attended one of these concerts as recently as Monday night.

WA public schools have access to the department's Instrumental Music School Services, with specialist music teachers who teach students in over 400 primary and secondary public schools throughout the state, including

those in the south west. Students in years 5 and 6 in both Vasse and Dunsborough Primary Schools have access to specialist music lessons through Instrumental Music School Services. It is acknowledged that not all instruments are offered in all schools and students have the ability to access private music tutors during non-contact periods of the school day. Access to private music tuition for instruments is also an option for parents outside school hours. Principals are responsible for implementing the full curriculum and their prime responsibility is to do that. The priority during the school day must be focused on the delivery of the WA curriculum. Principals are also required, of course, to follow Department of Education policies. This applies regardless of whether the school is regional or metropolitan. Extracurricular activities can occur before or after the school day, on weekends or during school vacation periods. The department will continue to work with the two schools in the member's electorate to ensure an outcome that meets the legal requirements, as well as access to the level of music education that their local school communities want.

It is understood that the principal of Dunsborough Primary School wrote to parents indicating there was a directive from the department about complying with its community use of school property, facilities and resources policy. It is also understood that the advice provided by the department to both schools related to the requirements of the community use of school property, facilities and resources policy and other relevant department requirements. This advice included that the arrangements that were in place in both schools were not in line with the community use of school property, facilities and resources policy, as use of the school's facilities during class time for this purpose may be inconsistent with the educational aims of the school. These arrangements may also present risks, if not resolved through a formal deed of licence, from a duty-of-care perspective. Alternative options were provided for both schools to consider that would enable music tutors to continue, through delivering services through an after-school program on the school site, and be compliant with the department's policies.

REGIONAL ARTS FUNDING

Grievance

MR D.T. PUNCH (Bunbury) [9.54 am]: My grievance is to the Minister for Culture and the Arts and concerns the McGowan government's investment and commitment to regional arts funding. I use the term regional arts quite broadly. We know now, of course, that the arts cover a vast array of different mediums—too many for me to mention in the time allocated. My electorate of Bunbury is relatively small in geographic terms, covering some 60 square kilometres, but it has one of the larger regional populations with a strong multicultural flavour. It sits at the head of the south west economy, which has a gross regional product estimated at over \$15 billion, based on agriculture, manufacturing, tourism, resource processing, human services and the creative industries. It is a shining light for our region and for the state and hosts the region's port, which has grown every year in total freight handled, and is central to a large industrial land resource capable of supporting the opportunities I have described.

The community will grow, and culture and arts need to grow with it. Bunbury has a thriving culture and arts community and we punch well above our weight. We have an extensive program of the region's talented performers based in Bunbury and it speaks volumes about and is testament to the capacity and continued growth of Bunbury and the region. My community is home to an outstanding performing arts centre in the Bunbury Regional Entertainment Centre, an A-class art gallery and a community arts centre that facilitates the ongoing practice of heritage craft and disciplines. As a centre for a wide range of peak regional arts organisations, no doubt Bunbury has the creative infrastructure necessary to advance the creative industries in my community and the region. The investment into the activities of the sector is necessary for us to capitalise on that infrastructure. The benefits of the arts and cultural experiences to our communities are extensive and should not be underestimated in our diverse state. They make an important contribution to social cohesion, sense of identity, and health and wellbeing, and extend to tourism and other economic development opportunities.

There are many examples of individual artists and touring productions in Bunbury funded through the culture and the arts WA grants program. Investment into arts and cultural services in regional WA is needed to build regional liveability and prosperity. The provision of arts and cultural services to regional WA creates accessibility for communities to arts and cultural experiences, thereby supporting communities to be healthy and well connected. The arts and cultural sector also offers a range of employment opportunities and increases economic activity through supporting industries such as the hospitality sector. There were 95 660 creative industry jobs in regional Australia in 2016, which increased by 21 per cent from 2011 to 2016. This is a growth sector and investment is vital to see it reach its potential. I know that the statistics for creative industries in the south west are equally impressive.

I am aware that some regional funding is coming to an end and I am concerned that if we do not move now to ensure that the funding opportunities are continued, many of my region's local artists and performers may have to move elsewhere or close their doors. I am aware that the McGowan government values regional arts and cultural organisations and recognises the valuable contribution they make to regional Western Australia. A strong cultural and arts program is crucial to regional communities. Opportunities for our young people to see, hear and participate in these activities are vital for their education and wellbeing. There is a great network of youth-related activities in culture and the arts.

The state government has made a significant investment in promoting the beautiful south west region of our state and many feature films are now making the most of this amazing backdrop. The important link between the funding of culture and the arts and tourism cannot be underestimated. I recently attended the twelfth CinefestOZ awards night in Busselton and Bunbury. The festival's \$100 000 Film Prize, Australia's largest prize, had two WA films in competition, *GO!* and *H is for Happiness*, with *H is for Happiness* winning the prize. I understand the regional exhibition touring boost is delivering new visual arts exhibition touring to regional WA galleries in 2020 as part of the \$8 million regional exhibition touring boost election commitment to connect regional audiences with the state's art collection. This government's commitment to the regional exhibition touring boost is providing fantastic opportunities for regional audiences to engage with artworks from the Art Gallery of Western Australia collection.

If a funding program is not implemented, the cessation of the delivery of arts and cultural services in the regions will mean that the increased level of arts and cultural activities available for regional communities will decrease and regional audiences and markets that have been developed will be lost. This would have a negative impact on the growing regional arts economies, employment and skills development in the creative sector. Back in 2010, we analysed the creative sector in my region. The analysis showed that it contributed around \$360 million to the gross regional product and \$75 million to exports, and employed over 1 000 people. At that time it was growing at an estimated rate of three per cent. It was a very significant sector for our region. The positive effects on health, education, and social cohesion of communities engaging with the arts would also be lost, reducing the quality of life for regional people. Again, the benefit of culture and the arts cannot be underestimated. It promotes inclusion, vibrancy and a healthy local community. Could the minister please outline any funding opportunities that may be available to support the regions going forward? Thank you, minister.

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [10.00 am]: I thank the member for Bunbury. I am very pleased to respond to his grievance.

First of all, I acknowledge the member for Bunbury's strong support and understanding of the value of our creative industries to a modern economy and a future broadening of our economy, and the role that culture and the arts plays in telling the story of who we are. The member mentioned that it delivers a whole range of benefits to the community, individuals and organisations through participation and connectivity. I agree with the member totally. The member represents Western Australia's second largest regional city, behind the City of Mandurah, which remains of the largest regional city in Western Australia. I know that he represents his regional city proudly. I want to congratulate Bunbury and other communities of the south west, which, in many respects, continue to lead the way in the development and support of creative industries in Western Australia. The member mentioned the CinefestOZ Film Festival, which, as the member is aware, is one of many examples. The south west, and Bunbury, is home to an increasing number of people involved right across the spectrum of creative industries, be they musicians, performers, writers, artists, or people involved in graphic design—AV, UV and all the other Vs! The south west is a hive of activity. The member's plea to this government to continue and, indeed, enhance funding to the arts is well heard. I am very proud and pleased that one component of a number of initiatives was committed to in the state budget through the regional arts and cultural investment program, which will deliver \$20 million to regional Western Australia over the next four years through three key streams. I will go through them because I want to highlight the opportunities for the member's region because he has asked what funding is available, how it can be accessed, and the priorities and objectives.

Stream 1 of the \$20 million is \$11.3 million over four years for regional venues. The member's electorate has a magnificent venue in the Bunbury Regional Entertainment Centre. I have been to shows there on a number of occasions. The regional venues fund under stream 1, "a state of creativity", focuses on delivering \$9.3 million to a venue activation fund and \$2 million for business development capacity building. That will support the development and sustainability of creative industries. It is really important that we support the sustainability and development of creative industries in Western Australia because they need that to ensure that they get start-ups. There are many great examples of start-ups, but they need stability and sustainability in order to have time to succeed. As the member highlighted, investing in creative industries creates jobs and makes sure that there is a leverage effect. As the member knows, the arts is a very good and outstanding example in which one dollar invested leverages many other dollars of investment. We can see that in the regional film fund, which the member highlighted as well. That fund allows leverage that gets films, documentaries and series off the ground so that they can be filmed in regional Western Australia. In his grievance the member highlighted a number of examples of some magnificent films, documentaries and a series that have been produced and filmed in regional Western Australia, including in the south west. The member mentioned two films that were CinefestOZ finalists. They were *H is for Happiness*, which is a magnificent film—members with a family or kids should take them to see that film because it is a remarkable and beautiful story—and *GO!*, which was filmed in and around Busselton in the south west.

The second stream is also really important. It is called "strengthening Aboriginal arts". It is a \$2.46 million investment specifically supporting Aboriginal arts and cultural centres around the state. It is very important because we want to enhance the capacity of Aboriginal arts and cultural centres to not only support Indigenous artists and their work, but also make sure that they get the remuneration they deserve as artists. There is a big investment in that through this fund. There is also a commissioning fund of \$1.8 million, which will ensure that we understand the development of our Indigenous artists in Western Australia and, indeed, their value in selling our state to the rest of

the world. The member mentioned tourism. Tourists want to not only see great landscapes, which Western Australia has plenty of, but also learn the stories of the people who make this place. The member also mentioned the multicultural make-up of Western Australia.

The third stream is “empowering and employed communities”. It is a \$5 million commitment that looks at levering creative and cultural planning, regional arts empowerment and employment grants, and a community participation and inclusion grant program. These will all be available to the member’s community. The regional and remote festivals fund supports small and not-so-small festivals that do fantastic stuff in Western Australia. Finally, I could go on, but I want to mention two programs that opened recently—that is, the regional and remote festivals fund and Playing WA. I will give the member some more information about these. These two funds are open now. They are significant investments that target regional communities. The first will support regional and remote festivals. Playing WA will focus on delivering content productions into regional Western Australia. Well done, member for Bunbury. He gets it. He understands culture and the arts. I know he does and he is a fantastic member of this place and represents his community brilliantly.

ECONOMICS AND INDUSTRY STANDING COMMITTEE

Seventh Report — “Levelling the Playing Field: Managing the impact of the rapid increase of Short-Term Rentals in Western Australia” — Tabling

MS J.J. SHAW (Swan Hills) [10.07 am]: I present for tabling the seventh report of the Economics and Industry Standing Committee, titled “Levelling the Playing Field: Managing the impact of the rapid increase of Short-Term Rentals in Western Australia”.

[See papers 2867 and 2868.]

Ms J.J. SHAW: When the committee initiated this inquiry into short-stay accommodation, we anticipated a straightforward exercise that would take a comparatively short period of time to complete. There had been a groundswell of public agitation from the south west of the state, voicing concerns about the emergence of online accommodation platforms and, so it seemed, a high level of consensus about the nature of the problem. However, more than any other inquiry that this committee has yet tackled, this issue has proven remarkably complex and polarising. It has drawn a record number of submissions from around Western Australia and exposed an issue that is having a broad range of impacts and triggering a wide array of policy and community responses. The lengthy time this inquiry has taken to complete, and the difficulty the committee has experienced in developing a set of practical recommendations, perhaps reflects the complexity of this topic and the wide range of perspectives within and between communities. In this inquiry, we have differentiated between two main types of short-stay accommodation—that is, traditional accommodation and short-term rentals.

Traditional accommodation properties have long existed and have usually been specifically developed to provide short-stay accommodation for the recreation and business travel markets. They have been appropriately licensed and registered and include hotels, motels and licensed bed and breakfasts. Short-term rentals are properties, or rooms within properties, that have not been developed for traditional accommodation purposes. Short-term rentals have usually been built for residential purposes and are often located in areas zoned for residential use, but have subsequently been offered for short-term letting for the purposes of recreational, business or other travel. They are not always licensed or registered.

Evidence provided to the committee demonstrates that the short-stay accommodation industry is, like so many others, undergoing rapid change. Western Australia’s first short-term rental was listed in Como in August 2008. Two years later, 30 properties were listed online. Since that time, growth has been exponential. In the twelve months to December 2018 we saw a 24 per cent increase in listings, with over 20 000 properties now available in Western Australia. The vast majority of these properties are un-hosted, with guests having exclusive use of an entire house or apartment. The increasing prevalence of short-term rentals, often in competition with traditional accommodation, has prompted this inquiry.

There are a wide range of views on the topic, across the state and within and between local government areas. Although there were differences in the individual accounts provided to the committee, four main stakeholder groups raised consistent issues: traditional accommodation providers, short-term rental owners, neighbours and holiday-makers. Traditional accommodation providers raised issues surrounding competition from short-term rentals, noting that their rise coincided with a decline in traditional accommodation occupancy rates. This seemed to be a particularly prevalent complaint in the south west of the state. Traditional accommodation providers stated that short-term rentals are not subject to the same approvals and compliance costs and burdens, resulting in an uneven playing field. Traditional providers observed that they were often subject to higher local government and utility rates, and expressed concerns about consumer protections, customer experiences, insurances, safety and disability access. Some claimed that short-term rentals do not add to local economic activity or contribute to local destination marketing and tourism initiatives. They stated that competition from short-term rentals was causing them to reduce staffing numbers. Traditional accommodation providers urged a high degree of government intervention and regulation, often advocating that short-term rentals be subject to the same compliance measures as traditional forms of short-stay accommodation.

Short-term rental owners and the platforms facilitating them emphasised a range of benefits from their form of accommodation. They stated that short-term rentals provide consumers with more choice in how they holiday and encourage tourism into areas that may not have many traditional accommodation options. They claim that they generate local economic activity, regularly referring their guests to small local businesses and tourism attractions. Hosted accommodation owners in particular claimed that they provide a more authentic experience, allowing their guests to live like locals. They provided evidence that they employ local support services such as cleaners and gardeners, and themselves derive an income stream from letting their properties. This is particularly important for retirees and also a disproportionately high number of single women who own and operate this short-term rental properties. The committee also heard that entirely new business models are emerging, providing short-term rental management services. Holiday-makers supported the view that short-term rentals provide a different form of short-stay accommodation product and facilitate customer choice. Given their lower cost, short-term rentals make access to holiday-making more affordable and accessible. They allow people to travel with their pets, self-cater and provide a home-away-from-home experience that is particularly beneficial for larger family groups or those travelling with young children.

Neighbours of short-term rentals emphasised the negative impacts that properties can have on amenity. The committee was presented with evidence of party houses, and apartments and homes being used as corporate venues. In residential areas people raised issues such as barking dogs, loud music and other antisocial behaviours, rubbish management and parking issues, and said their neighbourhoods became ghost towns during low season periods. In apartment and strata complexes people expressed additional concerns about building access and security and the misuse of common areas. Local governments expressed similar concerns about these issues and discussed the difficulty in developing and implementing policy or regulatory controls.

The community services sector raised issues surrounding disabled access to short-term rental properties and a potential crowding out effect over the longer term, as has been experienced in tourism destinations such as Venice and Barcelona. In some locations with a high proportion of short-term rentals there have been implications for the longer term rental market and local residents' access to affordable housing. Again, we heard evidence of that particularly in the south west of the state, where some community members and workers are unable to secure accommodation in towns such as Margaret River and are forced in the high season to move upwards of one hour to one hour and a half away in travelling time from their place of employment.

Local government authorities have responded to the rise of short-term rentals in a variety of ways. Most LGAs noted the challenges associated with identifying the size of their local short-term rental sector, complaints management processes and enforcing compliance with licencing or registration schemes through planning mechanisms and local laws. Evidence to the committee showed that local governments have developed a complex and often confusing patchwork of regulatory requirements, with widely varying degrees of success.

Jurisdictions around the world have grappled with how best to address the issues arising from the changes underway in the short-stay accommodation industry. It is important to recognise that the different levels of government also have different interests and objectives. At the state level, the Western Australian government is concerned to manage macro-level issues associated with planning and land use, access to affordable housing, consumer protection, economic development and particularly the development of the tourism sector. Although LGAs also have an interest in these aspects, they are primarily focused on managing local amenity impacts, the provision of community services and facilities, and very particular local planning and land-use issues. Both levels of government also have a different range of tools available to manage the sector.

The findings and recommendations in this report seek to balance the different perspectives and interests in short-stay accommodation and support the objectives of both state and local governments. The committee recognises that short-term rentals are a legitimate form of short-stay accommodation, but we consider that they should be appropriately regulated according to local conditions. The committee finds that existing state-level planning instruments and guidance materials addressing short-stay accommodation are dated and inconsistent. We have also observed that the thresholds for fines available to local government authorities may not be sufficient to deter non-compliance with any local planning controls. Prosecution processes are also problematic. We have made a series of findings and recommendations highlighting how the state government could provide better guidance, particularly through planning and strata frameworks. The evidence to this inquiry has shown that a consistent baseline set of information about the short-stay accommodation industry would considerably support state and local policy planning and regulatory functions, enabling regulators also to determine the industry's size and scope and assess the impact of short-term letting on the WA economy, regions and communities. This report's central recommendation is that the state government establish a statewide registration scheme for short-term rentals. We consider that registration should apply to both hosted and un-hosted properties to ensure complete information and manage avoidance behaviours. As further outlined in this report, registration received widespread support from traditional accommodation providers, neighbours of short-term rentals, self-appointed industry data providers, local governments, Tourism WA and other state government agencies, advocacy groups and industry organisations, short-term rental managers, short-term rental owners and online booking platforms. Recognising that heavy compliance burdens and high overheads should be avoided, we have found that any property registration system

for short-term rentals needs to be simple, low cost and user-friendly. The committee did not consider it appropriate to make more detailed recommendations about the specific datasets that should be collected through the registration process, beyond observing that the state should consult with local government about the information that would be of use to both levels of government. Important issues also need to be teased out with the differing regulatory and legal mechanisms that could be available to enforce any scheme.

There was a clear preference amongst many inquiry participants for the state government to manage a central register, in part because it would provide the information and regulatory consistency that Western Australia currently lacks. In the committee's view, state management of a single, central register would also increase efficiency and simplicity for participants. It was less clear which state agency should lead the development and implementation of a registration scheme. Indeed, the evidence suggested that a range of state entities have considerable interest in the short-stay accommodation industry, but interagency collaboration seems limited. The successful implementation of a registration scheme will depend on clear lines of accountability for the scheme's administration and identification of the levers available to enforce mechanisms for noncompliance. To date, much of the policy work on this issue has been undertaken through the planning portfolio. However, the recommendations listed in this report do not refer to a specific minister unless direct, compelling evidence was presented to the committee that clearly identified or recommended assignment to a particular portfolio. Given the number of agencies and ministerial portfolios with an interest in the regulation of short-stay accommodation, it is vital that the state government clearly identify the lead agency and portfolio with primary accountability for industry regulation.

We have recommended that the Ministers for Commerce, Local Government, Planning and Tourism establish an interdepartmental working group to coordinate whole-of-government policy responses for short-stay accommodation. We have also recommended that the interdepartmental working group develop the requirements for the statewide registration scheme, including the nature of the information to be gathered, the registration cycle, registration costs, the appropriate agency to hold the register, and data-collection and sharing mechanisms. Other jurisdictions have imposed information disclosure obligations on the online platforms themselves and have required that they display valid registration numbers for short-term rentals. The evidence to this inquiry suggested that these measures would also be of benefit in Western Australia. We have therefore recommended that the relevant minister prepare regulations requiring online platforms to provide data on short-term rental properties listed in Western Australia. It is appropriate that the platforms assist policymakers to appropriately manage the impacts of an industry that they enable.

Witnesses and submissions to this inquiry repeatedly stated that any new regime for short-stay accommodation must allow communities to manage the sector in accordance with local conditions. The committee agrees with this proposition. The committee recommends that a light-handed state-level obligation to register short-term rentals be imposed, but found that until such time as there is compelling evidence for more significant state-level intervention, any additional conditions, licenses or operational constraints or controls should be imposed only at the discretion of the relevant local government authority. Some local government authorities will wish to manage only the planning aspects of short-term rentals. For example, they may want to limit them in areas of high bushfire risk or to tourism precincts in order to maintain vibrant residential suburbs, which might otherwise become ghost towns during off-peak seasons. Other local government authorities may have little interest in land use but greater concerns about amenity impacts. For example, they may want the ability to ensure that nuisance properties and party houses are controlled. It is questionable whether the planning system is the appropriate vehicle for managing those types of issues. The key theme to emerge through the evidence was that local government authorities should be empowered to address local conditions and be answerable to their local communities for how they manage the impact of short-term rentals. The statewide register should be a powerful tool for local government authorities to understand and manage the impact of short-term rentals in their individual communities.

The findings and recommendations in this report intend to balance complex and often diametrically opposed interests. The challenge for the committee has been to suggest policy responses that are fair, sensible, practical and, most importantly, workable. We hope that the adoption of our recommendations may go some way towards levelling the playing field for all industry participants.

On behalf of the committee, I would like to sincerely thank the many stakeholders and community members who participated so enthusiastically in this inquiry. We received hundreds of submissions from right across the state. Given the overwhelming level of community interest in this issue, the committee elected to trial a new deposition style of evidence gathering, which provided people with an opportunity to participate directly in the parliamentary process by providing three to five-minute presentations to the committee. We appreciate how forthcoming people were with their views; we benefited greatly from hearing directly from our constituents about how these changing industry dynamics are affecting local communities.

I would like to thank my committee colleagues for their collaboration and support throughout the course of this inquiry—the member for Churchlands; the member for Forrestfield; the member for Jandakot, who provided us with quite considerable insight, given his expertise and experience in planning issues and local government issues in particular; and the member for Warren—Blackwood.

I would also like to thank the committee secretariat, Dr David Worth and Lachlan Gregory, for their assistance in the early stages of this inquiry, and Francesca Walker and Suzanne Veletta for their assistance in completing this inquiry. This was the last parliamentary inquiry that Dr Worth supported prior to his retirement, and I would like to end by acknowledging his long and distinguished career in the public service.

MR S.K. L'ESTRANGE (Churchlands) [10.25 am]: I rise to speak briefly on the seventh report of the Economics and Industry Standing Committee, called “Levelling the Playing Field: Managing the Impact of the Rapid Increase of Short-Term Rentals in Western Australia”. It has been a very interesting inquiry—a bit of an eye-opening inquiry—because it offered me and other committee members the opportunity to hear perspectives that we might not have thought of when we started on this path. In fact, another title that could have been used for this report is “Getting the balance right”, because the inquiry essentially came down to looking at two different groups in our community—on the one hand, the traditional accommodation providers, such as small motels and hotels, particularly in regional towns in Western Australia, as well as Airbnb owners, and on the other hand, the consumers of short-term accommodation and their needs and wants.

We found that the introduction of online accommodation booking platforms to support residential property owners to rent out their homes was essentially a disruptive innovation. In the past, an owner of a residential property might never have thought about putting their property on the short-term rental market because it was the home in which they lived. A person living in a suburban street in Perth might never have thought about having someone pay to stay in their home while they were away for two weeks, so that they would get a bit of an income to help pay for their overseas holiday. That option did not exist before these online platforms, such as Airbnb, appeared. I call them a disruptive innovation, because it is similar to what happened with the taxi industry and Uber. When the Uber online platform appeared, people could simply use their car and become a supplier of that style of taxi service. That completely changed the market for taxis here in Perth, as well as throughout Australia and the rest of the world. This is a similar disruption.

From talking to members of the community, we found that there were economic consequences and benefits of this change. Of course, the most stark consequence of this change was that it sent some small business owner–operators broke, particularly in regional areas. Such was the market share that those operators relied upon for the provision of their short-stay accommodation that they could not compete when online providers appeared. We heard some very sad stories about that. Like the chair, I, too, thank the many people who came to tell us their stories.

As I said earlier, this change has provided increased choice for consumers. It has also provided some economic benefits to people who supply either their residential house or a holiday home down south for a short time on these platforms. This is what made the inquiry so complex, particularly when we have a soft economy in Western Australia at the moment, in which some homes in the south west are in negative equity and owners are trying to get some additional income to pay the mortgage on those properties. Another real issue was how to make recommendations to support traditional suppliers of short-term accommodation from being disrupted by these new providers.

Another thing that became really evident was the impact on the amenity of people who live around short-term accommodation—a residential home or a holiday home down south—provided on online platforms. We heard several stories. The chair outlined some of the issues people are having with party houses, houses being used as corporate venues and barking dogs. Animals from a different home are suddenly in the backyard of a new place and they hear other animals in the area and bark quite a lot for the first few days. Then those people leave and go back to the city. We heard stories about disruption from animals, loud music and antisocial behaviour in neighbourhoods when properties are rented out. It became evident that there was definitely a need to recommend to government that some sort of regulation occur to address these issues. As the chair of the committee outlined, local government authorities have responded to the rise in the number of online short-term rentals in a variety of ways. Different local governments have different needs and issues in relation to this topic. A suburban area of Perth will be a very different market from, say, Margaret River in the south west. The committee also recognised the need for some state-level planning instruments and for some registration to occur. I think the biggest theme that came out of this inquiry was the need for some sort of registration. As the chair outlined, registration received widespread support from traditional accommodation providers, neighbours of short-term rentals, self-appointed industry data providers, local governments, Tourism WA and other state government agencies, advocacy groups, industry organisations, short-term rental managers and owners, and online booking platforms. Registration is fundamental to this issue. For local governments to better manage their communities and the impacts of the advent of Airbnb, for example, they need to be able to identify where those homes are, and registration is seen as a key element of that process. Many inquiry participants would also prefer that the state government have some sort of central oversight of registration.

The committee acknowledges that the online short-term rental market is very popular with tourists. People like choice, and that was brought home very clearly, but the committee also became fully aware of the economic impact on owners of traditional accommodation, particularly small businesses, which is where the impact is most noticeable. In a sense, the online booking platform, as I said, is a clear example of a disruptive innovation that has significantly altered how people supply or demand short-term accommodation, and that has changed market conditions considerably. The report’s recommendations provide a pathway for state and local governments to better manage

this changed market so that, firstly, consumers can continue to have choice and, secondly, suppliers, particularly traditional suppliers, can be better supported to compete in this changed market and new online short-term rental providers can be better managed to negate the negative impact on neighbours, amenity and streetscapes. I think that is an important aspect of this inquiry as well.

Finally, I come to my colleagues on the committee, the members for Swan Hills, Forrestfield, Warren–Blackwood and Jandakot. It is always enjoyable to get out and about and listen to community members talk about issues of concern, and to try to look for ways to support not only the communities we visit and hear from, but also industry. I also thank the secretariat, Dr David Worth, who is in the Speaker's gallery today. It is good to see you back at Parliament, David. I thought you would be out fishing somewhere and enjoying your retirement. I thank Lachlan Gregory, Francesca Walker and Suzanne Velella for their help. In finishing up, as this is Dr David Worth's last report, I thank him for his guidance and support in organising all the various elements required to get people together so we could hear from them and for the committee to get out and about to listen to communities and to make these recommendations in this report.

MR S.J. PRICE (Forrestfield) [10.34 am]: I, too, rise to speak on the seventh report of the Economics and Industry Standing Committee, titled "Levelling the Playing Field: Managing the Impact of the Rapid Increase of Short-term Rentals in Western Australia". This inquiry was extremely surprising. The complexity of the inquiry was unexpected and emerged very quickly as we entered into it. The way in which relevant stakeholders received the inquiry was quite surprising as well. The committee received a record number of submissions—278 submissions and 14 supplementary submissions—from a very wide range of stakeholders, including 19 local government associations, as well as the Western Australian Local Government Association; the major online accommodation platforms Airbnb, Booking.com and the Expedia Group; and key industry associations, such as the Australian Hotels Association WA, Tourism Council WA, Caravan Industry Association Western Australia and Chamber of Commerce and Industry of Western Australia.

The committee developed other aspects of inquiry that I had not considered at the start, such as the social impact of this industry. We also received submissions from key social organisations, such as UnionsWA, People with Disabilities WA Inc, Shelter WA and the Strata Community Association WA. On top of submissions from those stakeholders, the committee received submissions from 146 individual hosts who used a template email provided by Airbnb to put in submissions, over 40 small-to-medium hotels and caravan parks, and other smaller guesthouses and bed and breakfasts. Interestingly, the committee did not receive any submissions from large national or international hotel companies operating in Perth, although they were invited to participate. The committee also provided the opportunity for submitters who both support and oppose this form of accommodation to speak on their submissions. In total, 31 hearings were held, with 62 witnesses. Eight hearings were held in Margaret River, with additional hearings held via Skype with witnesses in Broome, Albany and Denmark. The committee also held four unique public deposition sessions, as mentioned by the chair, which were very well received by the public. They gave people an excellent way to participate in the parliamentary process. Through that process, 28 witnesses provided their views directly to the committee via three to five-minute presentations.

The report is very comprehensive and contains 45 findings and 10 recommendations. As I said earlier, I had underestimated the complexity of the inquiry when it commenced. As the member for Churchlands mentioned, it quickly became evident that what is happening in this industry is very similar to what has happened in the taxi industry, in which new technologies are certainly disrupting what has been a fairly simple and standard form of accommodation. Understanding the dynamics of the short-stay accommodation sector has been crucial to making what the committee believes are reasonable findings and recommendations. The sector consists of many different iterations of the provision of accommodation, and identifying and categorising these different forms of accommodation became critical to the structure of the report that has been tabled today. The committee clearly defined the three main terms used for the short-stay accommodation sector, and it is very important to understand what those terms mean. Short-stay accommodation refers to all properties or parts of properties offered as temporary accommodation to the market and includes both traditional accommodation and short-term rental properties. Traditional accommodation is defined to mean the appropriately licensed and registered forms of short-stay accommodation that we are all used to that have long existed to support business and recreational travel, such as hotels, motels and licensed B&Bs.

Then there is the accommodation that we refer to as "short-term rentals". This refers to premises, whether part of a premise such as a room or the whole premises, available on the market as temporary accommodation but not on traditional-type accommodation properties. The majority of short-term rentals have been built for residential purposes in areas zoned for residential purpose but have subsequently been offered for short-term letting. Short-term rentals are not always licensed or registered and can further be broken down to hosted and un-hosted. Tourism WA provided an explanation of a hosted property as one in which the guest has non-exclusive use and is hosted by the homeowner, who is present throughout the period of stay. An un-hosted property is one in which the guest has exclusive use and access to the house or apartment throughout the period of stay. The number of short-term rentals has increased significantly over the years. As previously mentioned, Airbnb provided us with information that showed that the first listing on Airbnb was in 2008, and then two years later, in 2010, there were 30 listings. In

2018, 10 years after the first listing, there were over 12 000 listings in Western Australia. Therefore, the title of the report “Levelling the Playing Field” is something that we heard throughout the hearings and is something that we took into consideration when we made the recommendations.

Other areas that were continually spoken about were a need for a registration process for the short-term rentals. This was seen as something that was critical to identifying all of the properties involved and enabling us to collect the relevant data associated with those sorts of accommodations. The provision of data, or lack thereof, was another issue that was raised. The lack of data makes it very difficult for state government agencies and local government agencies to understand the size of what they are trying to deal with. The recommendations in the report addressed the need for a registration process and for online platform providers to provide data to the relevant agencies. The breadth of the inquiry was surprising with regard to trying to identify the government agency that should take responsibility for this. As was previously mentioned, there is a recommendation in the report that we set up a departmental working group, consisting of Commerce, Local Government, Planning and Tourism, to look at how we deal with this industry and come up with some ways that address everyone’s need for having a light-touch approach without placing too much of a regulatory burden on industry.

Taking all the evidence into consideration, the committee has tried to address the issues. Some of the evidence was very personal, and I thank everyone who shared their experience with us. The findings and recommendations in the report have been developed in a manner that the committee feels addresses the concerns raised and are in keeping with the expressed desire to level the playing field with a light touch but also allow for the unique circumstances that are occurring in different locations around Western Australia.

I will finish by thanking the secretariat for all of its assistance, especially Dr David Worth, who is here in the gallery. This was his last report, as we have heard. I thank also Lachlan Gregory, who is here in the chamber as well, for his assistance in the early stages, which was completed by Francesca Walker and Suzanne Veletta. I also thank my fellow committee members: the chair, the member for Swan Hills; the deputy chair, the member for Churchlands; and the members for Jandakot and Warren–Blackwood. I also acknowledge the member for Warren–Blackwood for bringing this issue to the fore and discussing it with the committee as a potential inquiry. I think we have all benefited significantly from it, and I think the industry will agree once it sees this report and the government acts on the recommendations that we have put forward. As I mentioned at the start of my contribution, the complexity of the inquiry was unexpected. I thank all my committee colleagues, the secretariat and everyone who contributed to this very important inquiry, and I commend the report to the house.

MR Y. MUBARAKAI (Jandakot) [10.44 am]: I rise today as a member of the Economics and Industry Standing Committee to speak on the seventh report “Levelling the Playing Field: Managing the impact of the rapid increase of Short-Term Rentals in Western Australia”. I would like to thank the chair, the member for Swan Hills, for her good wishes. I have truly enjoyed the experience of being on this inquiry and the enthusiasm shown that I would not have expected in my wildest dreams. Members in this house know that I come to this place with some experience in small business. I have served on the local council with the City of Cockburn and now I serve as a member in this place, representing the electorate of Jandakot. That level of experience really got my contributions and level of thinking going into this inquiry, which has been an absolute eye-opener for many of us on the committee. The motive with which we initiated the inquiry into short-stay accommodation was based on concerns raised mainly by the member for Warren–Blackwood. I commend him for initiating this and bringing to the committee’s attention the concerns around the online accommodation platforms and the impact of this emerging market in the short-term rental industry in the south west in particular. Based on the level of interest, we agreed to undertake this inquiry.

This report brings everyone’s attention to the impact the market is having, which is changing so very quickly in Western Australia. I am glad we get to present this report to this place. The report basically differentiates between two main types of short-stay accommodation providers. We have always had the traditional accommodation providers and now we have the new short-term rentals. As we commenced this inquiry a year ago, it was pretty much the tip of the iceberg compared with what we intended to get ourselves into. We spoke to and heard from the various stakeholders in both the traditional short-stay accommodation industry, with the likes of hotels, motels, caravan parks and B&B operators, and the new short-stay rental providers in the hosted and un-hosted accommodation sector, with the likes of mum-and-dad property investors around Western Australia. The task at hand was a worthy challenge in addressing the title of this inquiry, which is “Levelling the Playing Field”—a worthy title, I must say.

This committee heard firsthand from the statutory bodies in local and state government, and strata agencies that are responsible for the compliance and effectiveness of the regulatory frameworks and many of the planning approvals, the implications of which now seem to be outdated and burdensome and resulting in an unfair level playing field in the Western Australian short-stay accommodation industry. The online booking platforms over the last 10 years or so has had a very strong, astronomical effect on the industry and has cast a very long shadow and created a black economy. This has raised many valid recommendations that I shall mention shortly. As such, I believe that an innovative pathway to creating a positive, modern economy is the best way forward. Without attempting to create change, we will become outdated and create a more burdensome economy. Many in this place are aware that new

online platforms such as Airbnb, Booking.com and other online businesses are the new way for homeowners to explore and market opportunities to derive substitute income by letting or renting a complete house, a spare room or apartments for additional revenue.

As I said before, the committee has spoken and engaged with various stakeholders in the traditional accommodation sector. Some of the issues they have expressed to us include being subjected to commercial council rates and higher utility rates; concerns about obligations to consumer protection and customer experience; insurance requirements; safety and disability access requirements; the level of red tape; and the lengthy time frames from the conception to the completion of the traditional accommodation providers and the daily running of the business. There are myriad permits, approvals and red tape requirements. The building and planning approvals are another story altogether. It takes several years for someone to comply with those building and planning codes before they can get to the stage of running a business. It is highly complex and tremendously burdensome for the traditional accommodation providers. That is how the market has traditionally been. But now we enter a phase where there is a new level rising from tradition coming from the short-term accommodation providers.

I am running out of time here; I had better hurry through this.

On the flipside, we have short-term rental owners coming through the online platforms who reckon they are generating a high level of vibrant economy, providing consumers with new choice from various destinations across the world to encourage tourism in remote areas. They employ and support local businesses. Being a local host, they normally recommend their guests to use local businesses—more of a local concept. I fully support and encourage their level of engagement and lifestyle. However, there is a lot more that needs to be done in this space. Based on the evidence provided to the committee, the trajectory of growth of the online short-term rental industry will continue to overpower the traditional short-term accommodation providers. Therefore, it is an absolute necessity for state or local government intervention to try to create a level playing field for this industry so that we can promote and encourage the economy to grow within the sector of tourism.

Short-term accommodation providers usually use their residential premises, which were originally built for residential use under the planning schemes. They are competing with the traditional accommodation providers who have gone through the complexities to raise this.

Fast tracking down through the report, I would like to say that being part of the committee on this inquiry has been a wonderful experience. I have thoroughly enjoyed it. Hearing others speak today, I share similar thoughts. To conclude my remarks, I would like to thank all the people who have made submissions, come before the committee, and given us an opportunity to seek their advice, opinions and views on this inquiry.

I thank my committee members: the chair, the member for Swan Hills; the deputy chair, the member for Warren–Blackwood; the member for Churchlands; and Pricey, the member for Forrestfield. I thank all the individuals who have been instrumental to the inquiry, starting with the principal research officer, Dr David Worth, who was in Parliament today. I would like to personally thank him for the two and a half years I have been on this committee and I wish him all the very best.

MR D.T. REDMAN (Warren–Blackwood) [10.54 am]: I similarly want to make some comments about the report. This committee has been particularly busy. This is the committee's seventh report, titled "Levelling the Playing Field: Managing the impact of the rapid increase of Short-Term Rentals in Western Australia". The trigger for this report and inquiry was a motion I moved in Parliament in September 2018, as highlighted at page 12 of the report. When I moved that motion, I recall that the chair of the committee came to us and said, "Are you dinkum about this?" I said, "Absolutely." I thank her for showing that interest, and for the support from my colleagues on the committee in taking up the report. I am pretty certain the assessment at the time was that this was going to be a pretty basic inquiry that we could wedge in with a few others, but it turned out to be a little more complex than we thought, as has been mentioned by other members.

For me, this report was largely triggered by a lot of issues in my electorate, Margaret River in particular, but Denmark to a secondary level—the impact that online platforms are having on the traditional accommodation market and the significant concern about there not being a level playing field in the marketplace. It was not concern about the issue of competition, but rather that if we are going to compete, make sure we are competing on a level playing field. Of course, a number of those accommodation providers have been mentioned, and it has been recorded in the report that they have had impacts of 20 to 30 per cent drops in their levels of occupancy, which is substantial, pretty much aligning with the growth of online platforms as they have come into the marketplace. In fact, the very first of the report's findings states —

As at early 2019, there were at least 20,000 Short-Term Rental listings in Western Australia, a large majority of them unhosted accommodation. Data indicates that while Airbnb listings in Western Australia are still growing, the rate of growth is slowing.

It is a substantial impact. There was a substantial number of submissions, which was good, because we could have confidence that we were getting a breadth of views across the community, and some consistent views came from that. As the chair highlighted in her remarks on the report, it was important to get the definitions right. Some of this is

about getting definitions right within the planning process and at local government level, so we know that if we are talking about something, we are all talking apples for apples. There was a break-up in our assessment from the traditional accommodation providers compared with short-term rentals, which seemed to be the tension that exists in how they see their level of compliance with the regulatory requirements. Finding 6 on page 35 makes the comment —

Traditional Accommodation providers generally have greater overhead costs than individuals offering Short-Term Rentals as a direct result of existing State and local government regulations and policy settings.

Again, that finding is consistent with the view that was coming back from my electorate. Of course, as the member for Churchlands highlighted, there is a level of disruption going on here. In those cases, it is important to understand whether the government needs to respond to that. I think we are a good first cast over that, and I think it is a good report to signal to government the sort of steps that could be taken. I want to highlight that the consistent message is the uneven playing field. Again, whilst people will take issue with the competitive marketplace, the uneven playing field is the significant issue.

There were issues around unregistered providers who are not paying registration; not paying commercial rates for water and electricity, because different rates apply there; the issue of public liability came up, which is as much a protection for the consumers who use those facilities as it is for the host; the issue of party homes, which has been mentioned by my colleagues already; and the crowding out of the marketplace, evident in Margaret River in particular. I think I recall having a conversation that the new CEO, who is going there could not even find a rental market in town. I suspect that one of the pressure points was the short-term rental market from online platforms being one of the things contributing to that. Of course, there were also some positive responses saying that there is a market out there that wants to use this type of accommodation and these platforms because they provide a cost-effective opportunity for families to holiday, and also for business use. The committee found that there are a variety of approaches across all local government areas. In some areas, short-stay accommodation platforms are promoted because they are pretty much the only source of accommodation. Some of my colleagues in electorates along the west coast feel that there is not enough traditional accommodation in the market in their jurisdictions and therefore these platforms offer an alternative. In other areas, where a significant amount of traditional accommodation is available, they are a concern. Of course, at the state level, there is inconsistency and unclear views about what necessary controls and planning rules can be applied in this market.

One challenge is compliance. It is one thing for an accommodation provider to register and meet all the needs of a local government, but it is another thing to ensure compliance. I think that that is one of the biggest issues that came out of the inquiry, and in a minute, I will refer to a recommendation about that. The burden of proof is a challenge. On page 83 of the report, finding 25 states —

Local governments must gather significant evidence to secure a successful prosecution against non-compliant Short-Term Rentals. Currently, evidence that an unapproved premises is being advertised as a Short-Term Rental is insufficient because it shows intent to rent, rather than establish the actual fact of a rental. Local governments must also gather witness statements from neighbours and guests to prove that the premises has, in fact, been let as a Short-Term Rental.

The burden of proof is indeed a challenge. Although many local governments have registration and compliance processes in place, their capacity to ensure compliance remains a challenge. That brings me to the committee's recommendations. It has already been highlighted that the notion of a statewide registration system is appropriate—a light touch, as the member for Churchlands mentioned. There should be minimal coordination, but it should be coordinated at the state level for all properties—not only unhosted but hosted accommodation providers. That will ensure that there is feedback to government and local government on policy settings. It is recommended that the state government manage that.

The inquiry also found that there are differences between local government areas across Western Australia. The report recommends that local government policy decisions must allow for those differences to emerge in the local government setting.

Compliance is a challenge. It was unclear from all the feedback what the best legal mechanism to ensure compliance would be. What is clear is that the fines that are in place now are not sufficient to deter people from being noncompliant, and steps must be taken in this area. The member for Forrestfield mentioned the interdepartmental working group. On page 108, recommendation 7.2 states —

Determine the legal mechanisms through which the State Government can introduce and enforce a registration scheme, including consequences for non-compliance.

I think that is the key issue. No-one has a problem with technologies that come in and, as the member for Churchlands said, disrupt the marketplace; the issue is that if there is a process in place, everyone should be compliant with it. That is only fair. Finding a legal mechanism that would do that is a challenge, and the report is not clear about what that should be. Work needs to be done to ensure that we can manage these international platforms that provide accommodation in our local jurisdiction. Certainly, the evidence is that when this has been done overseas, it has

increased compliance, and those pathways have been a positive step. I think that compliance is the most substantial issue in this matter. As I said, the consistent message to the committee was the need for a level playing field, and it is the state government's responsibility to provide mechanisms to achieve that.

I thank all members of the committee. In particular, I thank the chair, the member for Swan Hills, for her enthusiasm in taking up what turned out to be a pretty complex inquiry. I thank the deputy chair, the member for Churchlands, and also the members for Jandakot and Forrestfield. Had it not been for them, the inquiry would not have got up. I am indebted to them. I also thank the committee staff. I start with David Worth, who is here today. Thank you, David, and all the best with your retirement. I also thank Mr Lachlan Gregory, who was with the committee for a while but is in here now; Francesca Walker; and Suzanne Valetta, who picked up the cudgels as others moved on. I would also like to pay tribute to those people who presented evidence to the committee and had the courage to put on the table the issues that they are having in their businesses. It is not easy to do that. A few tears were shed, and I understand why.

PUBLIC ACCOUNTS COMMITTEE

Twelfth Report — “Annual Report 2018–19” — Tabling

Mr D.C. Nalder presented the twelfth report of the Public Accounts Committee titled “Annual Report 2018–19”.

[See paper 2869.]

WESTERN AUSTRALIAN FUTURE FUND AMENDMENT (FUTURE HEALTH RESEARCH AND INNOVATION FUND) BILL 2019

Introduction and First Reading

Bill introduced, on motion by **Mr R.H. Cook (Minister for Health)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MR R.H. COOK (Kwinana — Minister for Health) [11.04 am]: I move —

That the bill be now read a second time.

The purpose of the bill is to amend the Western Australian Future Fund Act 2012 to provide a secure, long-term source of funding to support medical and health research, and medical and health innovation and commercialisation activities in the state. The bill will establish the Western Australian future health research and innovation account to allow for funding to be made available for those activities. The original purpose of the Western Australian Future Fund, which was to provide for the accumulation of revenue for the benefit of future generations, will be repealed. The future fund will be repurposed to create the Western Australian future health research and innovation fund, which will be used for the purposes of crediting the new FHRI account.

As members may be aware, in 2012 the WAFF act established the future fund to set aside and accumulate a portion of the royalties earned from the finite mineral resources of the state. The actions of the former Liberal–National government to establish the future fund now presents an opportunity for this government. We have the resources available to set the state on the path to keeping Western Australians healthier for longer and transforming our health system.

The opportunity to diversify the economy and create jobs is also significant for the state. A review commissioned by the Medical Technology Association of Australia identified that as at 2015 there were more than 500 medical technology companies in Australia with a combined annual turnover of more than \$10 billion. According to MedTech and Pharma Growth Centre’s 2019 “Medical Technology, Biotechnology and Pharmaceutical Competitiveness Plan”, there were 70 000 industry and research jobs in Australia in 2018, an increase of 11 per cent since 2016. Western Australia has an opportunity to become a major contributor to these industries. Western Australia is very fortunate to have access to a wealth of mineral resources, but they will not last forever. We must act now to make the most of this opportunity to diversify our economy and to create the jobs of the future.

The McGowan government is committed to the provision of world-class, economically sustainable health care. However, Western Australia faces a host of challenges to deliver this outcome. This includes an increasing demand by consumers for services where and when they want them, increasing complexity in managing patient health, and the advent of disruptive technologies like artificial intelligence. A thriving ecosystem for medical and health research, and medical and health innovation and commercialisation has the potential to address these challenges.

Research and innovation can improve health care through advancing medical and health knowledge, translating new treatments or techniques into practice, and developing innovative technologies. I am sure members will be familiar with the use of spray-on skin to treat burns, the benefits of folate supplementation to reduce the occurrence of birth defects, and the ability to treat stomach ulcers with antibiotics. These Western Australian-based discoveries would not exist without research and innovation, and tens of thousands of lives would be much poorer for it. It is possible that the next spray-on skin invention is just around the corner, but it will falter without access to funding,

expertise or infrastructure. By repurposing the future fund, there is an opportunity to increase the odds that the next great research or innovation discovery occurs in an ecosystem that supports its translation into treatments, devices or system changes that result in better health for Western Australians.

Investment in research and innovation contributes to attracting and retaining a high-calibre medical and health workforce. Research and innovation are foundational elements of the leading hospitals and health systems in the world. Not surprisingly, the best and brightest health professionals want to work in these centres of healthcare excellence. Although Western Australia currently has a dedicated and talented health workforce, support for research and innovation has to be boosted to help our health professionals realise their full potential in Western Australia, rather than elsewhere in Australia or abroad. Practising medicine and healthcare delivery in an environment that embraces research and innovation ensures that our health professionals are aware of and can access and deliver the most advanced cutting-edge healthcare solutions. Indeed, it allows our health and medical stars to sharpen their skills, to make the breakthroughs and to see them through to becoming the healthcare practitioners of tomorrow.

Sustained investment is now required to realise the benefits of research and innovation, some of which may take many years to materialise. We are talking about the need for a sustainable transformation of research and innovation in Western Australia. We cannot rely on others to do this for us. Western Australia's share of funding from the National Health and Medical Research Council, the major funder of research in this country, is well below what could be expected on a population basis. Further, we are yet to see significant funding from the Australian government's Medical Research Future Fund flowing into Western Australia.

In comparison with Western Australia, other Australian jurisdictions perform better in competing for limited Australian government funding. Those states that receive the most funding are able to continue to grow their investment in research and innovation. This creates a positive feedback loop whereby greater investment leads to greater success in obtaining national funding, which itself makes those states more competitive for funding. Action is needed to become a part of this cycle in order to secure a greater and ongoing share of the national funding pool for Western Australia.

Competition is not coming only from elsewhere in Australia. In a global environment, pharmaceutical companies, international philanthropists, investors and private industry have a multitude of potential destinations vying for their attention. In the Global Innovation Index for 2019, Australia ranked fifteenth of 129 countries in innovation "inputs", which are the elements of the economy that enable innovation. However, Australia ranked only 31 out of 129 countries for innovation "outputs", which are the results of innovation activities. Clearly, there is an opportunity to capitalise on an environment that has the raw ingredients for innovation to transform Western Australia into a leader in innovation implementation. This must start now, or we risk being left behind. With these benefits and challenges in mind, in March 2017 the Western Australian Labor government reaffirmed its election commitment to amending the Western Australian Future Fund Act to repurpose the future fund and allow access to investment earnings to drive this important sector.

The amended act will be supported by a detailed governance framework, which provides guidance in relation to key features of the FHRI fund and account to support its effective and responsible operation and to promote accountability and transparency of decision-making. It defines roles and responsibilities related to the FHRI fund and account and sets out strategic instruments that will guide how research and innovation will be supported with funds from the FHRI account. I now table the governance framework to assist members in their consideration of the bill.

[See paper 2870.]

Mr R.H. COOK: The object of the bill is to provide a secure source of funding to support activities that improve the financial sustainability of our health system; improve the health and wellbeing of Western Australians; improve our state's economic prosperity; and advance Western Australia's position to being, or maintaining its position as, a national or international leader in qualifying activities, including activities such as medical and health research and innovation. The bill will also establish the FHRI account; provide the Minister for Health with the power to make arrangements and make disbursements under those arrangements; provide the Minister for Health with the power to establish and maintain an advisory group; and establish the FHRI fund.

Part 2 of the bill will establish the FHRI account. This is an agency special purpose account administered by the Minister for Health. The FHRI account will be credited annually with the forecast investment income from the FHRI fund. Forecast investment income means the estimate of income derived from investment of the money standing to the credit of the FHRI fund. Money from other sources, such as private sector contributions or parliamentary funding, may also be credited to the FHRI account. Part 2 of the bill also gives the Minister for Health specific powers. The Minister for Health may make or approve arrangements that further, or facilitate the furthering of, qualifying activities that contribute to one or more of the four matters outlined in the new object of the amended act. This covers a variety of arrangements, including contracts for monetary grants and service agreements. The Minister for Health can also apply money standing to the credit of the FHRI account for the purposes of, or in relation to, an arrangement. Funding awarded from the FHRI account will be based on competitive excellence, with clear selection criteria and transparent selection processes to ensure government accountability in decisions about public money.

The FHRI account is not intended to be a substitute for existing funding sources. In fact, a key design consideration for the FHRI account is that it will act to bring additional research and innovation funding into Western Australia, boosting the state government's investment. For example, being able to make money available will provide opportunities to leverage new funding from the Australian government through its \$20 billion Medical Research Future Fund.

Under part 2 of the bill, the Minister for Health must establish and maintain an advisory group. The primary role of the advisory group is to provide strategic advice and guidance to the Minister for Health or the Department of Health, as the relevant department, on issues and priorities for Western Australia in research and innovation. The advice of the group will inform how the money in the FHRI account is to be applied to ensure the best value for money and the highest return on investment.

The advisory group will comprise at least eight members: an expert in research, an expert in innovation, a community representative, and at least three other persons with relevant expertise and experience and who could come from fields such as business, law, philanthropy or the not-for-profit sector. The advisory group will also include the chief executive officers, or their nominees, from two state government departments: one from the Department of Health, as the department that is responsible for administering the FHRI account; and the other from the department that the minister decides is most relevant to the activities of the FHRI account. The advisory group will consist of highly capable, respected and broadly knowledgeable members.

Aboriginal health and regional Western Australia health issues are recognised as requiring particular attention by the advisory group. The state government is committed to building a new relationship with Aboriginal people and communities. Therefore, at least one member of the advisory group will have a sound understanding of and experience in dealing with the complex health issues that currently face Aboriginal people and communities in Western Australia. Likewise, the state government recognises the complex challenges posed by providing health care to regional areas in a jurisdiction as vast as Western Australia. As a result, at least one member of the advisory group will have significant experience in or knowledge of regional, rural and remote health issues. This membership requirement also acknowledges the origins of the funding from the royalties for regions fund.

This advisory group will be an enduring, independent source of strategic guidance regarding the funding priorities of the FHRI account and the overarching strategic direction for medical and health research, and medical and health innovation and commercialisation in the state. For example, the advisory group will be tasked with leading a recurring cycle of broad consultation that will inform development of a strategy for medical and health research, and medical and health innovation and commercialisation for the state, and the specific priorities of the FHRI account.

The advisory group will serve as an advocate for research and innovation and a link with private industry and philanthropy and, perhaps most importantly, provide assurance to the people of Western Australia that the future health research and innovation account is being applied appropriately. Dealing effectively with conflicts of interest—both real and perceived—will be critical to the effectiveness of the advisory group. Therefore, part 2 of the bill will require that conflicts of interest be addressed in a member's instrument of appointment, which will set out not only the steps to avoid conflicts, but also the steps to be followed if a conflict, in fact, arises. The effective and ethical operation of the advisory group will be further supported by Public Sector Commission governance principles and guidelines.

Part 3 of the bill will discontinue the Western Australian Future Fund and establish the future health research and innovation fund. The FHRI fund will continue to be a Treasurer's special purpose account and administered by the Treasurer. All the money currently standing to the credit of the future fund will stand to the credit of the FHRI fund and the FHRI fund will continue to be credited each year with one per cent of the state's forecast royalty income. Capital in the FHRI fund will continue to be preserved in perpetuity to ensure that the funding stream will be available over the long term.

Although the basic components of the future fund have been retained for the FHRI fund, the bill proposes some notable changes. Importantly, section 9 of the Western Australian Future Fund Act will be repealed. This section provided for income derived after 30 June 2032 from investment of money standing to the credit of the future fund to be applied for the purpose of providing public works and other public infrastructure in the metropolitan area and regions of Western Australia. The new section 9 of the amended act will instead make forecast investment income available immediately for the purposes of crediting the FHRI account. The bill includes a provision allowing the Minister for Health and the Treasurer to return uncommitted funds in the FHRI account to the FHRI fund. This provision will ensure that if any funds accumulate in the FHRI account, they can be returned to the FHRI fund and reinvested to earn the highest possible rate of return at all times.

The bill will impose reporting requirements for both the FHRI account and the FHRI fund in addition to that required under the Financial Management Act 2006 for special purpose accounts. There will be robust policy, governance and evaluation guidelines to ensure accountability and transparency in the use of public money. For example, the performance of initiatives that are funded from the FHRI account will be independently evaluated under an evaluation framework developed according to national and international best practice. Standardised processes will also be implemented for risk identification and mitigation.

Part 4 of the bill will outline the final provisions. Most notably, the amended act will retain the manner and form requirements in section 10(2). Any amendments to sections 6 to 10 of the WAFF act, which this bill purports to do, must pass both houses of Parliament with an absolute majority. The manner and form requirement will continue to apply to any amendments to sections 7, 8 or 9 of the amended act until 30 June 2032 to protect the FHRI fund and the money credited to the FHRI account.

The central purpose of this bill is to provide a secure source of funding to support health and medical research and innovation now, not wait until 30 June 2032, to ensure that Western Australia can make the most of all the opportunities that present themselves over this coming decade. In summary, the sooner we take positive action to boost medical and health research, and medical and health innovation and commercialisation, the sooner we can expect the resulting health benefits to be available to our family and friends, the sooner we can see new industries and jobs for our children; and the sooner we can see Western Australia regarded as a hotbed of innovation and a centre of exceptional research.

I commend the bill to the house.

Debate adjourned, on motion by **Dr D.J. Honey**.

ROAD TRAFFIC AMENDMENT (IMPAIRED DRIVING AND PENALTIES) BILL 2019

Introduction and First Reading

Bill introduced, on motion by **Mrs M.H. Roberts (Minister for Road Safety)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MRS M.H. ROBERTS (Midland — Minister for Road Safety) [11.24 am]: I move —

That the bill be now read a second time.

Substance-impaired driving is a key road safety concern in Western Australia. Although over several decades, attitudes and behaviours regarding drink-driving have changed for the better, alcohol and drugs still contribute to around one in five fatal crashes, and one in 10 serious injury crashes. The impacts of these crashes are often lifelong on the drivers, other road users, their family and friends, and first responders, as well as financially costing our community over \$460 million annually.

The message to drivers under the influence of alcohol and drugs is unequivocal: they have no place on our roads. To reinforce that approach, the government has boosted police traffic enforcement on our roads, including through the regional enforcement unit and increased roadside drug testing. This bill implements several overdue reforms to strengthen our approach to police enforcement and to deter those drivers from getting behind the wheel.

Currently, Western Australia and Tasmania are the only Australian jurisdictions where a driver testing positive to a roadside drug test may continue driving. Other jurisdictions, some for many years, have equipped their police with the power to immediately prohibit a driver who tests positive from driving off. It was introduced, for example, in Queensland in 1999, in New South Wales and South Australia in 2006, and in Victoria in 2007.

Western Australian police have been left to rely on ambiguity and goodwill to dissuade these drivers from continuing to drive. Our police should have, and the community expects them to have, a clear statutory power to immediately prevent those drug-drivers from driving. This bill will provide police with the power to issue a roadside driving ban following a positive drug test to prohibit the driver from driving for 24 hours. The ban will be separate from any charges that may be laid for drug-driving. This roadside driving ban will provide an immediate road safety response to protect other road users.

The bill also introduces new offences for driving after having consumed both alcohol and drugs, known as polydrug offences. Research has shown that the use of alcohol and illicit drugs together often results in exponentially increased levels of driving impairment. One research project found, for example, that drivers who took both alcohol and psychoactive drugs were 20 times more likely to be seriously injured or killed in a road incident than an unimpaired driver. In 2015, the report of the Community Development and Justice Standing Committee of the thirty-ninth Parliament titled “Are we there yet? How WA Police determines whether traffic law enforcement is effective” recommended the introduction of an offence for the combined use of alcohol and illicit drugs. Although no reforms were introduced in Western Australia despite the growing scourge of methamphetamine use in our community, Victoria introduced its polydrug reforms in 2017.

The penalties for these new offences targeting concurrent alcohol and drug-driving will reflect the seriousness of these offences and will be generally 1.5 times more than the penalties for drink-driving alone. The penalties will include minimum periods of disqualification and, consistent with current penalties for drink-driving, prescribe longer periods for higher blood alcohol content levels and repeat offending.

The new polydrug offences will be complemented by provisions for failing to comply with a direction from a police officer to provide a sample of breath or blood for the purposes of blood alcohol content testing or oral

fluid for the purposes of illicit drug testing. This will ensure that a driver who has consumed both prescribed or illicit drugs and alcohol will not be able to avoid the appropriate polydrug-driving offence penalty by refusing to submit to the tests.

The current penalties for alcohol and drug-driving offences in the Road Traffic Act 1974 were also allowed to lag behind those in many other Australian jurisdictions. For instance, the maximum fine that can be imposed on a driver who is convicted by a court for the first time of driving with a blood alcohol content of .05 is \$500 in Western Australia compared with \$1 100 in South Australia, \$1 828 in Queensland and \$3 223.80 in Victoria. In general terms, under the bill, penalties for offences with a BAC below .08 are to increase by a multiple of 2.5, and penalties for offences with a higher BAC are to increase by 1.5 times. Penalties for drug-driving offences will also increase. The new penalty for driving with a blood alcohol content of .08 or above will be a fine of up to \$4 500 and licence disqualification of at least 30 months. The penalty for driving whilst impaired by drugs will now be a fine of up to \$7 500 or 18 months' imprisonment. In addition to these reforms, the bill enhances and streamlines substance-impaired driving law enforcement processes and modernises some provisions in the act, including the regulation-making power.

The bill ensures that blood samples can be taken safely in certain situations. The act provides for the taking of blood samples in a manner prescribed in the regulations. This provision is considered too narrow, as there are occasions when sample takers need to follow a different process due to practical and safety considerations. For instance, when the driver has collapsed veins and low blood pressure, it would be preferable to use a needle and syringe to draw the blood required for the sample so the person's blood flow is carefully maintained, rather than use the prescribed vacutainer equipment from the blood kit, as the prescribed approach may put the person's health at risk. The act is being amended to provide for samples to be taken in a manner other than that prescribed in the regulations so long as it is done in a proper manner and there are sound justifications for deviating from the prescribed manner of drawing blood. The bill also provides for drivers to submit to drug testing in line with current drink-driving enforcement powers, and removes references to obsolete equipment and processes such as urine sampling.

The McGowan government has invested in increasing roadside drug testing to detect drivers who drive after consuming illicit drugs like methamphetamine, and this bill will ensure that appropriate penalties apply when drug-drivers are convicted. This bill will ensure that the government is able to address drink and drug-driving effectively, deter unsafe driving and reduce the number of people killed and seriously injured on WA roads. This government takes road safety very seriously indeed. The reforms introduced in this legislation are long overdue and will make a significant contribution to reducing the incidence and severity of road trauma in Western Australia. We may never know whose lives these laws will save, but I can assure the house that our roads will be safer places as a result of their passage.

I commend the bill to the house.

Debate adjourned, on motion by **Dr D.J. Honey**.

NORTH WEST GAS DEVELOPMENT (WOODSIDE) AGREEMENT AMENDMENT BILL 2019

Introduction and First Reading

Bill introduced, on motion by **Mr M. McGowan (Minister for State Development, Jobs and Trade)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MR M. McGOWAN (Rockingham — Minister for State Development, Jobs and Trade) [11.34 am]: I move —

That the bill be now read a second time.

The purpose of this bill is to ratify an agreement made on 9 September 2019 between the state and the North West Shelf joint venture, which I will refer to as the variation agreement. This bill is necessary in order to give effect to amendments to the North West Gas Development (Woodside) Agreement 1979, which I will refer to as the state agreement. A key purpose of the variation agreement is to extend the existing term of the state agreement by 25 years, which will facilitate third party tolling of gas at the North West Shelf joint venture's Karratha gas plant, and to address other matters. To put this variation agreement into context, I will provide some background on the state agreement, the gas expansion projects proposed for the Burrup area and the requirement to vary the state agreement.

The state agreement was assented to on 21 December 1979 to facilitate the establishment of the Karratha gas plant and associated facilities and infrastructure for the purposes of the sale of condensate within Australia and elsewhere, liquefied natural gas overseas, and treated natural gas—that being domestic gas—within Australia and the pipeline transportation of such gas to industrial customers in the Pilbara. The North West Shelf joint venturers, each with a one-sixth share, are Woodside Energy Ltd, Shell Australia Pty Ltd, BHP Billiton Petroleum (North West Shelf) Pty Ltd, BP Developments Australia Pty Ltd, Chevron Australia Pty Ltd and Japan Australia LNG (MIMI) Pty Ltd.

Currently, plans are being developed by a number of major oil and gas companies that will potentially see a significant expansion of gas-related projects at the Burrup hub. Should these plans come to fruition, the state will experience a level and scale of activity that has probably not been seen on the Burrup since Woodside's construction of the Karratha and Pluto gas plants. The Karratha gas plant has been operating for around 35 years, and since 1989 it has delivered approximately 5 000 LNG cargoes. Woodside, on behalf of the North West Shelf joint venture, operates the Karratha gas plant.

The North West Shelf joint venture's existing gas reserves are declining. In addition, spare processing capacity is expected to become available at the Karratha gas plant from around 2021. In order to sustain the Karratha gas plant at full capacity after 2021, the North West Shelf joint venture will need to process gas from outside the area covered by the state agreement. The state agreement contains provisions that allow for the tolling of third party gas at the Karratha gas plant. The North West Shelf joint venture is therefore currently planning to transform the Karratha gas plant into a facility that will toll gas from third parties. This will entail the processing of gas from third party fields located off the north west coast of WA, as well as the potential connection of the Pluto and Karratha gas plants through an interconnecting gas pipeline known as the Pluto interconnector. These plans will effectively extend the life of the Karratha gas plant. Specific examples of projects currently being advanced for the Burrup include the potential development of the Browse project to transport gas for tolling at the Karratha gas plant, the Scarborough project to transport gas from the Scarborough gas fields to the Pluto gas plant, and the development of the Pluto interconnector pipeline, which will potentially allow for gas from the Scarborough, Pluto and Clio-Acme fields to be transferred to the Karratha gas plant for tolling. The potential benefits to the state resulting from these projects are significant, and include billions of dollars of investment into the state, the creation of thousands of direct and indirect jobs for Western Australians, the continuation of supply of domestic gas, the potential to develop further industry in Western Australia that relies on domestic gas as a key input, increased royalties and increased exports of LNG.

The current state agreement expires on 31 December 2034, with a potential extension of 12 years. In order to provide the potential for the Karratha gas plant to toll gas on a long-term basis to meet some of the anticipated field and project lives and to provide certainty of access, the state agreement is required to be extended. This will facilitate the development of projects such as Browse, as well as other gas projects seeking to toll gas at the Karratha gas plant.

I now turn to the provisions of the bill and the variation agreement outlined in the explanatory memorandum. The provisions of the bill essentially set out to amend the state agreement by ratifying, authorising and attaching the variation agreement, otherwise referred to as the fifth supplementary agreement, as schedule 6 to the North West Gas Development (Woodside) Agreement Act 1979. I will outline the key provisions of the variation agreement.

Clause 2(2) inserts new clauses 11A and 11B after clause 11 of the state agreement, which deal with a community development plan and a local participation plan respectively. Clause 11A essentially requires the joint venturers to prepare and implement a community development plan, and describes the joint venturers' proposed strategies for achieving community and social benefits in the Pilbara region. Clause 11B requires the joint venturers to prepare a local participation plan, and outlines strategies that the joint venturers will use, including its third party contractors, to maximise local industry participation benefits as far as it is reasonable and economically practicable to do so. This includes strategies for the supply of services, labour, works, materials, plant, equipment or supplies for the purposes of the state agreement.

Clause 2(3) inserts new subclause (4) after clause 12(3) of the state agreement, which will enable the state to enact general legislation relating to local participation that may substitute or modify the provisions of the variation agreement relating to local participation. This flags the enactment of a new jobs bill at some point in the future.

Clause 2(4) inserts new subclause (5) after clause 18(4) of the state agreement, which acknowledges that the joint venturers and the Water Corporation have entered into a water supply agreement in accordance with the Water Corporation's major consumers framework. This replaces the existing rights and obligations of the state, including the Water Corporation, and the joint venturers under the state agreement on water supply, and modernises the joint venturers' water supply arrangements in line with other resource companies operating in the Pilbara.

Clause 2(5) amends clause 22, which relates to the payment of rates, by excluding from the unimproved value rating exemption any part of the land that is a specified improvement, with specified improvements being accommodation, recreation or administration facilities and associated buildings, or maintenance workshops within 100 metres of such facilities.

Clause 2(8) amends clause 46 of the state agreement by extending the term of the state agreement from 31 December 2034 to 31 December 2059. This clause also extends the date on which the joint venturers may provide notice to further extend the state agreement for a period not exceeding 12 years, from 30 September 2034 to 30 September 2059. A number of other administrative amendments have also been made.

This is an important bill, and I commend the bill to the house.

Debate adjourned, on motion by **Dr D.J. Honey**.

FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT AMENDMENT BILL 2019*Introduction and First Reading*

Bill introduced, on motion by **Mr J.R. Quigley (Attorney General)**, and read a first time.

Explanatory memorandum presented by the Attorney General.

Second Reading

MR J.R. QUIGLEY (Butler — Attorney General) [11.43 am]: I move —

That the bill be now read a second time.

I stand before the house today to introduce a bill that will significantly change the way fines are enforced and recovered in Western Australia, to make the system more just, equitable and effective. It would be remiss of me if I did not begin this speech with recognition of the work of my good friend and colleague Hon Paul Papalia, MLA, who in his former role of shadow Minister for Corrective Services was relentless in holding the previous government to account on the issue of imprisonment for fine default. For many years, I, too, have voiced the need for significant change to the Fines, Penalties and Infringement Notices Enforcement Act 1994. This bill delivers those necessary changes.

I, and I am sure many of my colleagues on both sides of the chamber, have received continuous correspondence from all corners of the state and from interstate calling upon us to reform our fines enforcement legislation, and particularly the practice of imprisoning people for fine default alone. This bill responds to these calls and implements longstanding Labor Party policy.

It is unfortunately the case that a tragedy became the catalyst for these overdue changes. We are all aware of the death of Ms Dhu in Port Hedland in August 2014. Ms Dhu was arrested on a warrant of commitment for unpaid fines. In Ms Dhu's case, her fines totalled approximately \$3 622, and she was required to spend four days in prison to expiate the largest fine, at the rate of \$250 per day. While in custody, Ms Dhu experienced medical complications from injuries sustained in an earlier domestic violence incident. Tragically, Ms Dhu died a few days later on arrival at the health service. In 2016, the State Coroner handed down her findings from the inquest into Ms Dhu's death. The coroner recommended reform of the FPINE Act. In particular, the coroner recommended that imprisonment be removed as an option for enforcing payment of fines or, alternatively, that imprisonment for fine default be subject to a hearing determined by a magistrate in the Magistrates Court, and that orders other than imprisonment also be available. This bill implements that alternative recommendation.

Consistent with the coroner's recommendation, the Fines Enforcement Registrar will no longer have the power to issue a warrant of commitment and authorise the imprisonment of a debtor. Only a magistrate will be able to issue such a warrant, on application by the registrar, and only when the registrar has attempted every other applicable enforcement option. This, together with other changes to the FPINE Act, which I will highlight shortly, will minimise the number of people in respect of whom a magistrate will be able to even consider issuing a warrant of commitment.

I have expressed my sincere apologies to Ms Dhu's family before, and I do so again now before the house. What happened to Ms Dhu was a tragedy. I am confident that this bill will go a long way towards preventing such a tragedy from occurring again in Western Australia.

I now turn to the other key features of the bill. Firstly, I advise the house that the bulk of the amendments in this bill relate to fines enforcement, rather than the enforcement of infringement notices. The simple reason for this is that an unpaid infringement notice cannot land a person in jail. I want to assure the house that I am also committed to looking into infringement reform, with work on that second tranche of amendments already underway. However, in the interest of ending the practice of sending to prison vulnerable people who do not have the means to pay or otherwise work off their fines, I felt it prudent to pursue and progress this suite of amendments first.

Hardship: In keeping with this government's focus on protecting marginalised and vulnerable Western Australians, this bill introduces a statutory concept of "hardship", which includes mental illness and disability, experience of family and domestic violence, homelessness, drug and alcohol problems and financial hardship. In concert with the introduction of this concept are statutory principles to guide decision-makers under the FPINE Act. The statutory principles, which I note are an Australian first, provide that imprisonment for failure to pay a fine is truly an enforcement option of last resort, and that a person who is experiencing hardship that is affecting their ability to pay a fine or work it off should not be imprisoned for fine default.

It is important to note that this bill implements the alternative recommendation of the Dhu inquiry and provides that imprisonment for fine default is an option, however remote. It is important that imprisonment be available as a means of enforcement for the cohort of debtors who have the means but not the inclination to pay—those recalcitrant few who thumb their nose at the system and accrue fines with no intention of paying them back, having ignored all other attempts at enforcement. This bill draws a careful distinction between those who can pay but refuse to do so and the many experiencing hardship who cannot pay and should not be further entrenched in poverty.

Licence suspension orders: this bill also goes further than other Australian jurisdictions in restricting the issue of a licence suspension order for both fines and infringement notices. Members may be aware of the Australian Law Reform Commission's report "Pathways to Justice" on its inquiry into the incarceration rate of Aboriginal and Torres Strait Islander peoples that was tabled in the federal Parliament on 28 March 2018. Among the myriad recommendations in that report was a recommendation that the states and territories should avoid the suspension of drivers' licences for fine default, particularly in remote areas. This bill implements that recommendation by restricting the Fines Enforcement Registry from issuing a licence suspension order for a debtor whose last known address is in a remote area. Licence suspension orders have a disproportionate impact on people in remote communities without public transport infrastructure, and can further entrench poverty and involvement in the justice system. The term "remote area" is defined in this bill to mean an area prescribed in regulations; however, regulations cannot prescribe any part of the Perth metropolitan region as remote.

Garnishee orders: this bill introduces a new regime of garnishee orders, which will be available as a fifth limb of an enforcement warrant. Garnishee orders, which are already in place in other jurisdictions including Queensland, South Australia and New South Wales, will enable the Sheriff of Western Australia to go direct to the source of a debtor's income—their employer—or to their bank to claim the moneys owed. I want to reassure the house that safeguards have been built into this process to require a protected amount to remain in a person's salary or bank account, again to avoid creating hardship. The protected amount will be prescribed in regulations. Provisions have also been included that will allow the sheriff to return moneys deducted under a garnishee order when he or she thinks fit. Employees will be protected from adverse treatment by employers as a result of a garnishee order, and privacy is protected by prohibiting information about the offence that led to the order being included on the garnishee order given to an employer or bank.

Work and development permits: this bill looks to New South Wales, Victoria and Queensland for the introduction of a new scheme of work and development permits, which is linked to the new statutory concept of hardship I mentioned earlier. When a debtor is experiencing hardship affecting their ability to pay or otherwise discharge their fine debts, they can enter into a consensual agreement to undertake approved activities with the support of an approved sponsor. Those activities could be, for example, drug and alcohol counselling, vocational or educational programs, unpaid work, or medical or mental health treatment. The key difference between these permits—WDPs, as I will call them—and the existing work and development orders, or WDOs, as they are known, is that these WDPs are effectively an agreement between a debtor, a sponsor and the registrar to undertake activities that will expiate the fine debt, whilst, under the current regime, a WDO is an order supervised by a community corrections officer. We are hopeful that if given the option to complete treatment plans, programs and the like, debtors will be able to address the offending behaviour that led them to come into contact with the justice system in the first place and reduce the likelihood of them reoffending. The work to implement the new WDP scheme is already underway but the scheme will not commence until the infrastructure for its successful rollout is in place. It is envisaged that the WDP provisions of the bill will commence after the bill's other provisions.

Fine expiation orders: this bill also introduces fine expiation orders to allow offenders who are already in custody for reasons other than fine default to expiate their fine debt. This will be of significant assistance to debtors who are already in custody, allowing them to clear or reduce their outstanding fines so that when they are released from custody, they do so with less financial burden. It is important to emphasise that a fine expiation order is not an authority to hold someone; it is only available when a person is in custody for other reasons. The Custody Notification Service, which will shortly be launched and will be operated by the Aboriginal Legal Service, will include a fines check with a view to ensuring people who are imprisoned apply for and are able to expiate their fines while in custody. In this context, the bill provides for a restricted power for the registrar to continue to issue warrants of commitment until the substantive provisions of the bill commence. I reassure members that this is restricted only to circumstances in which a debtor is already in custody for other reasons. This will allow those debtors to expiate their debts while in prison and leave custody with less of a financial burden. This restricted power will fall away once the substantive provisions of the bill commence, including the fine expiation order regime I have just spoken about.

Information sharing and time-to-pay arrangements: enhanced information-sharing powers for the Fines Enforcement Registry and sheriff are introduced through new part 7A of the act. The primary driver of increasing powers to access information is to assist the registrar and sheriff in making contact with debtors earlier in the process to encourage them to enter into time-to-pay arrangements and avoid the escalation of enforcement action, which, as we know, attracts fees and only increases debts. Amendments to the time-to-pay arrangement provisions for both infringements and fines will make it easier for debtors to enter into agreements to pay their debts, either by a lump sum or by regular repayments.

Making it easier for courts to issue and administer work and development orders: the bill also amends the Western Australian Sentencing Act 1995 and Sentence Administration Act 2003 to make it easier for courts to make a fine enforcement WDO at the point of sentencing. Section 57A of the Sentencing Act currently restricts the court's ability to make a WDO unless satisfied by evidence on oath that the debtor does not have the means to pay, does not have a vehicle licence, and has no property to seize and sell off to pay their debts. This stringent

requirement has proven to be a barrier to the courts making WDOs at this early stage, meaning more debtors are referred to the registry for escalating enforcement action and accumulating fees. This bill will allow a court to satisfy itself of those matters without evidence on oath from the offender and removes consideration of a vehicle licence altogether, improving flexibility for the courts to make WDOs directly. The Sentence Administration Act is amended to allow more flexibility for community corrections officers in the administration of WDOs, which, again, is intended to lead to fewer WDO cancellations.

I conclude my speech with this: the bill before us today represents a just, new approach to the enforcement of fines in Western Australia. As I read this bill into the house, there are thousands of unserved warrants of commitment waiting for debtors across the state—a threat of imprisonment hanging over their heads like the sword of Damocles. This bill provides that the day after royal assent all unserved warrants of commitment—all of them—will be immediately cancelled, and anyone in prison for fine default alone will be released in the first 24 hours. For the cohort who are in prison for fine default alone, their outstanding balances will be wiped out. For those who are not in prison but who are subject to unserved warrants of commitment, their warrants will be cancelled, removing the fear of imprisonment for fine default; but their fines will stand and be strictly enforced using the more just and effective fines enforcement regime that I have just outlined.

I commend the bill to the house.

Dr D.J. Honey: I congratulate the Attorney General for progressing under duress, and I also move that we adjourn the debate.

Mr J.R. QUIGLEY: I will note for *Hansard* that my friend from Cottesloe's reference to duress was in reference to an early onset hay fever attack as I started my speech, rather than any political comment. Thank you very much, member for Cottesloe, for that recognition.

Debate adjourned, on motion by **Dr D.J. Honey**.

SUNDAY ENTERTAINMENTS REPEAL BILL 2019

Introduction and First Reading

Bill introduced, on motion by **Mr J.R. Quigley (Minister for Commerce)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MR J.R. QUIGLEY (Butler — Minister for Commerce) [12.02 pm]: I move —

That the bill be now read a second time.

Today I introduce the Sunday Entertainments Repeal Bill 2019. The bill will repeal the Sunday Entertainments Act 1979 of Western Australia, which restricts the keeping, opening or use of premises for paid public entertainment or amusement on Sundays, Christmas Day or Good Friday unless the minister has issued a permit or granted a general exemption to allow a place to open on those days. Since 1979, ministers of successive governments have granted permanent exemptions for paid entertainment on Sundays and short-term exemptions on Christmas Day and Good Friday, and published exclusion notices in the *Government Gazette* to allow cinemas, sporting events, live-music performances, carnivals, festivals and the like to operate. Requests for exemptions or permits are not contested and are granted as a matter of routine. In recent years, most applications for short-term exemptions are to allow cinemas, ice rinks, snooker centres, Easter carnivals and sporting events, which provide for paid entertainment, to operate on Good Friday. In 2019, an AFL match, featuring the West Coast Eagles, was held on Good Friday, with over 40 000 spectators in attendance.

The process of having to apply for an exemption places an unnecessary and administrative burden on business and government resources. Additional financial costs arise because there is a requirement to publish permits and exemption notices in the *Government Gazette*. Through Streamline WA, which is a red tape-cutting exercise, but a whole lot sharper, better and more focused than the clumsy effort of the previous government, the McGowan government has made a commitment to improve the quality of regulation and remove regulation that is no longer relevant. The Sunday Entertainments Act is out of step with contemporary community standards and attitudes towards holding paid entertainment, sports events and amusements on these days. In summary, the act is no longer relevant and should be repealed.

I observe, as I am about to resume my seat, that I am here for my great-grandfather, who built the Oxford Hotel and was prosecuted for trading on a Sunday and having my great-aunt serve behind the bar. I found that out through a search of the archives. Therefore, my great-granddad would have been very happy with the passage of this bill today by his heirs and successors.

I commend this bill to the house.

Debate adjourned, on motion by **Dr D.J. Honey**.

PUBLIC WORKS AMENDMENT (WA BUILDING MANAGEMENT AUTHORITY ABOLITION) BILL 2019

Introduction and First Reading

Bill introduced, on motion by **Mr J.R. Quigley (Attorney General)** on behalf of Mr B.S. Wyatt (Minister for Finance), and read a first time.

Explanatory memorandum presented by the Attorney General.

Second Reading

MR J.R. QUIGLEY (Butler — Attorney General) [12.07 pm]: I move —

That the bill be now read a second time.

The bill seeks to amend the Public Works Act 1902 to abolish the Western Australian Building Management Authority. The authority was established under an amendment to the Public Works Act in 1984. Originally called the Western Australian Building Authority, it was created to provide government with the ability to raise capital in its own right. In 1994, the Public Works Act was amended to make the Western Australian Building Authority an agent of the Crown. The authority was renamed the Western Australian Building Management Authority. The authority has been used on two occasions as a fund-raising vehicle: to borrow approximately \$285 million in 1984 and approximately \$55 million in 1996. These loans were repaid in 2008. In 2014, the Department of Treasury reviewed the Financial Management Act 2006 and concluded that the authority was no longer required because, since 1996, the state has had the ability to meet its capital works borrowing requirements through other means. Consequently, it was recommended that the Western Australian Building Management Authority be abolished and the relevant provisions of the Public Works Act repealed. Abolishing the Western Australian Building Management Authority will reduce red tape—more red tape is being cut, members—by removing the need for an annual report to be prepared for a body that is no longer required. The Western Australian Building Management Authority has no known assets, rights, liabilities or obligations. Nevertheless, as a precautionary measure that is generally taken in cases like this, the amending legislation includes a provision that any assets, rights, liabilities and obligations of the Western Australian Building Management Authority be assigned to the Minister for Works on behalf of the state.

The associated explanatory memorandum contains further details on the amendments, including for one unrelated matter that deletes the definition of “judge”, as the term is now defined in section 5 of the Interpretation Act 1984. I commend the bill to the house.

Debate adjourned, on motion by **Dr D.J. Honey**.

RAILWAY (METRONET) AMENDMENT BILL 2019

Introduction and First Reading

Bill introduced, on motion by **Ms R. Saffioti (Minister for Transport)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MS R. SAFFIOTI (West Swan — Minister for Transport) [12.11 pm]: I move —

That the bill be now read a second time.

Before I commence the second reading speech for the Railway (METRONET) Amendment Bill 2019, I am required under section 18A of the Transport Co-ordination Act 1966 to table a report by the director general of Transport on the planned construction of a new railway line from Bayswater to Ellenbrook, and under section 96(2) of the Public Works Act 1902 to table a map showing the course to be taken by and the middle line of the railway. I table the report and map.

[See papers 2871 and 2872.]

Ms R. SAFFIOTI: I am very proud today to deliver the second reading speech introducing the Railway (METRONET) Amendment Bill 2019. The purpose of this bill is to implement the legislative authority for the construction of the Morley–Ellenbrook rail line. This will enable the delivery of the McGowan government’s signature election commitment of building a rail line to Ellenbrook, creating thousands of jobs for Western Australians in the process.

The 21-kilometre line will run from the growing Ellenbrook town centre, along the western side of the new Lord Street, through land north of Marshall Road and down the middle of Tonkin Highway, connecting at Bayswater station at the Midland line. New Metronet stations are planned for Bayswater, Morley, Noranda, Malaga, Whiteman Park and Ellenbrook, with a further station planned for Bennett Springs east as that area is further developed. Bayswater station will undergo a major redevelopment, becoming a key Metronet precinct, with a new higher rail bridge, improved connections and a new road configuration aimed at reducing congestion. Works on the Bayswater station component of the Morley–Ellenbrook line are expected to commence later this year.

Morley station and Noranda station will be built within the Tonkin Highway median and will serve their local suburbs and a broader catchment both east and west of Tonkin Highway, including the suburbs of Beechboro, Kiara, Lockridge and Eden Hill. Malaga station will be built to the west of Beechboro Road North and will connect to the strategic commercial and industrial jobs in the Malaga employment hub and serve the nearby suburbs of Ballajura, Bennett Springs, Alexander Heights and Landsdale. Whiteman Park station will provide a world-class public transport connection to the entry to one of Perth's premier tourist destinations. The new Whiteman Park station will provide tourists and Western Australian families alternative transport options when visiting the park and will serve as the local station for residents in Dayton, Brabham and Henley Brook.

The completion of Ellenbrook station will finally complete the vision for the local town centre that has been decades in the making. Ellenbrook has continued to grow rapidly over recent years and a new train station will connect local residents to much-needed employment, health and education facilities in key centres. Metronet is all about creating an integrated and coordinated public transport network for the future. I have said repeatedly that these suburbs along the rail corridor are being developed and planning for future growth in the corridor is happening now. This rail line is not creating urban sprawl; it is matching the existing urban development front and is already helping to facilitate better planning outcomes. Future growth centred around train stations will ultimately lead to higher public transport patronage, shorter journey times and better access to jobs.

Building a rail line to Ellenbrook will increase the connectivity of the public passenger rail network, alleviate urban congestion, and ensure efficient travel times for those accessing jobs, services and amenities. This development comes after a lack of investment on necessary transport infrastructure throughout the corridor in the past. Station and precinct design will incorporate bus, cycle and pedestrian links to provide more sustainable and active travel patterns. The delivery of the new rail line will also bring improvements to the surrounding bus network as services integrate with new stations.

Modern public transport connections enhance local communities and provide invaluable links to the wider metropolitan area. I want the communities of the north-eastern suburbs to experience the benefits that a train line can bring, as previously demonstrated through the delivery of the Mandurah and Joondalup lines.

The Railway (METRONET) Amendment Bill 2019 is the latest milestone in the delivery of the McGowan government's program of job-creating Metronet projects. It is with great pride and honour that I commend this bill to the house.

Debate adjourned, on motion by **Dr D.J. Honey**.

GOVERNMENT RAILWAYS AMENDMENT BILL 2019

Introduction and First Reading

Bill introduced, on motion by **Ms R. Saffioti (Minister for Transport)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MS R. SAFFIOTI (West Swan — Minister for Transport) [12.16 pm]: I move —

That the bill be now read a second time.

The purpose of this bill is to increase the maximum fine for trespass on the rail network from \$200 to \$5 000. Trespass on the rail network is a serious offence that impacts on the safety of the trespasser, the public and railway workers. The current maximum penalty under the Government Railways Act 1904 for trespass is a fine of \$200. An increase in the penalty for the offence of trespass reflects the seriousness of that offence. The increase in penalty is intended to discourage premeditated and deliberate acts of trespass and to reduce the risk of serious injury.

The Public Transport Authority has implemented a range of initiatives to discourage and deter trespassing on railway land, including a targeted social media campaign highlighting to the public the dangers of trespassing; a media campaign to stop photographers taking pictures of wedding parties on tracks; deploying transit officers to build valuable relationships with high-risk youths through social activities to promote rail safety and the dangers of trespassing; providing ongoing support and delivery of the Right Track education program to encourage young people to become more responsible for their own safety while using the rail network and to alert young people to the dangers and consequences of trespassing in the rail corridor; and Transperth Train Operations working with the Western Australia Police Force to prevent graffiti-related trespass incidents at railcar depots at Nowergup, Claisebrook and Mandurah, and at stations and sidings on the PTA rail network. Nevertheless, the number of trespass incidents on the rail network has continued to rise.

Under the Rail Safety National Law (WA) Act 2015, specific railway incidents must be reported to the Office of the National Rail Safety Regulator. These notifiable occurrences are defined in the Rail Safety National Law (WA) Regulations 2015 as either category A, which are incidents that have caused death, serious injury or significant property damage, or category B, which are incidents that may have the potential to cause a serious accident. In 2016–17, there were 328 category B notifiable occurrences of trespass; in 2017–18, that number increased to 510; and in 2018–19, the number of category B notifiable occurrences of trespass increased further to 885 incidents.

Although this larger than expected increase in notifiable occurrences of trespass can be attributed to changes in the reporting guidelines of the Office of the National Rail Safety Regulator, it nonetheless demonstrates that the increase in the number of these offences has corresponding adverse impacts on rail safety, railway operations, railway workers and the community as a whole. Prosecutions for the offence of trespass under the act are conducted through the court system. The average cost to the Public Transport Authority to prosecute this offence is between \$2 000 and \$3 000. This bill will increase the maximum fine to \$5 000, which reflects the actual cost of prosecuting an offence of trespass and ensures that the increased penalty is commensurate with the gravity of the offence.

Rail safety is a shared responsibility. This bill is one measure to manage a risk to the safety of the public associated with railway operations. By increasing the penalty for the offence of trespass, the bill will discourage the public from accessing parts of the railway where access by the public is not allowed by law.

I commend the bill to the house.

Debate adjourned, on motion by **Dr D.J. Honey**.

CIVIL PROCEDURE (REPRESENTATIVE PROCEEDINGS) BILL 2019

Second Reading

Resumed from 25 September.

MR J.R. QUIGLEY (Butler — Attorney General) [12.20 pm] — in reply: I was just concluding my remarks yesterday as the clock struck 2.00 pm for question time; therefore, we can now proceed straight to the vote on the second reading.

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading.

Third Reading

MR J.R. QUIGLEY (Butler — Attorney General) [12.21 pm]: I move —

That the bill be now read a third time.

My friend the member for Hillarys, who is the acting shadow in this place, indicated that he did not want to go into the consideration in detail stage, so I can wrap up this debate by saying that the government appreciates the unanimous support of members of the opposition. This is not a party political bill. This is an administration of justice bill that introduces into Western Australia a system that is operative in New South Wales, Victoria, the Australian Capital Territory and, I think, now Queensland. It is just Western Australia catching up, if you like, and implementing what is regarded as a national scheme for class actions. I thank members of the opposition for their concurrence in supporting this bill. I commend the bill to the house.

Question put and passed.

Bill read a third time and transmitted to the Council.

RESERVES (MARMION MARINE PARK) BILL 2019

Second Reading

Resumed from 25 September.

MS E. HAMILTON (Joondalup) [12.23 pm]: I rise to make a contribution to the debate on the Reserves (Marmion Marine Park) Bill 2019, which will excise part of the Marmion Marine Park to provide for the construction of the Ocean Reef marina development. Although this is a relatively small piece of legislation, it is an exciting one for my electorate, where there is much anticipation about the Ocean Reef marina. My community is excitedly awaiting construction, which is on track to commence next year. For Joondalup, the legislation before the house will solidify the next step for the Ocean Reef marina. The marina was an election commitment. The project enjoys overwhelming public support by those living in the northern corridor. It will become a world-class waterfront precinct that will include recreational, tourism and residential facilities, and will draw visitors from near and far. The marina will promote tourism, showcase our gorgeous coastline and become one of Perth's hotspot locations. It will be an invaluable investment in the future of the northern suburbs and will be a key economic driver in the region and deliver local jobs. The marina will become a beautiful place to experience the best that our WA coastline has to offer and to enjoy those water-based activities that are integral to what our community values.

We will see over 900 local jobs delivered in the construction phase and ongoing jobs in a number of industries. It will also become a destination in the heart of the northern corridor that delivers diverse housing options, including apartments, and retail and commercial developments. The mixed-use marina will provide approximately 12 000 square metres of retail and commercial space, capacity for 565 boat pens and 200 stackers, new boat ramps, increased trailer parking to cater for the significant demand for boating facilities in the local area, and over 1 000 new homes. The development is being undertaken by LandCorp on behalf of the state and local governments. We are

talking about a significant project that will take some time to complete. Construction will be in a phased approach, starting with the outer seawalls, and we are working towards early activation on the land-based development.

The purpose of the bill is to excise the development area of approximately 143 hectares of the seabed and marine waters from the Marmion Marine Park. This will facilitate the expansion of the boat harbour and provide for the construction of the marina.

We know that the marina has been spoken about for the past 30 years, and I am continually told by local residents that the Ocean Reef marina has been too long coming. Many residents bought in the area on the promise of the marina. Over many years, the City of Joondalup has taken on a huge amount of work, including the design of the initial concept plans, community engagement and plan refinements in line with community feedback. The state government required LandCorp to review the project to ensure that the state and community got the most efficient use of resources in the delivery of the project. This resulted in some refinements being made and a new concept plan being released in late 2018. Since then, the project has really started to gain traction. In August last year, an open day was held on site at the Ocean Reef Sea Sports Club, where more than 2 100 local residents and members were able to see firsthand the revised concept plan for the marina development. They were also able to have their say on the landscape master plan. With the assistance of three-dimensional mapping and a futuristic slideshow, residents could see how the development will benefit their community. There was also involvement by a number of local school groups. It was a fantastic family event, which I know the community very much enjoyed.

Since late 2018, LandCorp, the Department of Transport and the City of Joondalup have been working closely with representatives from the Ocean Reef Sea Sports Club to identify a suitable site for the new club facilities in the southern part of the precinct. It will be within close proximity to the future pens and the new boat ramps and definitely overlook the high-quality open public space and the internal swimming beach. I know that this conversation is ongoing. As a community representative on the Ocean Reef marina steering committee, I know that lots of work is happening to ensure that the views of the key stakeholders and the community are represented as we finalise the plans.

The final design of the marina is continuing to take place. Over the past 12 months, the project has continued to move forward, with the Ocean Reef Sea Sports Club, headed by Commodore Corrie Coetzee; the Whitfords Volunteer Sea Rescue Group, headed by Commander Ron Harris; and, of course, the Joondalup City RSL, under the direction of Rick Green—all of which are key stakeholders—helping to inform the delivery of the refined concept plan. I cannot speak about the marina without acknowledging the hard work, dedication and investment by the key stakeholders, along with their membership, to progress the marina to where it stands today.

Earlier this year, a community reference group was formed to guide the design of the public spaces in the marina. The reference group's vision for the site is an all-inclusive, all-seasons coastal amenity for locals and visitors that provides connections to the surrounding environment and the unique character of the local area. The master plan, showing the public realm layout and the amenities, is expected to be completed and available towards the end of the year. A further open day over the coming months is being considered so that the community can be provided with further information on how this development is progressing.

What local residents know and what the previous government seemed to forget is that there is more to WA than simply the CBD, and that Joondalup has a lot to offer. Since taking office, we have allocated \$35 million in the 2017–18 state budget for the marina, with \$120 million committed over the life of the project. This funding will take the project through the marina approvals stage and the construction of the marine infrastructure.

The Ocean Reef marina proposal has been subject to concurrent Environmental Protection Authority and Western Australian Planning Commission assessments and received environmental approval under the Environmental Protection Act 1986 on 7 August this year. Although the bill requires an excision for the marine park, the Minister for Environment is undertaking work on our parks policy, aiming to grow the national marine park and conservation estate over the next five years, including the marine conservation reserve system. I look forward to more announcements in that space. Clearly, there is much anticipation and excitement about this significant piece of infrastructure in Joondalup and this bill is a much-needed step in continuing towards construction commencing. I look forward to working with my community and continuing to update them as we progress this bill and, more importantly, this significant project. The Ocean Reef marina is a key part of Labor's vision for Western Australia and I will continue to be vocal in my support of projects that improve and grow the Joondalup electorate and deliver local jobs. I commend the bill to the house.

DR D.J. HONEY (Cottesloe) [12.30 pm]: At the outset, I indicate that the opposition supports the Reserves (Marmion Marine Park) Bill 2019, but we have concerns about the environmental impacts that will arise from the completion of the proposed expansion of the Ocean Reef boat harbour, which is the development that will be enabled by the passage of this bill. I will outline those concerns shortly.

The Marmion Marine Park was declared on 13 March 1987 as the state's first marine park under the Burke Labor government. This bill relates to the excision of 143.1 hectares of the park to enable an expansion of the Ocean Reef boat harbour and the establishment of quite substantial commercial and residential developments. The site has been identified for development for a considerable time, with the "December 2008: Draft Perth Coastal Planning Strategy: Summary", published by the Western Australian Planning Commission in 2008, and the "The Perth

Recreational Boating Facilities Study 2008”, published by the Department of Planning in 2009. In 2014, the City of Joondalup prepared a concept plan for a marina. A little while later, the member for Warren–Blackwood in a former role and the Mayor of Joondalup announced funding to progress with detailed planning.

The bill is relatively simple. However, the purpose of the bill is to enable a substantial increase in the capacity of the marina to around 500 pens and 200 stacker positions. The development also includes a large commercial and residential land development. The proposed complex seems to be a fusion of Hillarys Boat Harbour and the Port Coogee marina. This proposed development has enjoyed support from the Liberal, National and Labor Parties for some time. My colleagues the member for Scarborough and the member for Hillarys have informed me that there is very widespread support for the expansion of the marina. This includes support from recreational fishers via Recfishwest. The environmental impact of the proposed expansion of the marina and other developments is quite significant. By way of comparison, I note the concern of many members opposite about disturbing a much smaller area for the Roe 8 project.

This bill was introduced in the Legislative Council by the Minister for Environment and my colleagues Hon Dr Steve Thomas, Hon Alison Xamon and Hon Rick Mazza covered the environmental concerns in considerable detail during debate on the bill. I do not intend to repeat these concerns in detail, but I wish to highlight some of the major concerns that have been expressed to me about this bill. The environmental impact of the enabled marina development is most profound on the marine environment. However, there also will be significant impacts on neighbouring vegetation, especially in a Bush Forever site. I was extremely surprised by the magnitude of the predicted negative impact on abalone stocks in the area that is expected to occur because of this development, which occupies a relatively small section of the metropolitan abalone fishery. The proposed development of the marina to the north of the existing marina sits within abalone fishery area 7. This area extends over a large distance, all the way from Moore River down to Port Bouvard. Roe’s abalone, *haliotis roei*, is the primary species in this area. We learnt during the briefing from the minister’s department that the project will impact 19 hectares of the macroalgal reef and 16 hectares of seagrass. These impacts are anticipated to reduce the total abalone catch by about nine tonnes per annum, shared equally between recreational and commercial catch, with a four-and-a-half-tonne reduction each. Based on about eight abalone per kilogram, that is the removal of about 72 000 abalone from the annual catch. To contextualise the importance of this very small area to abalone stocks in the metropolitan area, this corresponds to a reduction of 25 per cent of the recreational catch and 17 per cent of the commercial catch in abalone fishery area 7. This must truly be the New York Central of abalone habitats.

We know that the abalone fishery is very fragile and is still slowly recovering after the marine heat wave of 2010–11 when average sea temperatures rose by four to five degrees Celsius due to a change in the path of the southern Leeuwin Current. There is some risk of recovery of abalone stocks with a very significant reduction in abalone due to this project. The impact on abalone stocks will spread beyond the immediate extended marina area because of silt and water turbidity caused during the construction process. The minister’s offices have been keen to point out that significant mitigation strategies have been put in place to compensate for the reduction in the metropolitan abalone stocks. This includes a reduction in commercial abalone fishery licences and strategies to improve abalone stocks elsewhere.

The Department of Primary Industries and Regional Development is apparently quite confident of its ability to breed abalone larvae and successfully release these to grow replacement abalone. There is also a strategy to develop artificial reefs to provide suitable breeding areas. Apparently, 100 000 abalone will be harvested and moved to other locations. I have no way to assess the department’s confidence in these strategies and sincerely hope it is correct. It cannot simply be by chance that such a large percentage of the metropolitan abalone stock is collected in this relatively very small section of the coast. Those reasons must extend beyond simply providing a substrate for macroalgae and breeding space for abalone. Given that it will likely be some time before construction commences, the government should fast-track the mitigation strategies to test whether they are as effective as predicted. This may provide the opportunity to modify the mitigation strategies if they are not as effective as predicted.

A concerned commercial abalone fisher has been keen to point out that the proposed extension of the marina could occur to the south of the existing marina instead of going to the north. It is readily apparent that the impact on the macroalgal reef and seagrass would be much lower through this option and it would avoid impacting the Bush Forever site. It would also provide a better transport connection to the development via Ocean Reef Drive. I explored this option with the minister’s staff and the minister was kind enough to organise a separate briefing with staff from the Department of Planning. They pointed to a number of impediments to altering the planned development from the north to the south of the existing marina. These included interaction with a major effluent outlet and concerns about a potential reduction in natural groundwater flushing with the expanded marina. It appears that the principal concern about transferring the development to the south is the potential delay in the project, mainly because of the need to trigger a new public environmental review. The advisers stated that this may cause up to a three-year delay in the project. It seems as though the proposed marina expansion and associated property developments are too far advanced to easily delay the project and allow a new public environmental review of the southern location. I am concerned that the potential environmental impacts of the proposed marina development have not been given sufficient consideration over a number of years and I see that over a number of governments, including the former Liberal–National government, people have gone some way down the path for this proposed development.

As I mentioned at the outset, the opposition is supporting this bill. This proposal was supported by the previous government and enjoys very widespread support in the community and amongst the recreational fishers in the northern suburbs. I thank Minister Dawson for the lengths to which he has gone to ensure we have been adequately informed about this bill and to understand the issues associated with the proposed expansion of the marina and other land developments. I encourage the government to pursue rigorously the proposed options to ensure that we do not see a long-term negative impact on abalone stocks available for commercial and recreational fishers. This needs to include extensive environmental monitoring and reporting.

Given the simplicity of this bill, I do not have any particular questions for the minister representing the Minister for Environment for the consideration in detail stage.

MR M.J. FOLKARD (Burns Beach) [12.39 pm]: I rise in support of the Reserves (Marmion Marine Park) Bill 2019. Before I start, I would like to make it clear: we borrow our environment from our grandchildren's children.

I reflect on what the member for Cottesloe has just said. Any decision that we make today must be made with a view to the impact on the local environment, what is best for our children, and what is best for that piece of the environment in the future. This bill seeks to remove approximately 150 hectares from the Marmion Marine Park for many years to come. The Marmion Marine Park is approximately 9 500 hectares large. It starts at Trig Island in the south and goes to the southern edge of Tamala Park on the 115 degree easting. It goes approximately two kilometres out to sea. It is a significant marine park because of the number of people in the Perth metropolitan area who recreate in it. I have surfed in places to the south of the southern edge of the marine park. I have had lunches at the Hillarys marina and I am sure many members in this chamber have done the same. I have also swum in parts of the marine park. A significant part of the population of the Perth metropolitan area uses it. We are seeking to remove 149 hectares of the marine park. If that is calculated, it is an area covering 1.58 per cent of the marine park, which is quite a small area. Before this could be done, it needed to go through the Environmental Protection Authority approval process. The conditions placed upon it can be categorised into four main areas: maintaining water habitat, maintaining water quality, minimising impact on coastal processes, and addressing the effect on the abalone fishery in the area.

I refer to water habitat. Conditions have been placed on the project to minimise its impact on the sea floor and the local reefs. Coincidentally, during this time the McGowan government announced the construction of an artificial reef to the west of the Ocean Reef Marina. That artificial reef is approximately 1 000 square metres in size. I note that the Minister for Fisheries stated that the tender went out in July. I believe that is closed now, but I will take correction if I am wrong. The reef was to cost approximately \$1 million. The decision of where to locate it was made in conjunction with Recfishwest. An added benefit of the reef is that it will take some pressure off the area during the construction phase of the marina. I commend the government for its progress on the artificial reef. Western Australia has over 740 000 recreational fishers. They bring approximately \$2.4 billion into our economy. Our recreational fishing industry is a significant commercial enterprise. Although it is small in comparison with the money that the recreational fisheries generate, it will take some pressure off the marine park during the construction phase, which is a good thing. Its timing is very fortuitous. It will be located to the west of the marina. The Ocean Reef Marina has four launching ramps at the moment. During the construction phase, I can see that there will be a considerable imposition on the local constituents, in particular my constituents, who use that area. The reef will hopefully alleviate some of the issues that arise.

Another EPA condition is to maintain the water quality. We need to have good policies to do that. When Hillarys marina was built years ago, there was a significant problem with the unsettling of the seabed. I think we will need to keep an eye on that during the construction phase. I am sure that many members in this house have constituents who live in those areas and will keep an eye on things to remind us to stay on track.

The other thing we need to be mindful of is the run-off of nutrients in the water column within the marina once it is established. The Mindarie marina is in my electorate. Water quality and nutrients within the water column are a problem there and we need to keep an eye on that. I believe some modelling has been done on the water flows and flush-out of the marina that indicates that the marina will flush, which will hopefully alleviate some of the nutrient build-up in the water column and avoid the continuing problems that I have seen in Mindarie with blue-green algae. I have read the EPA processes, and having been a passionate lifesaver, I am really keen that the impact is minimised on the areas surrounding the marina, particularly the beach areas near the area where the marina is to be built.

The fourth condition was about abalone stocks. Western Australia has three types of abalone. We have the roe abalone, which the member for Cottesloe referred to earlier, the brownlip abalone and the greenlip abalone. The roe abalone is quite a unique animal. It is basically a glorified snail, but in the trade it is referred to as a fish. The roe abalone grows in water that is only five metres deep. It is quite unique. The brownlip abalone and the greenlip abalone grow at a depth of 40 metres. The roe abalone tends to grow on the western coast of Western Australia, although there is roe abalone stock around Cocklebiddy in the south west. I recall taking my children down to a beach in the member for Geraldton's patch at Lucky Bay —

Mr I.C. Blayney interjected.

Mr M.J. FOLKARD: Shane's, is it? Sorry.

Years ago I took my children to Lucky Bay, which is south of Kalbarri, and went hunting for roei abalone. It was fantastic. When cooked properly, they are an absolute delicacy. The minimum size for roei abalone is 60 millimetres, which is probably why it is such a popular fishing enterprise on the days when we are licensed to grab them in the metropolitan area. What people do not know is that just north of the Ocean Reef Marina is arguably one of the most densely populated areas of roei abalone on the coast of Western Australia. Within the quota of the metropolitan area in the commercial space, 71 tonnes of roei abalone are available for capture each year. I have swum with a rescue board across the top of that reef, so I know what it is like. It is approximately 20 to 30 metres wide and about 150 to 200 metres long. It is not a very easily accessible reef. During the recreational abalone fishing season, it is not paid too much attention by recreational abalone fishers. However, it is a highly productive commercial fishery. A lot of people do not realise that 21 per cent of the commercial fishery of Roe's abalone comes from that bed.

I have met with members of the abalone industry and quota owners, and I recognise Scotty Grant and Luke Parker, who own some quota in that space. I have met with some lease divers. I think they are the poor individuals who will probably come out second best from the destruction or removal of fish from those areas. The last person I met was David Lee, who was once a processor of Roe's abalone, I think. I hope we will see a fair compensation scheme for the loss of abalone beds in that space. The fishers spoke of moving the whole project to the south to protect that bed, but I just cannot see that happening.

Debate interrupted, pursuant to standing orders.

[Continued on page 7516.]

HILLARYS BOAT HARBOUR — BUS SERVICE

Statement by Member for Hillarys

MR P.A. KATSAMBANIS (Hillarys) [12.50 pm]: I draw all members' attention to the need in my electorate of a direct bus route to the Hillarys Boat Harbour and marina complex. The boat harbour and marina is the biggest tourist attraction in my electorate and one of the most popular tourist attractions in Perth. Traders and small businesses that operate from the boat harbour rely heavily on the foot traffic generated by locals, people who live across Western Australia, and interstate and overseas tourists. Currently, the only public transport option to the boat harbour is to catch the 423 bus from Warwick or Stirling train station, which operates on weekdays only. Catching the bus from Stirling train station, for example, requires 42 stops before a person can get off at the Hillarys Boat Harbour on West Coast Highway. This is a slow and cumbersome public transport alternative for a tourist or a local person who wants to visit the marina.

Traders and business operators at the boat harbour and marina, like the broader community, are experiencing challenging economic conditions. Without a direct bus route to the boat harbour and marina, the task of attracting people to use public transport is made even more difficult. The introduction of a direct bus route from either Greenwood train station or Whitfords train station to the boat harbour is needed, and I call on the government to ask the Public Transport Authority to commence work on a feasibility study for this route, and perhaps consider extending it east along the ever-growing Hepburn Avenue.

PICKERING BROOK AND SURROUNDS SUSTAINABILITY AND TOURISM STRATEGY

Statement by Member for Kalamunda

MR M. HUGHES (Kalamunda) [12.52 pm]: The Pickering Brook and surrounds sustainability and tourism strategy is a state government initiative to facilitate sustainable tourism growth within the Perth hills and in particular to undertake a sustainability assessment of the Pickering Brook town site. The strategy will provide strategic planning guidance for tourism-related growth within the Perth hills. Tourism development initiatives, including the potential growth of agritourism and the potential expansion of the Pickering Brook town site, are being investigated as part of developing the strategy. I am pleased to chair the working group that will report to the ministerial task force with a set of strategic recommendations once the study is concluded during the course of 2020.

Over three and half days of initial consultations, the Department of Planning, Lands and Heritage invited landowners and residents across the study area to share thoughts and ideas with members of the group. Pre-booked, face-to-face meetings were held at the Pickering Brook Sports Club on 6, 7, 9 and 16 September. Community members have been provided with the opportunity to contribute their thoughts and ideas by means of a short online survey questionnaire. There was a full uptake of each of the initially allocated two-and-a-half-day periods, which were then extended to a third day. I would like to extend my appreciation of the fulsome engagement of members of the community, who were prepared to meet face to face with me and other members of the working group to share their views on the future of the town site and the economic activity and potential of the district as a whole. I extend my thanks to the officers of the department for facilitating the consultation. Over 70 separate interviews were conducted as part of this initial community consultation process.

WINTER SPORT RESULTS — KALGOORLIE-BOULDER

Statement by Member for Kalgoorlie

MR K.M. O'DONNELL (Kalgoorlie) [12.54 pm]: Greetings, Madam Acting Speaker. The Goldfields Soccer Association kicked the finals off with Kalgoorlie College FC the big winners, taking home the A and B-grade men's, senior ladies' and junior under 14s and 16s flags. Twin City Saints were the winners of the under 12 grand final. Twin City also celebrated its fiftieth anniversary last weekend, and I congratulate the club.

One of the oldest Australian Rules competitions in the country, the Goldfields Football League, was the next to hold its grand finals, with Kalgoorlie City Football Club the victors in the league, reserves and under 14s. Mines Rovers Football Club, which is one of the most successful clubs in Australia, took home the colts and under 16s flags. Both clubs are 121 years old. It is great to see such a strong league in the electorate when I know that other areas have faced challenges.

The finals of the Eastern Goldfields Hockey Association were played last weekend, with Norths–Wesley Hockey Club winning the A-grade and B-grade men's finals, whilst CBC Hockey Club won the A-grade and B-grade women's finals. The CBC women's A-grade team has played in an incredible 12 out of the last 14 grand finals, winning the last five consecutive flags. The junior finals saw YMCA take out the J9–12 girls and the J3–8 boys divisions, while Pegasus won the J9–12 boys and Norths won the J3–8 girls divisions.

The Eastern Goldfields Netball Association also had its grand finals last weekend. Sonix Netball Club won its third consecutive premier league division, Imperials Netball Club won division 2, and Sonix also claimed division 3. My daughter-in-law Emma was part of that team.

Sophie Garbin, who was born and raised in Kambalda, played with the NSW Swifts, which was victorious in the grand final. Hayden Kennedy and Ryan Borchet were part of the all-conquering Subiaco team. Ben Miller, from Railways, was in Richmond's VFL grand final team.

PEAC PARLIAMENTARIANS

Statement by Member for Wanneroo

MS S.E. WINTON (Wanneroo) [12.56 pm]: I rise today to briefly tell the house about a course called PEAC Parliamentarians, which I am again teaching this year with my former teaching colleague Kirsteen McCrory. Prior to being elected to Parliament, I was a teacher with the primary extension and challenge program within the north metropolitan education region. The students in this 10-week course are all identified gifted and talented students from schools in the north metro area. Their names are Alyssa Hardingham, Audrey Coleman, Elizabeth Moss, Ella Teh, Elly Criticos, Isaac Tyler-Hills, Isabelle Schonfeld, Lachlan Clyne, Maeve Leech, Mary Haddow, Matilda Valentino, Matilda Smith, Ruby Lynch, Samantha Liddelow, Savannah Brigden and Tori Kahagalla. They are exceptional students who are learning about our democratic processes and how this Parliament functions. The students will all be interviewing one of their current members of Parliament and will get numerous opportunities to sit in members' chairs in this chamber and speak about a variety of issues that they are passionate about.

PEAC is a longstanding, highly respected and successful educational program that provides supplementary learning opportunities for our gifted and talented students to meet and work with like-minded peers in challenging and academically rigorous settings. I am sure that my parliamentary colleagues who get the chance to meet one of these PEAC students will be amazed by how exceptional they are, with their capacity to think about and analyse concepts well beyond their years. PEAC's purpose is to inspire and challenge our brightest to reach their potential. It will be a pure delight to see these students shine in this chamber. Kirsteen and I have no doubt that many of them will be our future leaders in the community.

CHESS CHAMPIONSHIPS — MOUNT BARKER COMMUNITY COLLEGE

Statement by Member for Warren–Blackwood

MR D.T. REDMAN (Warren–Blackwood) [12.57 pm]: The small great southern community of Mt Barker is celebrating the success of its younger citizens after they took part in the recent state chess championships in Perth on 13 September 2019. I congratulate the 10 students from the Mount Barker Community College, aged nine to 12 years, who outplayed many of their counterparts to be placed third in the state competition. It is a remarkable achievement for these youngsters, who were the only country kids to make the state finals, having qualified by winning the great southern regional chess championships. They have now been invited to play at the national competition in Melbourne from 1 to 3 December.

I commend Mr Doug Klaffer, chess club coordinator at Mount Barker Community College, for his commitment to and passion for teaching one of the oldest games in the world. Behind every success story there is someone who gives selflessly of themselves, and in this instance that person is Doug.

Chess is definitely a mind sport—a game of strategy. Although the students play as individuals in the school championships, overall scores are combined to give a team result. The chess club has brought the students together

and taught them valuable team-building skills. Through the competition, their confidence and self-esteem has grown immeasurably. I wish the Mount Barker Community College students every success in Melbourne as they demonstrate what can be achieved with a fantastic teacher and a school environment that allows them to achieve their goals.

MADELEY PRIMARY SCHOOL — TENTH ANNIVERSARY

Statement by Member for Girrawheen

MS M.M. QUIRK (Girrawheen) [12.58 pm]: This week I attended the tenth anniversary celebrations at Madeley Primary School. Joining principal Lainie Beccegato, who has been at the school for all of those 10 years, were foundation principal Kim Anderson and his successor Stephen Bevan.

The school opened with 185 students; now there are 510. It was one of the first schools to become an independent public school. The three “Cs” are the values fostered at Madeley—community, curriculum and care. Its school logo, with three parallel sweeps, is a reminder that the land on which the school was built was formerly used as market gardens. I congratulate the board, chaired by Paul Thomas, for its contributions. I am struck at the extremely small turnover of staff at the school over the decade. That speaks volumes.

Highlights of the Madeley school year are the Book Week parade, the “Madeley Cup”, “Madeley’s Got Talent”, Anzac Day and Easter on the green.

Former student Clare Gamble, who is 22, gave her recollections of years 6 and 7—the creation of veggie gardens, the sports carnival and when they turned each of their classrooms into restaurants. In Clare’s words, it was a place where students felt safe to be themselves. It is terrific to hear that Clare is now at university studying to be a teacher.

Madeley Primary is blessed with an active P&C, now under the leadership of Peter Withnell, with many volunteers value-adding to the school experience for students. Over the decade, it has raised a staggering \$190 000. The icing on the birthday cake is the allocation this week to the school of \$52 573 under the McGowan government’s school maintenance blitz!

Sitting suspended from 1.00 to 2.00 pm

VISITORS — KALAMUNDA LADIES PROBUS CLUB

Statement by Speaker

THE SPEAKER (Mr P.B. Watson) [2.01 pm]: On behalf of the member for Kalamunda, I would like to welcome members of the Kalamunda Ladies Probus Club who are visiting Parliament today. Welcome, ladies.

QUESTIONS WITHOUT NOTICE

SYNERGY — 2018–19 ANNUAL REPORT

844. Mr D.C. NALDER to the Premier:

Before I ask my question, on behalf of the member for Darling Range, I would like to acknowledge students and teachers from Byford Secondary College who are in the chamber today.

Can the Premier explain to the house how the McGowan Labor government managed to lose \$650 million from state-owned energy company Synergy?

Mr M. McGOWAN replied:

I thank the member for the question. I think the Minister for Energy set out the situation quite well earlier today when he explained Synergy’s annual report to the house. I will read it out again so the member understands the circumstances that have occurred. I quote —

The factors that have contributed to Synergy reporting an impairment loss are not unique to the Western Australian electricity sector. EnergyAustralia and Infogen Energy are two companies that have also recently reported very substantial impairments. In Synergy’s case, the impairment of assets is a result of the business facing increased fixed costs predominantly across its generation operations, increased regulated network charges, some long-term power purchase agreements that no longer reflect current market conditions and other costs that are becoming clearer as the energy landscape changes dramatically. The exponential year-on-year increases of rooftop solar uptake, paired with increases in large-scale renewable generation, decreases the demand for electricity generated from Synergy’s baseload assets.

More than one in four households in Western Australia have installed rooftop solar systems. Although this provides benefit to those households and the environment, generating enormous amounts of clean energy comes at a significant cost through the price paid per unit exported to the grid, and the cost of the depreciating value of the generating assets.

And so on and so forth. The member can read the statement by the Minister for Energy. I think it sets it out very clearly. This is largely an accounting decision that is preparing Synergy for the future.

SYNERGY — 2018–19 ANNUAL REPORT

845. Mr D.C. NALDER to the Premier:

I have a supplementary question. Can the Premier confirm that this is the single largest financial loss by a state-owned business in the state's history, and does the Premier take responsibility for this loss?

Mr M. McGOWAN replied:

Obviously, the environment that Synergy is facing is very, very difficult because of all the factors I read out just a moment ago. As a government, we have made some tough but necessary decisions since we have been in office to deal with some of the situations that Synergy is facing. As I said, the huge uptake of solar and wind energy is obviously causing some issues for Synergy's position. Synergy is essentially operating on a break-even basis. This is an accounting decision to prepare Synergy for the future. If the member would like to ask the minister a question, he can. In the last budget, this government kept price increases at the lowest they have been in 13 years. When the Liberals and Nationals were in office, they put them up by 90 per cent.

LEONARDUS TJANDRA — LEACH HIGHWAY CRASH — FATALITY

846. Mr S.A. MILLMAN to the Attorney General:

Before I ask my question, on behalf of the hardworking and studious member for Belmont, can I welcome into the Speaker's gallery the student leaders from Belmay Primary School and their teacher, Mr Gerstorfer, and Nicole from the school's P&C.

Can the Attorney General update the house on the case relating to the tragic death of Leonardus Tjandra, who, sadly, died in December last year after his family's car was hit by a driver in a stolen vehicle?

Mr J.R. QUIGLEY replied:

I thank the member for Mount Lawley for his question. I can update the house on the case against Molloy. In doing so, I must be very careful because today, 26 September 2019, the Director of Public Prosecutions filed her notice of appeal in the Court of Appeal, which notice I have with me. I want to praise the Director of Public Prosecutions and her appeals team for it was on only 18 September that it was reported in *The West Australian*. She had 21 days within which to appeal. Knowing the public interest in this matter, the director saw this as a priority and has already filed the appeal. Members would remember that Labor passed "Charlotte's Law" last year, doubling the penalty for dangerous driving causing death when there are aggravating circumstances from 10 years to 20 years. I will quickly read the grounds of appeal. The sentencing judge erred in law by imposing a sentence in relation to the count of dangerous driving causing death in circumstances of aggravation that was so inadequate as to manifest error, having regard to the maximum penalty for the offence—that is Labor's 20 years; the serious nature of the offence and the circumstances in which it was committed; and the need for the sentence to adequately reflect general and personal deterrence. The driver had been out of jail for only a month. The other grounds include appropriate punishment for offending of this nature; the personal circumstances of the respondent; and the requirement that the sentence be consistent with the standards of sentencing customarily observed for offending of this nature.

I do not want to go any further because the matter is currently before the Court of Appeal, but I do want the chamber to note the very expeditious and professional manner in which the Director of Public Prosecutions, Miss Amanda Forrester, SC, and her staff have attended to this matter. I am sure that all members of this house will have confidence that the director will prosecute this appeal both professionally and aggressively in the public interest.

MINISTER FOR CORRECTIVE SERVICES — PERFORMANCE

847. Mr S.K. L'ESTRANGE to the Premier:

I refer to the insightful opinion piece in today's *The West Australian* by Nick Butterly titled "Gaffe-prone Logan is a risk". Given the Premier's statement on Tuesday that the Minister for Corrective Services was doing a terrific job, who is right—the Premier or Nick Butterly?

The SPEAKER: You are asking for an opinion: who is right or who is wrong? Premier, will you take the question?

Mr M. McGOWAN replied:

As I recall, the member was an English teacher, so maybe he should —

Mr S.K. L'Estrange: No; incorrect—economics!

Mr M. McGOWAN: If you are an economics—anyway, I will not go into it!

Can I just say once again, as I said the other day, that the Minister for Corrective Services is a good minister and he is reforming the system. In his time as Minister for Corrective Services, he has had to deal with some pretty serious things, as indeed does every Minister for Corrective Services in any government in Australia. Across the country, the nature of this portfolio means that there is always trouble because there are thousands of prisoners,

some of whom have no sense of responsibility or any sense of community commitment, behaving very badly. If we look at any state in Australia, we will see that there are numerous incidents in prisons or escapes across the country. In his time in office, this minister has managed—I jotted just a few things when I saw the member rise—to put in place Australia's first meth rehabilitation prison, Wandoo. He has brought Wandoo back into public control and now has a program for rehabilitating women who are addicted to methamphetamine, and it is working. We are about to do the same thing for the men's prison. The former government had a plan to spend over \$1 billion on a new prison, which was unfunded when we arrived in office. We managed to put an additional 850-plus beds into the existing prison estates at Bunbury, Casuarina and other facilities around the place at about a tenth of the price of what a new prison was going to cost.

The minister has dealt with Banksia Hill, a problem that members opposite were incapable of dealing with. There was riot after riot at Banksia Hill. The current minister went there, had a look and talked to people and put in place a new regime that is working. He put some structure and discipline into the young people in that prison that was woefully and sorely missing. Yesterday, obviously, after we had the incident with Mr Dodd, I was very pleased that he had been recaptured. I expect he will regret for the rest of his life his little escapade away from the officers who had control of him. In the course of a few days, the minister has changed the protocols around dealing with prisoners like Mr Dodd and imposed a \$103 000 fine on Broadspectrum, the company the previous government signed up to undertake those sorts of things.

I pose this question to the member for Churchlands before he asks his supplementary: the Minister for Corrective Services has done all this in two and a half years as minister, but what did the member for Churchlands ever achieve in his time as the minister? Can he tell us one thing?

Several members interjected.

The SPEAKER: Members on my left!

Mr M. McGOWAN: Tell us one thing he did that made a difference. I suspect it was nothing and that is why I suspect the Leader of the Opposition banished him to outer Siberia.

Mrs A.K. Hayden interjected.

The SPEAKER: Member for Darling Range!

Mr D.J. Kelly interjected.

The SPEAKER: Minister for Water!

Several members interjected.

The SPEAKER: Members! Just hold on a minute. Minister for Water and member for Wanneroo, I call you to order for the first time. It is not a shouting match.

MINISTER FOR CORRECTIVE SERVICES — PERFORMANCE

848. Mr S.K. L'ESTRANGE to the Premier:

I have a supplementary question. Will it take another community safety bungle or another mass prison breakout before the Premier finally decides to change the Minister for Corrective Services or is he bound to let the unions control his cabinet?

Mr M. McGOWAN replied:

That is a silly question. Considering yesterday, or the day before, you were quoting the Maritime Union of Australia as part of your justification for one of your positions, it shows just how silly some of your questions are.

Mr S.K. L'Estrange: Not me. I said nothing about the MUA.

Several members interjected.

The SPEAKER: Members!

Mr D.C. Nalder interjected.

The SPEAKER: Member for Bateman!

Mr M. McGOWAN: I said "you" as in plural. I am looking at the member who did it. He might not recall. The member for Bateman might be thinking about his impending retirement, as I hear. Members on this side are hearing that he is thinking about the outside world and what opportunities might be out there for him. Maybe his time in here has passed and the outside world beckons—that is what we hear from various journalists telling us these stories about the member for Bateman. He is looking for greener pastures than those that are in here.

My question remains: The member for Churchlands had the opportunity. What did he achieve as a minister?

Several members interjected.

Mr M. McGOWAN: One thing.

Several members interjected.

Mr M. McGOWAN: He cannot say one single thing that he did in his time as a minister.

Mr S.K. L'Estrange interjected.

The SPEAKER: Member for Churchlands, I call you to order for the first time.

Mr M. McGOWAN: I outlined to the member half a dozen significant reforms that the Minister for Corrective Services brought in just in that portfolio. That does not include the Rural Fire Division or the Bushfire Centre of Excellence in the emergency services portfolio and a range of other initiatives he has taken there. There are half a dozen important initiatives inside Corrective Services to expand capacity, resolve issues and ensure we get more rehabilitation for people suffering from meth addiction. That is what the Minister for Corrective Services has done in his portfolio and the member for Churchlands comes in here and tritely says, like a broken record that I see on the news each night, “Sack the minister, sack the minister.” This is a guy who does things. The Minister for Corrective Services has reformed the system and will continue to reform the system whilst you as a minister did absolutely nothing.

TOURISM — DIRECT FLIGHTS — SHANGHAI—PERTH

849. Mr J.N. CAREY to the Premier:

I refer to the government’s commitment to creating jobs and supporting small businesses through its unprecedented efforts to bring more visitors to Western Australia.

- (1) Can the Premier please outline how the government was able to secure direct flights between Shanghai and Perth during the Chinese New Year season?
- (2) What will these direct flights mean for the Western Australian economy?

Mr M. McGOWAN replied:

(1)-(2) We have secured another victory for the Western Australian economy. This government has invested in tourism and innovative marketing and events like no government ever before. I would like to thank the Minister for Tourism for all his efforts in securing record numbers of international and interstate tourists to our state. Today we were able to announce a trial of direct flights between Shanghai and Perth. China Eastern Airlines will be running the nonstop flights starting on 15 January next year. China Eastern is the seventh largest airline in the world. It will be the first time ever China Eastern flies into Perth. The flights will be three times a week, which equates to 3 480 seats. They will run during peak Chinese New Year season between 15 January and 17 February next year.

It is now incumbent on us to work with the airport and the airline to promote this new flight with a view to, hopefully, making it permanent. It came about as a consequence of a concerted effort by this government to secure this trial. I took a significant tourism delegation to Shanghai in late 2017. The minister has met with China Eastern on a number of occasions, as has Tourism WA, and I went back earlier this year and did it again with the chairman of China Eastern.

We are very pleased to have secured this. It takes a lot of effort to get to this point. We did the same with Air Nippon Airways, the Tokyo–Perth direct flights, which started a few weeks ago. This achievement shows that the Western Australian relationship with China is very, very important, particularly for jobs in Western Australia. Madam Dong, the Chinese Consul General, was at the announcement this morning. Last financial year, the total value of exports from Western Australia to China was in excess of \$81 billion and the total value of imports to Western Australia from China was \$4.7 billion. In other words, we have a \$75 billion trade surplus with China. That is responsible for one-quarter of the Western Australian economy. Around 300 000 Western Australian jobs are dependent upon it. That is why I am very, very vocal about how important this relationship is when dealing with the federal government and when commenting nationally on it. It is incredibly important to our economy and to jobs and to the prosperity of this country. Where do members think the commonwealth revenues are coming from? They are coming from exports to China generated out of Western Australia. That is why the federal government is nearly back in surplus. It is because of all the company tax coming out of Western Australia. Hundreds of thousands of jobs depend on it and that is why I will continue to support the relationship. I encourage the Prime Minister to go to China and re-evaluate and recommit to a stronger relationship with China. Our relationship with China and the United States is not mutually exclusive. I believe in our strong defence relationship with the United States and I believe in our strong economic, cultural and social relationship with China. We can have both. We do not have to choose between them. An example of Western Australia having that good relationship is these direct flights, which we were able to announce today and which will create jobs and opportunities in our state. I encourage everyone to take up the opportunity to travel to China, and people in China to take up the opportunity to travel here.

ROAD SAFETY — OVERSEAS DRIVERS

850. Mr R.S. LOVE to the Minister for Road Safety:

In the wake of the continuing serious traffic accidents on tourist routes such as Indian Ocean Drive, and fears that overseas drivers unfamiliar with Western Australian road rules and conditions may be contributing to the problem, will the minister adopt a comprehensive program to assist overseas drivers to remain safe, including a program such as New Zealand's visiting drivers project to educate overseas drivers unaccustomed to Australian conditions?

Mrs M.H. ROBERTS replied:

I thank the member for the question. Road safety is a very important issue and safety on Indian Ocean Drive has been an issue in recent years. Our government has invested a lot in terms of that road. We put in extra passing lanes, we have widened the road in various sections, we have improved intersections, we have installed audible edge lining along the road and we have even had wider parts put into the middle of the road. We have made that road as safe as we can and more work is still to be done.

The member made the point about foreign drivers. The fatal accident last week involved a driver and passengers from China, and they do stand out in terms of the road toll. The sad fact is that most of the fatalities on our country roads involve people driving in their own postcode area or the neighbouring postcode area. I repeatedly get feedback from people, particularly in country areas, that city or metropolitan drivers need more instruction on how to drive on country roads, and foreign tourists also need that. Both categories make up the smaller percentage of fatalities. The biggest percentage of people killed on country roads by far comes from the country. The strongest message that needs to go out to people in the country is that they need to take more care in terms of speeding, drink-driving and other unsafe behaviours.

The member has asked me about foreign tourists in particular. This is not an area that the government has been quiet on. Since the previous government lost office, we have taken up a couple of new initiatives. One of those is the production of road safety booklets in multiple languages including Chinese. They are made available through hire car companies. In conjunction with the Minister for Tourism, we have arranged for a road safety message about the long distances and the nature of driving in Western Australia to be shown on a number of airlines coming here from Asian countries. Garuda Indonesia and a number of other airlines have signed up to this as part of an entry program. As people would be familiar from flying on planes, when they arrive back in Perth something is now said about the city. If a person is flying in from an Asian country, they will be shown a road safety message about which side of the road to drive on and the distances involved and so forth. We are trying to make people aware of road safety in that way.

Earlier this year, I met with Madam Dong and we talked about a number of things including road safety. We are looking to show that same video information on the flights from China as well. China Southern Airlines and now maybe China Eastern Airlines can take it up as well. I have also talked to the Minister for Tourism about this. These are very sad occasions. We want people to be aware as they can, but anyone who has driven in America or Europe would know that no matter how careful a person is or how good a driver they are, sometimes, out of habit, a person can tend to look the wrong way. It is very sad for those individuals involved and we will continue to do what we can to make sure that foreign tourists are informed as best as they can be about the hazards on Australian roads.

ROAD SAFETY — OVERSEAS DRIVERS

851. Mr R.S. LOVE to the Minister for Road Safety:

I have a supplementary question. Thank you for that answer, minister, and for the measures taken thus far. Will the government consider installing multilingual signage for tourists on Indian Ocean Drive, such as the Victorian government has installed on Great Ocean Road?

Mrs M.H. ROBERTS replied:

Yes, that is already under consideration. I have had discussions with my agencies and the Minister for Transport is involved as well. We will trial that and I expect that Indian Ocean Drive would be likely to be one of the first places where we would look at installing that signage.

ELLENBROOK RAIL LINE

852. Ms J.J. SHAW to the Minister for Transport:

I refer to the historic legislation introduced today that will enshrine in law the Morley–Ellenbrook rail line and clear the way for this job-creating project to get underway. Can the minister outline to the house why this legislation is so important for the people of my electorate and right across the north-eastern suburbs, and can the minister advise the house if she is aware of any threats to this important economy-driving project?

Several members interjected.

The SPEAKER: Members! The minister has not said a word yet and you are still interjecting.

Ms R. SAFFIOTI replied:

I thank the member for Swan Hills for that question and her strong support for the Ellenbrook rail line project. Today is indeed a proud day for the McGowan government as the legislation to facilitate the Ellenbrook rail line had its second reading. We introduced the Railway (METRONET) Amendment Bill 2019 to authorise the construction of the Morley–Ellenbrook line. Once approved, the Morley–Ellenbrook line will be the third railway line covered by the Railway (METRONET) Act 2018. As members know, we have already passed the legislation to facilitate the Yanchep rail line and the Thornlie–Cockburn Link.

Mr J.R. Quigley interjected.

Ms R. SAFFIOTI: Of course, member for Butler. The Liberal Party did not support that project either. It was a major election commitment that we gave at the election.

Several members interjected.

The SPEAKER: Members! This is good news.

Ms R. SAFFIOTI: It is good news for Western Australia but not for Liberal Party members; that is the problem. The Ellenbrook line is a 21-kilometre line that will spur off the Midland line at Bayswater, run down the middle of Tonkin Highway, through land north of Marshall Road, and along the new Lord Street alignment through to the Ellenbrook town centre. We know that the Ellenbrook town centre has been waiting for this rail line for many years. Yesterday, I had the opportunity to attend two new housing developments: one in Bennett Springs with the Minister for Housing; and one in Ellenbrook with the member for Swan Hills and the Minister for Housing. The feedback we got from the development industry was about the excitement now along the north-east corridor because the rail line is coming under a Labor government. They are seeing a lot more excitement and activity because of the infrastructure —

Mr D.C. Nalder: It's all in your seat.

Ms R. SAFFIOTI: What was that?

Mr D.C. Nalder: I'm not allowed to speak.

Ms R. SAFFIOTI: What did you say?

The SPEAKER: Minister!

Several members interjected.

The SPEAKER: Members!

Ms R. SAFFIOTI: The member for Bateman was so proud of his record in the seat before the last election that he gave it away to somebody else! At least we stick to our commitments on our side of politics, member for Bateman. We will not need to change seats because we are delivering —

Ms L. Mettam interjected.

The SPEAKER: Member for Vasse! I do not mind you interjecting, but say something sensible. I call you to order for the first time.

Ms R. SAFFIOTI: The member for Vasse is out there opposing the project and in one sense has said that we are not going fast enough, and in the other sense has said, “We oppose the project”. Where does the member for Vasse stand on it? Does she support the project? The member for Darling Range has had to quieten down the member for Vasse. Does she support the project: yes or no?

The SPEAKER: Minister, through the Chair.

Ms R. SAFFIOTI: The member for Vasse is very good on Twitter and on being negative—everywhere getting out there; this rail line is so bad. She has aligned herself with council candidates who have opposed this project every day for the last 10 years. That is who she has aligned herself with and everyone in that corridor knows it, member for Vasse.

This is indeed a proud day for WA. We are getting on with the job of creating the Ellenbrook rail line, creating certainty for the corridor and getting excitement back to the development industry in that corridor. It is good news and it is a day that we can all be proud of, members.

JOONDALUP HEALTH CAMPUS**853. Mr Z.R.F. KIRKUP to the Minister for Health:**

I refer to the reinstatement of \$180 million into the health budget that the minister previously cut. Why has the minister not funded the \$167 million to expand the Joondalup Health Campus as promised at the last state election, which has actually had an impact on the record wait lists and record violence that is occurring in our hospitals?

Mr R.H. COOK replied:

I am not sure whether the member is talking about Joondalup Health Campus or violence in our hospitals, but I am very pleased to talk about both. We have \$160 million in the budget—in excess of that—for provisioning for the

Joondalup Health Campus, because we have a commitment to make sure that the people in the northern suburbs of Perth get the very best possible health care. That vision has been driven by this government, and by the members for Wanneroo, Joondalup, Kingsley and Girrawheen, for years—trying to make sure that the people of the northern suburbs get the best health care possible. Essentially, they want a government that puts patients first, and that is what this government is doing. We are continuing to look at the scope of that particular hospital project, and as we get a better line of sight on that and agree with the private provider that operates that hospital, we will be in a position to then finalise the costings and move forward as soon as possible. We are getting on with the job of investing in health care in the northern suburbs. That is the reason we have met our election commitment to have the new stroke service installed in the Joondalup hospital. That is why we are investing in new neonatal facilities and new rehabilitation facilities at Osborne Park Hospital. That is why we are a government that is committed to the health care of Western Australians.

In addition to that, we want to make sure that the staff working in our hospitals can provide care for the patients they are called to provide care for, which is the reason we have put such a strong emphasis on the security of our staff. It is the reason we took a commitment to the election to make sure that we have better security for staff—something that members opposite did not do when in government. It is the reason we have responded to the needs of frontline hospital workers by taking proactive measures to invest \$5 million to make sure that our hospital leaders have the resources they need to improve security, make sure we have the resources to have a public awareness campaign around violence in our hospitals, and to make sure that we have better protocols with the police for the handover of particular patients. This is in stark contrast with the performance of the previous government. Both Hon Kim Hames and Hon John Day, when confronted with the issues of violence in our hospitals said, “We’re doing enough; we don’t need to take any extra measures; we don’t need to protect the staff in our hospitals.” That is not the standard that we hold, which is the reason we are working tirelessly, investing in our hospitals to make sure that our staff have the best possible facilities, and that our patients have the best possible services.

JOONDALUP HEALTH CAMPUS

854. Mr Z.R.F. KIRKUP to the Minister for Health:

I have a supplementary question. Why is the minister turning his back on the people of the northern suburbs by not immediately funding —

Ms S.E. Winton: You didn’t listen to the answer!

The SPEAKER: Yes, I have got you again, member for Wanneroo. You have a very loud voice, but do not use it in the chamber.

Mr Z.R.F. KIRKUP: Why is the minister turning his back on the people of the northern suburbs by not immediately funding Joondalup Health Campus, which will deliver better health outcomes and create thousands of desperately needed jobs in those northern suburbs?

Mr R.H. COOK replied:

The member for Wanneroo nailed it. The member for Dawesville just does not listen to the answer. If he had listened to the answer, he would have heard that we are committed to those extra inpatient beds. We are committed to expanding the number of operating theatres. We are committed to growing the parking and the emergency department there. We are committed to more mental health inpatient beds. The reason that was important was that it was in our 2013 election commitments, and then the government ignored it for another four years. We want to make sure that we invest in northern suburbs health care, but we want to make sure we do it properly. We are not going to stuff up, like the previous government did with Perth Children’s Hospital. We are going to do this properly, and we are going to make sure that the people of the northern suburbs get the health care they deserve. We are doing it because members opposite did not.

ROAD TRAFFIC AMENDMENT (IMPAIRED DRIVING AND PENALTIES) BILL 2019

855. Ms M.M. QUIRK to the Minister for Road Safety:

Minister, good answer. I refer to the McGowan Labor government’s reforms, introduced today, that will target drink and drug-driving in Western Australia.

- (1) Can the minister update the house on how these laws compare with laws implemented in other states?
- (2) Can the minister advise the house how these reforms will help improve road safety in Western Australia?

Mrs M.H. ROBERTS replied:

I thank the member for Girrawheen for her question, and for her very long-term commitment to road safety.

- (1)-(2) I certainly can give the member some comparisons with other states. A number of the measures introduced in the legislation I brought into the house today should have been put in place years ago, if we had had a minister in the former government who was committed to road safety. The fact of the matter is that this

legislation implements an immediate 24-hour driving ban for a driver who tests positive at a roadside drug test. You would think that that seems pretty logical, and most other states, once they introduced drug testing, in the same way that alcohol testing was put in place, moved to put those immediate bans in place. Who wants to think that someone who has tested positive for methamphetamine can drive away after they have tested positive? Legislation like that was introduced in New South Wales in 2006, in South Australia in 2006, in Victoria in 2007, the Northern Territory in 2008 and the Australian Capital Territory in 2010. Over 10 years ago, most of those states actually put that ban in place. We have had a real anomaly here, one that was drawn to the attention of the former government and one that it chose not to act on.

I know that the other key amendment in this legislation is one that the member for Girrawheen feels quite strongly about, because I well recall the excellent report that the Community Development and Justice Standing Committee did in 2015. Recommendation 8 in that report stated —

That the Minister for Police introduces amendments to the *Road Traffic Act* (1974) to:

- establish an offence for the combined use of alcohol and illicit drugs;

What was the response from the government of the day? The response was —

The Road Safety Commission will be conducting a review into drug driving legislation, in conjunction with police and other key stakeholders.

Nothing happened. In a couple of years since that was pointed out, did anything happen? No. Victoria moved on that, and it is the Victorian model that we are looking to in the legislation that we have brought forward. It was an excellent report, titled “Are we there yet? How WA Police determines whether traffic law enforcement is effective”. What was pointed out in the committee report, and what is well known and well researched, is that where there is a combination of drugs and alcohol, the risk goes up exponentially. These kinds of changes are very necessary.

The other thing that the former Minister for Road Safety sat on her hands about was the penalties for drink and drug-driving. They lag so far behind other states. The member for Girrawheen asked for the comparison. For example, this is where they currently sit: a blood alcohol content of 0.05 per cent in Western Australia attracts a \$500 fine, compared with \$1 000 in South Australia, \$1 828 in Queensland, and \$3 223 in Victoria. It lags at only \$500 here. These are some of the things that we are now moving to address because we had a previous Minister for Police; Road Safety who took no interest in road safety, showed no leadership and did nothing, just like she did not do anything about the calculation of breath tests. She said she was looking into that in about 2014 or 2015, but she did nothing there either. By comparison, we are moving ahead. It is sad that we are having to play catch up with other states, but the problem is that we had a previous minister who did nothing and did not show any leadership.

BUNBURY–GREENBUSHES RAIL LINE — LITHIUM MINING

856. Mr D.T. REDMAN to the Minister for Transport:

I refer to the work being done by Arc Infrastructure and Talison Lithium on a rail strategy for transporting lithium product to Bunbury, Kemerton and Kwinana.

- (1) Has the minister been briefed on the merits of the project?
- (2) Will the minister still honour her election commitment to extend the Kemerton rail line?
- (3) Does the business case for lithium on rail from Greenbushes depend on the Kemerton rail extension?

Ms R. SAFFIOTTI replied:

(1)–(3) I thank the member for the question, and in fact I had a meeting with Arc Infrastructure yesterday. Of course, my agency has been keeping me briefed about some of the proposals that are out there. There are a number of key elements relating to infrastructure leading to the ports, including the upgrade of the rail line and also the Kemerton spur. There are a number of components, and there would be different obligations on different parties in relation to that. That work is ongoing, and the time for the final decision will probably be next year, but that work is continuing, and the assessment is continuing. I am also undertaking an analysis of South Western Highway, urged by the member for Murray–Wellington, about issues in relation to further movements on South Western Highway, maintenance costs and other issues. I have been briefed. We are working with industry and across government. A number of parties are involved across government, including the Minister for Mines and Energy and also the Minister for Regional Development, and they are all working together and looking at what is possible, what is the cost and who would bear that cost. I do not want to say it again, but given the former government privatised that rail line, it creates some issues in relation to who will bear the cost, how we will justify it from a public purse point of view, and also how it will be paid for over a period of time. All those issues are in front of us. There are also, of course, the ongoing arbitration issues in relation to access rights and costs for the rail line.

BUNBURY–GREENBUSHES RAIL LINE — LITHIUM MINING

857. Mr D.T. REDMAN to the Minister for Transport:

I have a supplementary question. Can the minister be more definitive than “sometime next year” about when the community is likely to know the government’s decision?

Ms R. SAFFIOTI replied:

We are doing the work. The feedback I got yesterday was that there will be a decision point next year. As I said, this is a complicated proposal, given, too, the changing dynamics of what is happening in industry. We have also seen government trying to work with industry, and over time industry does change where the processing will be undertaken and the ports that it will be using. We are also seeing some shifts in the composition of the lithium industry in ownership structures and processing places. It is an ever moving sort of feast, but we are absolutely working with industry and across government to get the best outcome.

Of course, I have always, and WA Labor will always, support more freight on rail. Across the metropolitan area, we have been able to increase the amount of freight on rail from 15 per cent to 23 per cent for Fremantle port, and we are keen to pursue that across the state. However, there are limitations. If that rail line had not been privatised, member, it would be a lot easier.

Several members interjected.

The SPEAKER: Members!

Ms R. SAFFIOTI: The key point is that when we privatise monopoly infrastructure across the state, it limits and changes future decisions about that monopoly infrastructure. We are doing what we can. Again, we are party to the entire project, but we are not the only party. There are a number of different parties and different moving parts to the equation.

BROOME PORT — DREDGING

858. Mr M. HUGHES to the Minister for Tourism:

Before I ask my question, on behalf of the member for Burns Beach, I would like to acknowledge the year 11 politics class from Peter Moyes Anglican Community School, and their teacher, Ryan Walker, who have visited Parliament today.

I refer to the McGowan Labor government’s record investment in growing tourism and delivering infrastructure that will bring more visitors to Western Australia. Can the minister update the house on how the dredging of Broome port will provide a boost to tourism and jobs, not just in the Kimberley, but across Western Australia?

Mr P. PAPALIA replied:

I thank the member for his question and his enthusiastic support of tourism in Western Australia, particularly in the Perth hills. This one is about Broome. People have heard me talk about the dredging of Broome harbour and the clearing of the obstacles in the harbour and the impact that that might have on the tourism sector in Western Australia. I can now report that it is done. After all those years of inaction under the Barnett Liberal–National government, and after the Nationals had all that money associated with royalties for regions and were incapable of spending on this one small project, which will have such a significant impact, I can report that the McGowan government has delivered. That port is now clear. It is now a 24/7 port for ships of all sizes. That means, significantly for cruise operators, that they can go to Broome, get their ship alongside the wharf in the evening, have all the buses lined up, get their passengers off in the morning, and recover them in the afternoon after a day of visiting destinations around Broome and beyond. Very shortly, they will be able to travel on the sealed Cape Leveque road, thanks to the McGowan Labor government, and they will be able to depart Broome in accordance with the most efficient use of those ships. All that is happening.

In 2018, there were 18 cruise ship visits to Broome port. This cruising year, there will be 32 visits, and next year, the year after, there will be 37 visits. Two years after we committed to dredging the harbour, there has been a doubling of cruise ship visits to Broome. That is an incredible increase in benefits for the people of the Kimberley. Beyond that, because ships can now go to Broome, ships will be homeported. The member for Vasse well knows that when we came to office, the Liberal government had lost cruise shipping to Western Australia. Because of the inaction of the Barnett government and the incapacity of the now member for Darling Range to assist in any way, despite having been asked specifically in late 2016 to meet with the industry, cruise operators were going to stop homeporting in Fremantle. Cruise shipping in Western Australia was going to collapse, and Western Australia’s regions would have suffered as a consequence. We have saved the day. When we came to office, we said we would dredge Broome harbour. *Sun Princess*, a super yacht, will be homeported in Fremantle this year, as will *Vasco da Gama*. Those ships carry thousands of passengers. *Sun Princess* will be going to Broome twice. *Vasco da Gama* will be going to Broome three times. That is an extraordinary return for the people of Western Australia. It will add in the order of \$117 million in a single year to state gross profit, and, of course, create jobs right across the state.

ANIMAL ACTIVISTS — TRESPASS LEGISLATION

859. Mr P.A. KATSAMBANIS to the Premier:

The community, and in particular the agricultural industry, needs to be better protected from trespass by animal rights activists. I refer to the government's proposed trespass legislation. After four drafts of this proposed legislation, when can the Parliament and the community expect the government to actually introduce it?

Mr M. McGOWAN replied:

I am flattered that the person advocating for the job of shadow Attorney General would ask me the question. The Attorney General is over there. The member can ask him the question. He has responsibility for the bill. We are currently working on the bill. There are some complications around it, of course, because we do not want to have broader implications than dealing with the specific issue that needs to be addressed. The specific issue that needs to be addressed is the trespass onto agricultural properties or areas of food production by people who are specifically protesting about those matters. We do not want the bill to have broader implications on freedom of the press or other issues out there, so it will need to be very carefully drafted. That is currently being worked through by the Attorney General. Obviously, we are a reforming government. Today, numerous pieces of legislation have come into the Parliament. That legislation will reform all sorts of things, ranging from the Western Australian Future Fund amendment bill to the Road Traffic Amendment (Impaired Driving and Penalties) Bill, which will stop people from being sent to prison for fine default, and the Railway (METRONET) Amendment Bill for the creation of the Morley–Ellenbrook rail line. There are numerous pieces of legislation.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: This morning, we passed through this house the Civil Procedure (Representative Proceedings) Bill, which will allow for class actions. This government is passing law reforms that have been long thought about and long considered in Western Australia. The former government was incapable of doing that. We are working on the legislation that is required. It is obviously complex. The Attorney General is doing his best to resolve the matter.

ANIMAL ACTIVISTS — TRESPASS LEGISLATION

860. Mr P.A. KATSAMBANIS to the Premier:

I have a supplementary question. Why has this proposed trespass legislation been given only a low BX priority for drafting, instead of the highest OO priority, when livestock farmers and the community are crying out for urgent protection from these activists?

Mr M. McGOWAN replied:

Again, the putative shadow Attorney General, the bloke advocating for the job from Michael Mischin—that is something to aspire to—is coming forward with a view about an issue that the last government did nothing about. In eight and a half years it did nothing. Does the member think that the idea of protesting about food production is new and something that has just occurred? The former government did nothing about it. We are working currently on coming up with the legislation that is required to deal with this matter, and I am sure the Attorney General will ensure that that legislation comes before the house in due course.

The SPEAKER: That is the end of question time.

PAPERS TABLED

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

SYNERGY — PERFORMANCE

Standing Orders Suspension — Motion

MR D.C. NALDER (Bateman) [2.50 pm] — without notice: I move —

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

That this house notes the chaos and dysfunction occurring within the McGowan Labor government, including Synergy's \$650 million loss in 2018–19, the single largest loss by a state-owned business in the history of the state.

Standing Orders Suspension — Amendment to Motion

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [2.51 pm]: I move —

That the following words be added to the motion after “forthwith” —

, subject to the debate being limited to 15 minutes for government members and 15 minutes for non-government members

Amendment put and passed.

Standing Orders Suspension — Motion, as Amended

The SPEAKER: Members, as this is a motion without notice to suspend standing orders, it will need the support of an absolute majority for it to proceed. If I hear a dissentient voice, I will be required to divide the Assembly.

Question put and passed with an absolute majority.

Motion

MR D.C. NALDER (Bateman) [2.52 pm]: I move the motion. Today we learnt that Synergy, under the leadership of the Premier, the Treasurer and the Minister for Energy, has delivered a loss of \$656 million. This is the largest loss by a government business in the state's history. All we have seen from the Minister for Energy is a few brief notes, but let me remind members that we recently saw him suspend standing orders to spend 20 minutes complaining about a generator for Horizon in the Pilbara, after forgetting that two of his colleagues had applauded the former government for establishing that contract.

Where is the minister on this issue—the largest loss in the state's history? Members need to understand that what is even more frightening about this is that the loss has been somewhat mitigated by some asset sales. The government promised to stop the privatisation of assets, but we have seen the privatisation of the Albany wind farm, the Greenough solar farm and the Warradarge wind farm. This has propped up the result by more than \$100 million, so the actual result would be a lot worse. The minister might say, "Look, this is an impairment; it's an accounting standard", and all that, but I will come back to that.

The government likes to use the forecasts of the former Liberal–National government, so let us have a little look at history because in the last Liberal–National budget, Synergy was to return to the state \$86 million in tax and a dividend of nearly \$60 million. In fact, the balance sheet was so strong that when the Labor Party came to government, the new Treasurer, who was then looking after energy, decided to raid the Synergy piggy bank and withdrew a special dividend of \$100 million. The government seems to have all of a sudden overlooked that Synergy was handed over to it in a very strong financial position. Why would the Treasurer take \$100 million out if he thought Synergy was going to incur problems moving forward? Why has it all of a sudden incurred problems?

This is where it would be interesting to hear from the Minister for Energy, because he needs to start explaining what this impairment is for, what the specifics are, and what the future challenges are for Synergy and how the government is going to address them. All we have seen from this government is a lot of pain for Western Australian households. Believe me, the households of Western Australia are going to have to pay for this. The government is incurring large losses and that will be passed on to Western Australians, who will have to cover them. Whether that is through increased taxes or increased household charges, it is a burden that Western Australians will have to bear.

What is the government undertaking to do to ensure that it improves this situation? That is the main question here. We want to give the minister time to explain what is going on with Synergy and how he is going to take this forward. The last time I spoke to this minister, when he stood and talked about Horizon assets, I said that he needed to explain to the people of Western Australia why they have been burdened with increases in charges at a time when our economy cannot handle it. There have been 19 per cent price increases and record numbers of people disconnected from power. That is what we have seen from this government, yet the Premier wants to stand and talk about the last increase having been the smallest increase in 10 years. He forgot the 19 per cent that was compounded on all previous increases in the two years before that, which sent so many people to the wall. What is the minister doing about that?

We have asked the government about the future. The minister might try to say to us that this is a one-off, and I look forward to him trying to explain that. I refer to a question asked of Hon Stephen Dawson in the other place on 5 June. The question put to him was about the forecast amount of accumulated losses for 2019–20, 2020–21, 2021–22 and 2022–23. He replied, in part —

... the accumulated losses in 2019–20 are \$419 million; in 2020–21, they are \$485 million; in 2021–22, they are \$550 million; and in 2022–23, they are \$597 million.

If we look behind these numbers at Synergy's cash position and net asset position, we would have to say that there are some serious concerns about this business. Maybe the minister has been sold a poison pill by his colleagues because he has not been in the portfolio long, and maybe he is not responsible for what he has inherited, but it is his responsibility to explain to the people of Western Australia what the government is going to do and what assurances it can provide to them that they will not have massive tax increases or future increases in household charges. It is the minister's responsibility to assure the people of Western Australia that they will be able to afford to turn on their lights and cook a meal for their kids. The minister has not done that up to this point; he has tried to blame previous governments. I have explained to the minister that the balance sheet was in a strong position when Labor came to office; otherwise, why would the Treasurer have ripped a \$100 million special dividend out of the company? Why would he have taken that if Synergy was in a serious financial position? We now have some

serious concerns, with the government forecasting future accumulated losses for this business. What is the future of Synergy? What is the position for the households of Western Australia? What can the people of Western Australia expect from this government? Is the minister going to try to gloss over this and leave it to a future government to try to sort out? Those are the questions we want answered, without any blaming of former administrations and trying to push things under the carpet. These are serious concerns, and there are serious challenges facing Synergy. What is the government doing, and what assurances can it provide to the people of Western Australia? That is what we are looking for.

MR D.T. REDMAN (Warren-Blackwood) [2.58 pm]: This is a record loss for a public utility—\$656 million in the 2018–19 financial year. That is net of sales, as the shadow Minister for Energy highlighted. The Minister for Energy has been caught with his pants down. Looking at what has happened over the last six months, the best I can ascertain from the last budget papers is a net position of about \$125 million profit for this financial year, if we net that out in respect of all the public corporation ins and outs. That gives us a budget position around three quarters of a billion dollars down from what the government took to last year's state budget. That is a turnaround of three-quarters of a billion dollars in one year after assets sales. Even as recently as 14 June this year, media reports refer to Synergy having an almost \$180 million loss over the next four years. As recently as June, it was \$184 million over the next four years, not predicted to start until 2020–21. What has this minister been doing to now land a loss of nearly three-quarters of a billion dollars on a public utility and not signal anything to the public, other than today, that it has happened, when it was \$180 million as recently as June, not even at the start of this financial year? What the hell has happened? What the hell has gone wrong?

It is hard to have confidence in his leadership when this issue has turned around so quickly under his leadership and under the leadership of the McGowan Labor Party. Presumably, the signals were out there. They also took out a dividend. I wonder whether the dividend flipped them over and made it difficult to make the business work. In the most recent budget \$100 million showed up.

What can the government do? Let me look at some possible actions the government can take. One would have to say no more solar photovoltaics on roofs, guys. We know who is going to get touched up with that. It will not be the people who have already paid for it and could afford to pay for it; it will be those people who cannot afford to pay for it now that prices have come down. Another suggestion might be no more borrowing to the state government or the utility. What about reinstating the one-off dividend and giving people a bit of a cash prop-up to help them out in the short term? Then, of course, there is the one that everyone fears—power prices will go up. What is going to happen to power prices when there has been a turnaround of nearly three-quarters of a billion dollars that no-one saw coming, least of all this minister? It was reported in the papers as recently as June this year that it was not going to be anything like that. That is a massive issue for the minister and this government. He has been caught with his pants down.

MRS L.M. HARVEY (Scarborough — Leader of the Opposition) [3.01 pm]: I also rise to contribute to this motion. We have a government that is displaying chaos and dysfunction. We saw that on display and it was self-evident at the Labor Party State Conference several weeks ago. We know, sitting here on the opposition side of Parliament, that there are ministers who do not talk to each other; there are ministers who shut down and stare into space when other ministers or the Premier are on their feet. We see all that on display. We know that while that chaos and dysfunction is on display the government is not doing its job, and that is what has happened in the energy portfolio.

Labor has history in the mismanagement of the energy portfolio. There was chaos under Eric Ripper's tutelage. I remember well what happened in 2004. I had a four-year-old and two-year-old at home. There were rolling blackouts across the suburbs and I was told, as a mother with two small children, to not turn on the air conditioning, to turn on the washing machine at three o'clock in the morning and to preserve power because the state had run out of gas. We were told, "We can't keep the lights on." Then we had chaos when Veranus exploded. Hapless Minister Fran Logan was out there and the first thing he said was, "It's not my problem. We had Lloyd's Register do an inspection of those pipes and they said they were fine just a month ago." Guess what, members? Lloyd's Register then said, "No, we did not. We did not do an inspection of those pipes. The minister is wrong. That is not what our report entailed." At that time the defence department had to provide diesel reserves from Garden Island so that the state could keep running. Businesses were forced to try to get generators to run their businesses. I remember doing that. I had a three-phase powered freezer that I could not run from the supply that we were being given at the time. At the time the Chamber of Commerce and Industry of Western Australia was saying that 50 per cent of the 300 businesses it surveyed had problems and issues. When an assessment was done 10 years later of that chaos and terrible, terrible circumstance of the Veranus explosion, it was found that it had cost the Western Australian economy \$3 billion. What was the minister's response? His response was to source gas from anywhere. At that time, the minister told Verve—we know this because we had leaked emails, just as is happening with the opposition now; we are getting leaked emails and leaked briefing notes and information because they all hate each other—"Pay whatever it takes to make those companies happy to sell gas to Western Australian taxpayers. I don't care what it costs. Continuity of supply is paramount." Guess what that

meant for Western Australian taxpayers? It meant Western Australian taxpayers paid \$9 million more than they needed to for gas. We were paying \$35 a gigajoule for gas because the minister took his hands off the wheel and said, “Do whatever it takes. We have to keep the lights on.”

That has been the history of the energy portfolio under the Labor government. We are now looking at this Minister for Energy’s response. What has he done? He is doing the same as Minister Logan has done when criminals have been escaping from custody—he turns back the clock, looks in the rear-view mirror and says, “Nothing to do with me. I’ve been in control for three years. I’ve been managing things for three years” apparently—mismanaging things for three years. He is saying, “It’s not my fault. It was the decisions of the other mob when they were in government.” This week when we were talking about the risk of a prisoner to the community, Minister Logan blamed that prisoner’s escape on a decision six years ago. Now, the minister responsible for the energy portfolio has stood up and said that it is not his problem or his fault that Synergy has recorded the biggest loss of any utility in Western Australia’s history—\$650 million. He said, “I’ve been handling the portfolio for three years. It’s not my Labor government’s problem. It is due to decisions made by the other mob when they were in.” Guess what? We are sick of hearing that. The minister has to stand up when he is getting paid the big bucks and take responsibility for the decisions he makes or the decisions he does not make that end up costing the taxpayers of Western Australia.

We know that \$656 million equates to around \$650 a household. If individuals householders have to pay for this loss, that will put up the cost-of-living increases that this government has already imposed on the people of Western Australia from \$850 to thousands of dollars. The minister needs to explain what he is going to do about it. Who is going to pay for it? Who is going to fund the bailout of this beleaguered utility that is not getting the support or the intelligent management that it needs under this Labor government?

MR W.J. JOHNSTON (Cannington — Minister for Energy) [3.07 pm]: I invite opposition members to read the annual report, because in that way they would know what they are talking about. I emphasise again that this is not a cash loss. The board of Synergy has decided, following advice from its auditors, to revalue its assets. I remind members, because the member for Bateman in particular, and the member for Riverton who is not here today —

Mr P. Papalia interjected.

Mr W.J. JOHNSTON: No, that is understandable. He is not here today; that is not a criticism. In fact, the member for Warren–Blackwood was there as well on 23 May when we held the estimates committees. I want to quote the *Hansard* of the estimates. I said —

Of course, it has significant depreciation, and that depreciation and amortisation will be \$633 million. Yes, it is a \$200 million loss, but it is not a cash loss; it is not a cash deficit. One of the things that I have discussed with the board is whether it wants to take a more rapid approach to depreciation. Would it be better for the business to write off some of its capital immediately? If it was a private business, it would write all its assets to zero, crystallise all its losses quickly and then start from that fresh position, because it is cash flow positive. Imagine if we could work out some ways of dealing with some of the challenges Synergy faces. Imagine if we could have some way, as the member described in 2016 when he was the minister, of reducing the costs of the legacy generation fleet. Imagine if we could have an opportunity to deal with the tech —

That should be “the TEC”, the tariff equalisation contribution —

so that Synergy is not the only company burdened with the tech.

The point I make here is that on 23 May in the estimates under questioning from members who are in the room now, I explained exactly what my plan was. I told them that this is what I was going to ask the board of Synergy to do. Suddenly, now that I have tabled the report that says I have done what I told them on 23 May I was going to do, they become shocked and horrified.

Understand what this means: the depreciation of these assets was always going to take place. The board has brought that forward to now. This is not a loss; this is an accounting treatment. This amortisation was always going to happen, but I requested it, and the board looked at it and decided that the right approach was to crystallise it now. This is liberating for Synergy because it no longer has to carry the high valuations of these old assets. This is a liberating decision. Remember, the cash position of the company is strong. I invite members opposite to read the annual report because they would then understand something. Instead, they come in here and talk about things that they have done no analysis on. I always point out that this is the laziest opposition in the state’s history.

Page 7 of the annual report has the underlying profit/loss before tax. It shows that the underlying loss is \$5.4 million. That is exactly what I said to members on 23 May; that is, this is not a business anybody wants. Remember, had the other side been re-elected, it would currently be trying to sell Synergy because that was its

plan as stated by the member for Riverton. He wanted to split Synergy into two businesses and sell it. That was his plan. Let us get this straight: we have crystallised the reality of the future. One of the reasons that the board of Synergy believes this is an important decision is that it had always operated on the planning assumptions given to it by the former government, which was a seven per cent annual increase in electricity prices. But the Labor government will not let Synergy increase prices that fast. That means that its future cash flow is lower than it would have been had the Liberal Party been re-elected. Energy prices are going to be lower because of this Labor government and we are not putting energy prices up at the rate that the Liberal Party had planned. It is a requirement of the accounting standards that because its future cash flow will be lower, it has to acknowledge it in its accounts. That is an accounting standard. I would have thought that the member for Bateman, who used to be a banker, would understand that.

Ms J.J. Shaw: What did you say—banker?

Mr W.J. JOHNSTON: Banker.

Mr R.S. Love: Come on!

The ACTING SPEAKER: Members!

Mr W.J. JOHNSTON: The Commonwealth Bank website refers to how to value a business. It points out how it works. It states —

- Work out the business's average net profit for the past three years. Take into account whether there are any conditions that might make this figure hard to repeat
- Work out the expected ROI by dividing the business's ...
- Divide the business's average net profit by the ROI and multiply it by 100.

When that calculation is done, there is now a gap. We had to write down the valuation of the future income stream. This government will not let Synergy increase its electricity prices as the former Liberal government had planned to allow it to do. That means the business has had its future income reduced and its assets have to be written down.

I will read the annual report, members and quote the chairman's report on page 3. He states —

... Synergy's management and board have worked throughout FY2018–19 to understand better than ever the true workings of the organisation and the impact that rapidly accelerating levels of rooftop PV and large-scale wind generation are having on the operations of our assets and our resultant financial performance.

... the Board made the difficult decision to impair the value of our property, plant and equipment by \$428.9 million and take up an onerous contract provision for \$152.4 million.

The onerous contract relates to its gas contract. I do not criticise the former Liberal government for entering into that gas contract. It was an appropriate decision. At the time, I supported the former Liberal government in making that decision, but the consequence of having entered into a gas contract at a time when gas prices were high in Western Australia is that now that gas contract is out of the money. It is not a criticism of the former government; it is just a fact. The former government was right to sign that gas contract. There is that great photograph of Peter Collier standing behind the CEO of Synergy who is signing the contract. There was nothing wrong with it then and there is nothing wrong with it today. However, the price of gas in Western Australia has fallen since then because of the proper management of our reservation policy. That means the gas contract is out of the money. Synergy has taken the hit on that because the price it pays for gas exceeds the price it sells it for. There is a loss and it has crystallised that loss. Again, Synergy was going to lose that anyway. All it has done is recognised it in the business accounts. The problem with the member for Scarborough is that she does not understand these things. These are complex issues. I say again that, yes, this was a decision made by the former Liberal government, but it was an appropriate decision at the time. Today, the Labor government is making an appropriate decision for today. If the member for Scarborough needs a briefing, I am happy to arrange it for her, but she should not come in here and say silly things. It is not sensible.

People talk about the future. I am going to quote again from the chairman's report. He says —

In Western Australia, one of our strengths, as a result of State Government ownership, is our ability to navigate a course in a collaborative and careful manner that is considerate of all aspects of the electricity supply chain.

Robert Cole, a prominent Western Australian businessman, makes the point that we can face the future in Western Australia in a stronger way than the other states because we own the assets. We can make the decisions on a cut-through basis that would not be able to be done on the east coast of Australia. What would happen on

the east coast? They would push up electricity prices to cover the losses. That will not happen here because we will not let electricity prices get out of control, like they were under the last government. The chairman went on to say —

... I am pleased with the leadership being shown by the State Government in addressing the issues we are confronting as a market in Western Australia. The Energy Transformation Strategy, launched by the Minister for Energy the Hon. Bill Johnston and being led by Steve Edwell is an excellent initiative, fully supported by Synergy, with the objective of delivering a cleaner, affordable more reliable electricity system. Amongst other things, this will see a program of work delivered which will result in a better, sustainable market environment.

Mr P. Papalia: You should read that again.

Mr W.J. JOHNSTON: I should.

I urge members on the other side to do a bit of research. Have a look at something—take account. It is interesting that the member for Scarborough tried to imply that the Liberal Party knew what was happening because documents were leaked to it. That is clearly not the case. In May this year during estimates, I told them what was going to happen, but they did not know until after I had announced it! That is how much knowledge they had of what was happening inside Synergy. I told them it was going to happen. Four months later it is formalised, but not once in that time did they ever ask me a single question. Even today, the shadow Minister for Energy was too scared to ask me a question in the chamber. He asked the Premier a question, but he would not ask me. I sit less than a metre from the Premier, but he would not ask me a question about what is happening inside Synergy because he is too scared of the answer. It is not the first time he has done that. He once said in the media that he was going to ask questions in the chamber, but I had to get a backbench MP, the member for Swan Hills, to ask me the question because the shadow minister was too scared to do so! Yes, this is a difficult time.

I want to remind members opposite of another thing: \$750 million. Do members know what that number is? That is the amount of cash that was taken from the taxpayers of Western Australia and put into Synergy under the last government. It had a thing called the tariff adjustment payment. It was subsidising Synergy because otherwise it would have gone broke—\$750 million in cash went into the business to keep its valuation high. We have not done that.

I believe that the future of Synergy is very difficult. I said that in May and I say it again now. The idea that a legacy gentailer has a bright future running its business exactly as it did in the past is stupid and it is wrong. That is not the future for the electricity system. The future for the electricity system is about renewable energy and being more nimble. That is what the board of Synergy has done.

That is what this report is about. If members had read the report, they would realise that.

I want to go on to one other thing. The member for Bateman talked about the privatisation of the Warradarge wind farm. Let me make it clear, members, the Warradarge wind farm does not exist. How can we sell something that does not exist? That is a question that I am looking forward to getting an answer to. The next time the member for Bateman comes into the chamber, perhaps he can explain how we can privatise something that does not exist. Let me make clear the reason for the decision to create Bright Energy Investments, which was made during the leadership when the Treasurer was Minister for Energy. Synergy pitched to Bright Energy Investments assets that took it to a 19.9 per cent share of the new company. Bright Energy Investments then paid \$154 million to Synergy for the gap in the valuation between the shares purchased by Synergy for the assets put in and the valuation of the assets. It still owns 19.9 per cent. The idea that Synergy cannot sell individual assets and somehow that if Synergy sells an individual asset that is privatisation is stupid. They own cars that they sell when they get to the end of their life. The idea that that is privatisation is stupid.

Several members interjected.

Mr W.J. JOHNSTON: The Albany wind farm is at the end of its life.

Several members interjected.

The ACTING SPEAKER: Members!

Mr W.J. JOHNSTON: It is a fact. It is sad when I look across at the other side of the chamber and see how low their capacity is. The Albany wind farm is at the end of its life and needs to be redone. The solar farm is needed at the second stage and Warradarge needs to be built, but those assets do not exist. That is why we took a 19.9 per cent share in Bright Energy Investments. It is a good deal for the taxpayers of this state. It is not privatisation because those assets were either worn out or did not exist. This a good decision for the future of Western Australian energy consumers and it means that we do not have to put up electricity prices because we know that we have the right level of valuation of these assets. We do not have to deal with amortisation and depreciation in the future. We can make sure we keep a low level of two or two-and-a-half per cent, as predicted in the budget papers, for increased electricity prices in the future—not the seven per cent that was the plan of the other side.

Division

Question put and a division taken, the Acting Speaker (Mr T.J. Healy), casting his vote with the noes, with the following result —

Ayes (15)

Mr I.C. Blayney	Mr Z.R.F. Kirkup	Mr W.R. Marmion	Mr D.T. Redman
Mrs L.M. Harvey	Mr A. Krsticevic	Mr J.E. McGrath	Mr P.J. Rundle
Dr D.J. Honey	Mr S.K. L'Estrange	Ms L. Mettam	Mrs A.K. Hayden (<i>Teller</i>)
Mr P.A. Katsambanis	Mr R.S. Love	Mr D.C. Nalder	

Noes (29)

Ms L.L. Baker	Mr W.J. Johnston	Mr D.T. Punch	Mr D.A. Templeman
Mr J.N. Carey	Mr D.J. Kelly	Ms M.M. Quirk	Mr P.C. Tinley
Mrs R.M.J. Clarke	Mr F.M. Logan	Mr M.H. Roberts	Mr R.R. Whitby
Mr M.J. Folkard	Mr M. McGowan	Ms C.M. Rowe	Ms S.E. Winton
Ms J.M. Freeman	Ms S.F. McGurk	Ms R. Saffioti	Mr D.R. Michael (<i>Teller</i>)
Ms E.L. Hamilton	Mr S.A. Millman	Ms A. Sanderson	
Mr T.J. Healy	Mr P. Papalia	Ms J.J. Shaw	
Mr M. Hughes	Mr S.J. Price	Mr C.J. Tallentire	

Pairs

Ms M.J. Davies	Mr B.S. Wyatt
Dr M.D. Nahon	Mr R.H. Cook
Mr K.M. O'Donnell	Mr M.P. Murray
Mr V.A. Catania	Ms J. Farrer

Question thus negated.

RESERVES (MARMION MARINE PARK) BILL 2019

Second Reading

Resumed from an earlier stage of the sitting.

MR M.J. FOLKARD (Burns Beach) [3.26 pm]: I will conclude my speech on this matter. This is a fantastic project. I believe it will bring magnificent jobs in the construction phase and approximately a further 900 jobs in long-term employment, which will be great for the northern corridor. With that, I commend the bill to the house.

MR I.C. BLAYNEY (Geraldton) [3.26 pm]: Thank you, Mr Acting Speaker, for giving me the call.

I want to speak very briefly about this project, which I have followed for some time. If people have been following it all the way through, they will know its history seems to go back about 30 years. It is perhaps the best cooked project we have ever brought into the house. It received its environmental clearances only in August this year. From reading about the scale of this project to be built on the coast, I am not surprised these days that environmental clearances take a long time. I do not think they would take 30 years but they would take quite a while. Given I have followed the trials and tribulations of the member for Moore around the Jurien Bay marina, it will be interesting to see the two in operation and measures taken in this project that, hopefully, do not replicate the many fish deaths that happened in Jurien Bay.

The sheer scale of the project is quite interesting. It is 12 000 square metres of retail and commercial space, 565 boat pens, 200 boat stackers and 1 000 new homes. It is quite an exciting project. I speak as a regional member, of course, but what we would not give to have one of these in Geraldton!

Mr P. Papalia interjected.

Mr I.C. BLAYNEY: Unfortunately, the marina in Geraldton was not built very well. The water can surge through the rocks and damage the yachts tied up in the pens. For a government investment of \$34 million or whatever it is talking about, I can see that the government will get its money back quite quickly.

I have read through the information from Fisheries. There is not much doubt that it will have an impact on abalone stocks. However, once again, it will be interesting to see whether Fisheries has done the science and in light of its confidence, it can reseed other areas and recreate abalone stocks. That also is an interesting aspect of the project to follow. I am quite confident that Fisheries knows the science on this.

The other aspect I find most interesting, of course, is the artificial reef that is being built from fisheries licence fees. It will cost about a million dollars and is being built eight to 10 kilometres offshore, which is quite a long way out. It will attract salmon, silver trevally, pink snapper and breaksea cod. In time, I think we will see many more artificial reefs along our coastline. We are greatly impacted in Geraldton with our coastline being eaten away

by the sea, so I can see more artificial reefs being built in the future. They will be built far closer to the coast and play a role in addressing coastal erosion. Once again, there is an opportunity there for a win-win situation because they will not only hopefully preserve our coast, but also turn the area into a good fish habitat and improve the opportunities for recreational fishing.

That is pretty much all I wanted to say. When I said that I have followed this project for a while, the two members who were most enthusiastic about it and with whom I discussed it a number of times, because they were both so interested in it and working on it at the time up until 2017, were Jan Norberger, the then member for Joondalup, and Albert Jacob, the then member for Ocean Reef. I pay credit to them for their enthusiasm for this project and their work that I know of. I also acknowledge the current member for Joondalup and the now member for Burns Beach. I know that they have picked up the work and carried on with it because it is an exciting project, but I just wanted to acknowledge the work done by those two former members.

MR R.S. LOVE (Moore) [3.31 pm]: I, too, would like to make a brief contribution on the Reserves (Marmion Marine Park) Bill 2019 that has come to us from the Legislative Council. The bill states that it is —

An Act to excise an area from Marmion Marine Park to facilitate the development of the Ocean Reef Marina.

This bill seeks to excise an area from the Marmion Marine Park with the cooperation of the Minister for Environment to ensure that happens. The member for Geraldton just alluded to the inflow of seagrass and sand into the mouth of the harbour that occurs at Jurien Bay Marina. Seagrass sinks to the bottom over time, decomposes and then hydrogen sulphide is released into the water. The water throughout the marina progressively becomes acidic, and attacks hulls and marine facilities, but more importantly and distressingly, kills the marine life. It starts in the mouth of the marina so that nothing can get out, and then it slowly filtrates into the entirety of the marina. I hope that those lessons are taken on board when the marine park is finally developed.

In bringing that to the attention of the parliamentary secretary, I would also like to highlight another issue. I understand that at the moment the Minister for Transport is expecting reports from her department about possible action at the Jurien Bay Marina. Jurien Bay Marine Park extends from roughly Green Head to the Shire of Gingin in the Lancelin area, and around Wedge Island in the Shire of Dandaragan. That entire coast forms part of the Jurien Bay Marine Park. There have been difficulties in the past with cooperation between the Marine Parks and Reserves Authority and the Department of Transport to address the issues at Jurien Bay such as the water return from dredging operations. It became much more expensive to dredge the harbour when the marine parks authority refused to accept that water directly into the ocean. I ask that consideration be given by the minister to any reasonable request that is made by the Department of Transport and others in the vicinity of the Jurien Bay Marina about its rehabilitation, if you like, because the Minister for Environment will be pivotal in deciding what can be done in that area. It serves as a salutary warning to anyone developing coastal assets such as the Marmion Marine Park that there can be unintended and unexpected costs and consequences from those actions.

We have seen another unintended consequence in the member for Geraldton's electorate. I know that the development of the harbour there is believed to have been somewhat consequentially responsible for some of the erosion at Champion Bay along Beresford Foreshore. Even more dramatically, it has been reported to me that there is evidence that the development of the Mindarie marina is, to some extent, responsible for some of the erosion that has occurred as far north as Seabird. Some of these matters have long-range consequences. I am not saying that that is a scientific fact. It is something that has been suggested to me by a person who purports to have knowledge of the longshore current movements that occur up and down the coast. I hope that all those matters have been taken note of because we do not want unintended consequences from the development of this marine park to impact on and cause difficulties in the future for the communities further north.

With that, I will end my contribution, but I ask that the Minister for Environment takes note of the need to find a cure for the difficulties at the Jurien Bay Marina.

MR W.R. MARMION (Nedlands — Deputy Leader of the Opposition) [3.36 pm]: I want to make a brief contribution for a number of reasons.

The ACTING SPEAKER (Mr T.J. Healy): Your name is on the bill as well.

Mr W.R. MARMION: The Marmion Marine Park was the first marine park in Western Australia. I would be interested to know whether the parliamentary secretary can explain why it is called Marmion Marine Park. I might be able to give him a hint: it might be named after my great-grandfather Patrick Marmion, but the parliamentary secretary can confirm that. I understand that a whaling station was located up that way well before I was born. Apparently it was quite significant. It was called the Marmion's Chimney. I was told—I would be interested to know if this is true; this is pre 1900s I believe—that sailors who went out to sea used the chimney as the sighter to sail back to the Western Australian shore.

The other reason I jumped up to talk on this bill is because I have a fair bit of knowledge about marinas. When I worked for the Auditor General way back in 1990, I was leading the team that audited marinas in Western Australia.

The scope of the investigation was to look at a new marina being built in Geraldton, a marina that had recently been completed at Hillarys, and a private sector marina at Mindarie. It took me well over a year to do this audit report because the Auditors General kept changing. I made some amazing findings that were watered down over the years as various Auditors General came and went. They were acting Auditors General who, when they retired, would on their last day release a report with these amazing recommendations about the uplift in the value of land along the coast, particularly around Mindarie marina, which was a private sector development by the Smith Corporation. The parliamentary secretary might want to do some work on that and find out about the links between Mr Smith and certain members of Parliament, but it was a terrific development that was probably ahead of its time. I got the Valuer-General to value the land that the government owned and traded off to the Smith Corporation in the deal to build this private sector marina. I recall that the valuation of the land that the Smith Corporation got, which they built the development on, was worth in those days around \$14 million. The land that the Western Australian government got, which ended up being the bottom of the marina, was valued at \$500. The other bit of land that we got along the coast that included parks and recreational areas was worth \$500. There was a huge discrepancy in the value of the land. The marina caused a great uplift in the value of the surrounding land. The interesting thing with Hillarys Boat Harbour, as everyone knows, is that there was a great uproar when it was built. For all the people who lived around there, the world was going to cave in, and people were standing in front of scrapers defending the special Hillarys sand dunes, which were unique to Western Australia and were going to disappear forever. All the people living around there were devastated by this, but once it was built, they were happy because their property prices went up by 25 per cent. The history of marinas is actually very positive for people who live around them.

Mr R.S. Love: What happened to the sand dunes?

Mr W.R. MARMION: The sand dunes disappeared. There are no sand dunes there now, but guess what? Life continues in Western Australia even though the Hillarys sand dunes no longer exist. I was lucky enough to grow up on the water in Bunbury, so we had access to a jetty where dad parked his boat. One of the problems we have in Western Australia, with so much water, is that if people sailing their boats around Western Australia—the Minister for Tourism knows this—want to park their boats and go somewhere, there are not enough marinas along the Western Australian coast. We are a state that has a lot of water and, from a safety point of view alone, for refuelling boats and discharging waste, we need marinas. The opposition is strongly supportive of this bill.

The second reading speech mentions that the Environmental Protection Authority considered the proposal and gave it a tick, but it also mentions that the minister made some adjustments and modifications. I do not know whether they were more or less onerous. I would be interested to know what they are and what advice the minister had to make those changes. Obviously, the minister is not an expert on the environment, but the EPA is, so he must have had some good advice from someone to change the EPA's position. What extra costs might this add to the development of the project, and is it value for money? Those are the comments I wanted to make. I do not want to hold up this bill; we support it, and I think the marina will be a great asset to Western Australia.

MR R.R. WHITBY (Baldivis — Parliamentary Secretary) [3.42 pm] — in reply: I rise to respond to the contributions of a number of members to the second reading debate on the Reserves (Marmion Marine Park) Bill 2019—the members for Joondalup, Cottesloe, Burns Beach, Geraldton, Moore and Nedlands, who are all coastal members who wanted to contribute to the debate. I appreciate the fact that members around the chamber, including the opposition, have expressed a desire to support this bill and have welcomed the fact that we are finally getting a marina there after many decades. The member for Joondalup talked about this being too long coming, and she spoke about people in her constituency talking about this for the last three decades. The member also mentioned an open day that created a lot of local excitement, and there was community input from local residents and schools. She mentioned the EPA approvals process and the initiatives that the Minister for Environment had addressed, and she spoke about being a very vocal supporter.

The member for Cottesloe also indicated opposition support for this bill, and he raised a number of environmental issues that are a part of this process. I will get to the detail in responding to those issues later on, but I will first go through the issues that were raised by each member. The member for Cottesloe talked about this being a bipartisan project, and the fact that it had received support from recreational fishers. He mentioned the abalone concerns that a number of members have raised, and the fact that there was some land-based impact on a Bush Forever site in the vicinity. The contribution from the member for Burns Beach was very interesting. Again, the member expressed a desire to see the environment protected, which I think is something we all share. He spoke about the artificial reefs that could provide habitat for additional fish species for recreational fishers in the area, and the importance of the project to our economy, and then he enthralled the house with his detailed knowledge of abalone, which he described as glorified snails.

My impression was that the member for Geraldton was a bit jealous that this marina is not being built in Geraldton, even though Geraldton has many fine facilities, including a marina. He spoke about the scale of the project and the fact that it is an exciting project. He also mentioned the abalone issue, but had great faith in the scientific know-how of the Department of Primary Industries and Regional Development to see those abalone stocks recharged by various methods. The member for Moore also spoke about some environmental issues, and lessons to be learnt from the

concerns with the Jurien Bay marina, with seagrass and sand getting into the mouth of the river and the consequences of that inside the marina. I am very grateful to the member for raising those issues. Although they are separate from the bill before us, I appreciate him raising those issues, and I am sure that the Minister for Transport will be mindful of them, as will the Minister for Environment. Finally, the member for Nedlands alerted us to a connection that was obvious to all. The name Marmion is pretty common in nomenclature in Western Australia, and there was that obvious connection to his great-great-grandfather. I thank him for that contribution, and I am sure he will be very interested to see the marina develop further.

This is a relatively short bill, the purpose of which is to excise approximately 143 hectares from the Marmion Marine Park—equivalent to about 1.5 per cent of the marine park's total area—to facilitate the development of the Ocean Reef marina. The site was originally flagged by the local government authority in the late 1970s as a potential location for a marina development envisaged to help meet the additional boating demand in the north metropolitan corridor. We saw the need back in the 1970s, and we know how much Perth has grown dramatically since then, as has the demand from boaters and fishers. As highlighted by the member for Joondalup, the project has a lot of local community support, and there has been considerable community consultation. It is anticipated that the development will generate ongoing employment for over 900 people, directly and through flow-on effects, with over 200 construction jobs facilitated by the project works, rising to 300 jobs per annum supported over the longer term—10 years plus—in rolling out the built form. The proposed excision area includes—remember that I said that the excision area is just over 143 hectares—19 hectares of intertidal and subtidal macroalgal reef communities, and 17 hectares of seagrass. The vast majority of the space being excised is basically ocean with bare sand on the bottom. The development envelope is substantially less, as I have just said, than the excision area, with the marina development comprising about 30 hectares of seabed.

The marine component of the Ocean Reef marina has been assessed by the Environmental Protection Authority at the highest level of assessment—a public environmental review. The assessment included a 13-week public review period, during which seven government agency and 61 public submissions were received by the EPA. In February 2019, the EPA published its assessment report, finding that the proposal was environmentally acceptable, subject to a range of recommended conditions. The EPA report was appealed by four parties, with each of these appeals being investigated by the Appeals Convenor. The issues raised by appellants included coastal processes, water quality and impacts on abalone. After considering the matters raised in appeals, the Minister for Environment strengthened a number of conditions to ensure that impacts were further minimised and to increase the level of transparency through the provision of monitoring results. Following the decision on appeal, the Minister for Environment, in consultation with other ministers, issued ministerial statement 1107 on 7 August 2019, allowing the Ocean Reef marina development to proceed under a range of strict environmental conditions.

The issue of water quality was raised by a number of members, and I go to that issue now. The Environmental Protection Authority acknowledged in its report on this proposal that other marinas along the Perth metropolitan coast with similar flushing levels have recorded higher measured concentrations of phytoplankton than has been predicted for this proposal. As a result, the authority recommended that detailed conditions about the environmental water quality be imposed both during and after construction. On appeal, concerns were raised about the authority's assessment of impacts on water quality, both within the marina water body and outside. In response to these concerns, the Minister for Environment has strengthened the conditions by clarifying that the proponent is required to meet certain environmental quality objectives. This includes requirements to ensure that the water quality is suitable for primary contact activities, including swimming. The Minister for Environment also agreed with the EPA's recommendation in response to appeals that a condition be amended to require the final marine operations management plan to evaluate further practicable measures to reduce and manage the level of fines in breakwater construction material and develop triggers relevant to underwater visibility for commercial abalone fishers. The ministerial statement has a condition that requires a marine construction and management plan and marine operations management plan to address water quality and seagrass impacts.

With respect to fishing, the marina will create enhanced fishing infrastructure, amenities and opportunities for improved recreational access to the Marmion Marine Park. The construction of the Ocean Reef marina project will, however, impact the commercial and recreational abalone fisheries. Initial estimates predict a potential loss of 9.35 per cent of abalone habitat within the Marmion Marine Park. It is estimated that this will reduce the available catch by approximately nine tonnes of abalone, being approximately 4.5 tonnes of the commercial catch and 4.5 tonnes of the recreational catch. The current annual catch is set at 18 to 22 tonnes recreational catch and 24 tonnes commercial catch. Therefore, the commercial catch will be reduced by approximately 20 per cent for area 7, which is the abalone zone from Cape Bouvard to Moore River. The area 7 commercial and Perth metro recreational catch has been reduced by almost 50 per cent since 2012 to assist the stock to rebuild after the 2010–11 marine heatwave. The Department of Primary Industries and Regional Development's monitoring indicates the stock is now recovering. I will repeat that piece of information: the heatwave event in 2010–11 had a far greater impact on catch than this marina will have, and, since that time, the stocks have been naturally building up.

The government has approved the establishment of a voluntary fishery adjustment scheme to assess appropriate compensation entitlements for the commercial abalone licence holders impacted by the marina development. The

VFAS will look to purchase entitlement and licences within area 7 of the commercial abalone fishery. This will be assessed by an independent committee providing advice to the Minister for Fisheries on all matters, including the value of abalone licences and entitlement.

LandCorp is working with DPIRD, commercial abalone licence holders and Recfishwest on a range of measures intended to help manage and offset the impact of the marina development on the abalone stocks within the fishery. These initiatives include proposals to translocate abalone from the impacted areas at the south end of the reef to other areas of inshore reef; enhance abalone stock by trialling the release of hatchery-reared juvenile abalone to enhance abalone stocks within the fishery; and investigate creating artificial reefs to enhance abalone habitat by using purpose-built concrete blocks, or modules, to provide suitable habitat to enhance abalone stocks in the fishery. I am told this practice has been used in the past and has been quite successful. The abalone take to these concrete blocks and create new colonies. LandCorp is also participating in the Smart Farming grant consortium application to the federal government. The consortium comprises a partnership between DPIRD, Recfishwest, recreational and commercial fishers, aquaculturalists, LandCorp, Murdoch University and natural resource managers to protect habitat and support the resource management of the fishery.

Members have questioned whether this is the right location for the proposed marina and whether it should be built further south. It was suggested that the reason that could not happen is that we have gone through a development approvals program and did not want to backtrack on that. There is actually a more detailed explanation of why the marina should be built in this location and not further south, and I will go through that now. The current location of the proposed marina has been subject to rigorous, peer-reviewed studies and investigations to inform impact predictions. State and local government strategic planning documents have identified Ocean Reef as the location for an expanded marina, including the “Perth Recreational Boating Facilities Study 2008”, “Bush Forever Areas 2000”, “Marmion Marine Park Management Plan, 1992–2002”, and various plans and policies developed by the City of Joondalup over the past three decades.

I will now outline the key environmental issues that have been identified if the proposed marina was located at an alternative site to the south. The development would need to be completely separated from the existing facility given the location of the Water Corporation’s ocean outfall, which would result in the creation of a new coastal disturbance site. There would be an increase in the overall footprint of disturbance within the marine park, because the existing Ocean Reef boat harbour could not be incorporated within the overall design of the new marina. The development would encroach onto Mullaloo Beach, the preservation of which is also a key issue for the community. Given the sandy shoreline south of Ocean Reef boat harbour, the impacts of changed wave conditions on Mullaloo Beach would be significant—the proposal footprint would encroach on the sandy beach area, and the change to coastal dynamics would result in shoreline erosion and change the redistribution of sediment. A reduction in flushing characteristics and overall water quality could be expected if the proposed marina was moved to the sandy coastline that is evident south of Ocean Reef boat harbour. The rate of groundwater inflow would be reduced. Seagrass communities would be more significantly impacted if the proposed marina was constructed south of the existing boat harbour. It is likely that more earthworks would be required to create land for the proposed marina. There would be broader visual impact on existing residents of Mullaloo. The “green” link opportunity would likely be lost or compromised given available land. The Department of Primary Industries and Regional Development has conducted a detailed assessment of the impact of the proposed Ocean Reef marina on aquatic resources. No such assessment has been made on a proposal to the south as no such proposal has been put forward for assessment. The EPA has also conducted a detailed assessment of the impact of Ocean Reef marina based on the current design and location. Although the EPA is required to consider and assess proposals that are referred to it, through the EPA’s assessment and the appeals investigation, LandCorp has advised that locating the marina further south would present additional environmental issues, as we have just heard.

The member for Cottesloe raised concern about the Bush Forever site near the proposed marina development. The land-based impacts are beyond the scope of the bill. However, I can advise that an approved Bush Forever negotiated planning outcome is required and will set out strategies to help ensure the long-term protection of the environment, including rehabilitation of adjoining degraded bushland and the recent government acquisition of offset conservation land in the area with similar environmental values. An amendment to the metropolitan region scheme will be required to facilitate construction of the development and will be progressed as a separate submission to Parliament, in line with legislative requirements.

I am about to wrap up, but I want to let members know another positive element that will arise from this project. Although the excision is necessary to deliver this election commitment of the McGowan government, and it has been long anticipated by the community, the McGowan government is committed to protecting Western Australia’s conservation reserve system and our marine parks. The Plan for Our Parks initiative aims to create five million hectares of new national and marine parks and other conservation reserves across Western Australia. Through Plan for Our Parks, opportunities for expansion of the marine conservation reserve system in the metropolitan area are currently being explored, including an extension to Marmion Marine Park. Targeted consultation will commence soon with other government departments, local government authorities and peak bodies to refine a metropolitan marine parks proposal for the Plan for Our Parks initiative. That is an exciting development. It will result in

a considerable expansion of the metropolitan marine park area. The Marmion Marine Park management plan will also be reviewed to reflect the excised section of the marine park to accommodate expansion of the Ocean Reef boat harbour, as well as any extension of the marine park. The management plan is outdated—it goes back to 1992—and the development of the Ocean Reef marina will result in an increase in use of this area. This is an opportunity to review the management arrangements for the marine park, including enhanced conservation outcomes, while providing for ongoing sustainable use. I commend the bill to the house.

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading.

Third Reading

Bill read a third time, on motion by **Mr R.R. Whitby (Parliamentary Secretary)**, and passed.

APPROPRIATION (RECURRENT 2017–18) SUPPLEMENTARY BILL 2018
APPROPRIATION (CAPITAL 2017–18) SUPPLEMENTARY BILL 2018

Cognate Debate — Motion

On motion by **Mr D.A. Templeman (Leader of the House)**, resolved —

That leave be granted for the Appropriation (Recurrent 2017–18) Supplementary Bill 2018 and the Appropriation (Capital 2017–18) Supplementary Bill 2018 to be dealt with cognately.

Second Reading — Cognate Debate

Resumed from 31 October 2018.

MR T.J. HEALY (Southern River) [4.01 pm]: I rise with great excitement to speak on the Appropriation (Recurrent 2017–18) Supplementary Bill 2018 and the Appropriation (Capital 2017–18) Supplementary Bill 2018. I am very, very proud to be a member of a government that is managing the finances well, and I would like to speak today about a number of things in my local community. I am very, very proud to speak about these things. It is only because of the government’s good management of the finances and its commitment to delivering on what it promised that I am able to speak to members about those awesome, great, wonderful things that we have delivered and will continue to deliver in the electorate of Southern River for the people of Canning Vale, Gosnells, Huntingdale and Southern River, and their surrounds.

I will go through a series of exciting things in my area. We promised to build two Canning Vale train stations in our area as part of the Metronet Thornlie–Cockburn Link. I can inform members that this month we commenced work on the Thornlie–Cockburn Link. Labor built the Mandurah line and the Thornlie line and Labor has commenced works on the Thornlie–Cockburn line. Earlier in September I invited almost 100 members of my local community, including student counsellors from my local school, board chairs and P&C heads, to what we will most likely call the Nicholson Road train station, and we started digging. I gave every single person a piece of track and a little shovel, and we started digging the Thornlie–Cockburn Link.

I would like to acknowledge Aspiri Primary School, Bletchley Park Primary School, Caladenia Primary School, Campbell Primary School, Canning Vale College, Carey Baptist College, Excelsior Primary School, Forrestdale Primary School, Harrisdale Senior High School, Huntingdale Primary School, Southern Grove Primary School, Southern River College, St Munchin’s Catholic Primary School and the Wirrabirra Education Support Centre. I say thank you to the student representatives, parents, families, board chairs and parent committee members who came out and commenced the works for the Thornlie–Cockburn Link. I thank them and their school communities for joining transport and Metronet minister Rita Saffioti and me, Terry Healy, at the commencement of works for the Metronet Thornlie–Cockburn Link to begin the digging process. At the school graduations this year, I will very proudly present a picture of us digging and formally give participants a photo and a framed copy of this *Hansard*, which will show and discuss the fact that we began that important work.

I also inform the Parliament of the 2019 Metronet roadshow. Every year, local members have done a Metronet roadshow, and this year—I know the member for Dawesville is excited to hear this—it will be at the local shopping centres on Saturday, 5 October. There will be two local train stations, known colloquially as the Nicholson Road train station and the Ranford Road train station. We have put out a survey to hear from the community what they want to name their train stations. Inspired by the naming process initiated by the members for Belmont and Forrestfield last year, we will be asking members of the community to continue that conversation, because these stations are owned by the community; they are from the community. Do they want them to be called Canning Vale station, Jandakot station, Saffioti station or Dawesville station? That one, probably not.

Mr Z.R.F. Kirkup: Terry Healy station!

Mr T.J. HEALY: No, no, no. Thank you very much, though, member!

We will be at Forest Lake Shopping Centre on Saturday, 5 October from 10.00 am to 11.15 am. Members will be there to talk to people and show them the maps and all the information. We will also be at The Vale Shopping Centre from 11.30 am to 12.45 pm, and Harrisdale Shopping Centre from 1.00 pm to 2.15 pm. Come on down, look at the maps, and talk to us about the vibration matting that we are laying. Talk to us about the train station designs. Talk to us about the new bus routes. This is one of the most exciting, transformative projects in our area for a generation, and it will be wonderful to have people down there. People can access my Facebook page and complete the survey from there, or they can contact my office.

In talking about the recurrent funding within this bill, members will be aware that on the weekend the government announced \$200 million for the school maintenance blitz. Because of our management of finances and the way in which the Treasurer and the government has done what it has done, we are in a position to be able to invest \$200 million into every single Western Australian school, in the electorates of all members. Every single one of your schools will be receiving money for urgent and required maintenance. We are going to be able to employ local people to do the work. I still remember the Building the Education Revolution stimulus package of the former federal Labor government. I was in a hall on Saturday night at St Munchin's Catholic Primary School; we had a disco night and —

Dr D.J. Honey interjected.

Mr T.J. HEALY: The BER went to all schools.

All the halls and infrastructure were very well maintained; that is humbling for me. Politics aside, I have some of the poorest schools in WA in my electorate. The government is investing money in some of the poorest, neediest communities, and it is so well appreciated. That is what I am here for. I am still a bit naive and very new to this chamber, but the government is investing \$3.2 million into schools in Southern River. That is what we are here for—the schools and the families. We are upgrading toilet blocks admin blocks and paths, doing painting, working on asbestos, and working on so many other things. There are needy families here and young people whose lives will be transformed. It will happen in every single public school in Western Australia.

I will quickly read through some of the funding that my community is receiving: Ashburton Drive Primary School, \$332 000; Bletchley Park Primary School, \$163 000; Caladenia Primary School, \$52 000; and Campbell Primary School, \$52 000. I am rounding some of the figures down; I will lay the list on the table for the rest of the day. The list continues: Canning Vale College, \$193 000; Excelsior Primary School, \$52 000; Huntingdale Primary School, \$52 000; and Southern Grove Primary School, \$6 500. Southern Grove is a new school that we opened just a few months ago. The list continues: Southern River College, where I used to teach, almost \$700 000; Wirrabirra Education Support Centre, \$58 000; Wirrabirra Primary School, \$152 000; Gosnells Primary School, \$52 000; and Harrisdale Senior High School, almost \$20 000. Then, of course, the Seaforth Primary School, where I was yesterday, will get \$1.4 million. That school and community are greatly appreciative of that money.

We have also been doing a lot of other things in our community. Members know that I came from Southern River College. One of my biggest election promises was \$8.4 million towards the development of a sports hall at Southern River College. It has been two and a half years since I taught at that school, but students started to play in that sports hall last week. We did it with \$8.4 million! It is brand new. When people drive along Southern River Road at night, they will see it illuminated beautifully. We still have to work on turning the gym into a community performing arts centre and redoing the science labs, but we delivered the sports hall that we promised, which was a broken promise from the 2013 election. Young people are playing in it now. The community also supports my call for it to be named the "Pat Morris sports hall". I look forward to that happening later this year or at the start of next year when all the work is completed.

Canning Vale College has received \$2 million, which was used to build a student services centre and upgrade the tennis courts. I thank the former Liberal candidate David Goode, now councillor, who is the board chair, for working with us and asking us what we wanted to do with the money. I also thank the fantastic principal and school community. The Minister for Education and Training came out last week and we opened it. Again, that was fantastic to see.

As promised, there have been two new primary schools. Since I spoke about this last time, we have opened one primary school. Members will be aware of Bletchley Park Primary School in my electorate, built by the previous Labor government. No schools were built in my electorate for 10 years. Bletchley Park was overcrowded with more than 1 100 students. The former member for Southern River was called Petrol Pete, because there was a controversy before the election about moving the kindy off site to a petrol station, which I helped to stop. No primary schools were built for 10 years in one of the fastest-growing suburbs. We opened Southern Grove Primary School this year. It is a fantastic school. The second primary school that we promised—its planning name is Riverbank primary school—in the Riverbank estate will start construction next year and open in 2021. Families will then have a place to send their children. It is absolutely fantastic.

Mr F.M. Logan: Here is an MP who's doing things.

Mr T.J. HEALY: Thank you, minister. Can I say it is not just me; it is because I have the minister and we have a majority of members in this chamber who stand up for jobs and local commitments. I certainly appreciate that we have a government that has the will to stand up and do some of what it said it would do, and I say thank you.

We have also started the indoor cricket nets. I promised \$150 000 for the Gosnells Cricket Club at Sutherland Park Reserve. Building started this year. Recently, a police forum was held in the hall that adjoins the cricket club nets at Sutherland park. Local coppers Craig Stephen from Gosnells and Quentin from Canning Vale Police Station were there. Of course, the community in our area is so appreciative that we kept our promise that it discussed it at the police forum. We promised to extend the hours at Canning Vale Police Station, something that the previous government refused to do. Remember, we promised, and delivered, an extension to weekday operating hours from a 4.00 pm to a 7.00 pm close. We also increased the police presence in my area. The police forum was a great success. Member for Dawesville, I would like to say thank you again for your advice that helped volunteers to design a big sign. We certainly appreciated the member's guidance.

Members, I now want to talk about a number of exciting things.

Mr Z.R.F. Kirkup: That's an achievement. He's asking what I have done to help.

Mr F.M. Logan: I asked him to name one thing he's done. He's done it—he's helped you.

Mr T.J. HEALY: Member for Dawesville, you definitely helped me inform my community about the awesome local police achievements in my electorate by helping my volunteers design a gigantic sign that said, "Local police forum: come along".

Mr Z.R.F. Kirkup: It might not help in 534 days.

Mr T.J. HEALY: We will see.

I would now like to talk about the Gosnells Lions Club, of which I am a very proud member, which celebrated its fiftieth anniversary this year. It is a fantastic organisation. In 1969, the Gosnells Lions Club became part of history—it had its first meeting on the same day as the moon landing. It was then known as the Lions Club of Canning. It is now the Gosnells Lions Club and this year the club celebrated its fiftieth anniversary with festivities, community meetings and a multitude of other events. One of them was the very well attended and exciting fiftieth anniversary event on Saturday, 27 July at the Maddington Community Centre hall, where my church meets. It was a very well attended and fantastic event.

The Gosnells Lions are an active, awesome community group that works very hard. It is involved in eye screening for primary school students, diabetes awareness, buddy benches in schools, the autism acceptance program, Lions Youth of the Year—a program that two of my former students, Tenuun Sandagdorj and Aaron Kendall, have gone through—disaster relief, lamington drives, school awards, the WA Lions Children of Courage, and Christmas cakes and mints. I will talk about Christmas cakes in a minute because that is where I have my longest-standing association with the Gosnells Lions Club. I would like to say that the Gosnells Lions Club membership currently—they tell me—has 409 years of community service amongst them. I would like to mention a couple of them. Lions club president Dave Molcher, Karen Molcher, Kath and Brian Beech, Graham Lancaster, Doug Thompson, Sandra Waters, Dave and Mary Spray, Bryce and Alyssa Heggie, Aaron Kendall, and an army of many more. Last year alone, they raised \$13 000 for community projects and other things.

As members would know, Lions is one of the largest service organisations in the world. There are more than 48 000 Lions clubs in the world—of course, Gosnells is the most important club—with more than 1.4 million members.

I sadly inform the chamber of a role within the Gosnells Lions that I stepped down from today. If members go to my parliamentary biography page, they will see that I am listed as the local Santa Claus. Through the Gosnells Lions, I have very proudly been the local Santa Claus in my electorate for many years. Every year, for many years, we have gone through the streets of Southern River, Gosnells, Huntingdale and Canning Vale on the back of a float.

Ms A. Sanderson interjected.

Mr T.J. HEALY: For those members who have children at home, please turn down the sound right now. I have assisted Santa, I should say, by being the local Santa Claus. They have used a trailer from which we have blared music. I have rung a bell. I have done my "Ho! Ho! Ho!" Unfortunately, I cannot continue because I am a dad now of a one-year-old and a three-year-old and will be at school graduations every night in December. We do it for two weeks every December —

Mr P.J. Rundle interjected.

Mr T.J. HEALY: Member for Roe, I am glad you interjected, because I have put out the call. It is now time for me to step down as the local Santa Claus and I call upon members. Member for Roe, maybe you could step into my shoes.

I now help to mail out invites to the local area. The Scouts volunteer, but I have to inform members, sadly, that I have stepped down as the local Santa Claus. I thank the community for its support. I would like to invite members to the Lions community fair to be held on Saturday, 17 November at Gosnells Recreation Ground, to celebrate the fantastic initiatives and legacy of our great club.

[Member's time extended.]

Mr T.J. HEALY: I also inform the Parliament and acknowledge 35 years of Thornlie Christian College. I officially transcribe into the Parliament of Western Australia that from 2020, the great Thornlie Christian College will be known as “Providence Christian College”. I acknowledge principal Brian Innes; deputy principal Mike Kingsford; year 12 head girl, Lily Smith; and year 12 head boy, Lachlan Wallis. I now would like to quote something principal Bill Innes is reported as saying in the *Gosnells Examiner* today. The principal says this, and he says it very well, and this is what I would like to inscribe into the annals of this chamber of this Parliament —

“Our commitment to every single one of our past students is that we will not allow our heritage of 35 years to be lost, diminished or disregarded. “Providence Christian College will rise on the shoulders of past and current students of Thornlie Christian College.”

...

“We are confident that our new name will establish itself firmly in the hearts and minds of our community.”

I would like to talk about some of the wins we have had in my local community. I would like to thank the council. I have a fantastic, very hardworking local government in Gosnells. It has a very hardworking CEO, directors, councillors and staff. I thank them for their partnership in delivering all the things. I have found that as a member of Parliament, rather than confining myself to just state matters, when we all sit down together we can find some fantastic resolutions. I would like to read through a few of these achievements. We promised and delivered a brand-new science lab at Ashburton Drive Primary School. With \$25 000, the school was also able to purchase iPads, chairs, and some fantastic technology and equipment. It was a fantastic investment.

I have been doing playground audits for the past 12 months. I take my kids to the local park where we meet with people from the local area. Whilst my kids are playing, we talk about what shade sails and rubber matting needs to be fixed. We work with the council to talk about lighting and safety aspects. I am happy to report that we were able to fix the rubber matting at Nethercott Park. For community members who live next door in Huntingdale, the shade sails have been fixed. Thanks to the Clifford family for raising that with me. I met them while out doorknocking. They worked with me to raise it with the council and get it fixed. Members would be well aware of Baxter Close and Lambert Street in my electorate. After doorknocking a number of residents, I found out they had lost their No Through Road sign. It seemed as though someone had stolen it. I was very happy to talk to every single member on those streets. I doorknocked them all. After my request, we received support. We worked with the council and replaced the No Through Road sign. The families on Baxter Close and Lambert Street were greatly appreciative.

We were able to secure over \$11 million in funding for police and community youth centres. Mr Acting Speaker (Mr S.J. Price) and I share a fantastic PCYC community centre. It does great work in our area. I acknowledge Alan, Elaine, Julie and Francis and their incredible team of volunteers for their work. It was great to meet that community group, along with the Premier, the Minister for Police and the Acting Speaker when we announced that funding. The Gosnells PCYC does incredible work in our community.

I presented a petition in this Parliament and I campaigned about the Holmes Street footpath. Members may be aware that Holmes Street, a key road in my electorate, has no footpath. There is no path on a key part between Goraba Court and Balfour Street, and nothing between Balfour Street and Southern River Road. We had a very large campaign, talking with the council and the community about trying to get a footpath built. There are two great schools in the area. Kids are falling off their bikes. Mums and dads pushing prams are getting hurt. As a result of the campaign, earlier this year the council agreed to build a footpath. I am very proud to inform members that in a couple of days construction begins on that footpath. That will mean the world of difference for so many families in my area. Again, I thank everyone who signed my petition and everyone who took action and got involved. Thank you.

I now refer to the Riverbank estate. A number of community members have raised with me that as a result of new developers and the council taking over at different points, there are a number of gaps in the footpath. Where the footpath ended and the kerbing began, there were a number of gaps and people were getting their feet stuck. We were able to sit down with the council and resolve it. We have now filled in the footpath in front of three homes in the Riverbank estate, again working with the council and developers in the area. It is important to the people who live on those streets. It is important to the people who walk their dogs. It is important to the families whose kids get stuck in those areas. Well done to the council for working with us.

I would like to acknowledge Caladenia Primary School for being nominated for WA primary school of the year. I received a beautiful letter from its principal, Ted Nastasi, inviting me to the announcement of the winner at a breakfast in a couple of months. I wish all schools well but I certainly hope that it is my school that does well. I thank Caladenia Primary School for inviting me recently to speak to 60 of its aspirant student councillors. At an election, 60 of its year 5 students stood for election. I spoke to them about the responsibilities of being a student councillor and the importance of standing up and being a part of the community. The student councillors were told that one of the most exciting things is that they get to have lunch with Terry Healy at Parliament. I said, “There’s no free lunch. There is a lot exciting and hardworking things you’ve got to do.” The culture of the school is why it was nominated for the school of the year. Sixty boys and girls who were running for election spoke for a minute each. Sixty young people wanted to be student councillors at that school. That is also reflective across my area.

Bracadale Way Reserve in Canning Vale has been an off-the-leash dog park for some time. The community in that area spoke to me about the need for a dog park. A dog park had already been created but the signs had not been created for it. Again, I worked with the council in the local area and the local dog owners, and the signs have now been put up. We did not have to create a new dog park. All we had to do was find a way through the bureaucracy to get some signs printed and now we are utilising a fantastic piece of land that was already approved for dogs to enjoy their afternoons.

Probably one of my most popular Facebook posts was when I informed members about the intersection of Forest Lakes Drive and Huntingdale and Warton Roads. Some roadworks had recently been done on the border of the electorates of Thornlie and Southern River. It turned out they had placed some chevron signs there. Chevron signs are basically the arrow signs that point inwards at roundabouts. Builders had accidentally placed these signs in the line of sight at all four intersections. We were able to navigate through state and local government bureaucracies to get it fixed. We were also able to get extra gates. Park benches have been fixed.

I was very happy to dress up as “Metronet Man” during Book Week at six or seven schools in my electorate. That was a very exciting time for me. We have had \$1.6 million in funding for black spots in the Gosnells council area.

I would like to wish a very special happy birthday today to Amherst Village Public Library in my electorate. It is 10 years old today. It is a fantastic library where my kids go to rhyme time and dance. I want to say well done to a fantastic facility.

In the time I have remaining, I would like to acknowledge Aimee-Lee Verrier, one of my former students, who is now at South Metropolitan TAFE. She recently won the wearable fashion category at the Future Runway event on the closing night of the Perth Fashion Festival. Aimee, I am always very, very proud of you. I am sorry you were stuck with me as your teacher since you were in year 8. I cannot take credit for your work but I am very impressed with what you are doing.

A new alcohol outlet in Huntingdale has opened. It was a controversial development. The P&C at the local primary school has asked the council to install a soft playground and other works at the local playground. Because of the new liquor store, there is a concern there will be more broken glass, and some different behaviours in the area. I call on the council or the owner of the new store to listen to my requests and the Huntingdale Primary School P&C requests to add a soft playground and other safety measures in the area. It is absolutely important for that to take place.

I also launched two new local campaigns before the Parliament of Western Australia. Members will be aware we recently took all the speed bumps off Gay Street in Huntingdale. I promised \$250 000 at the last election to replace the notorious speed bumps on Gay Street with chicanes. We started building them six months after the election. About two or three weeks ago, the last speed bumps came off and a new group of chicanes went in. People love the chicanes. Members, you and I slow down; unfortunately the idiots do not. Speed bumps do not work. Now I ask the community to continue signing my petition to ask the council to build chicanes, not speed bumps, in our community. Some fantastic locations for those are on Harpenden, Bradley, Bullfinch and Chamberlain Streets as well as on Huntingdale and Furley Roads.

I also launched my campaign to call on the council to upgrade bus stops in Canning Vale, Gosnells, Huntingdale and Southern River. It is my view that bus stops should be more than just a pole; they should be a seat, shelter and lighting. That means whether it is rainy or sunny, or dark at 6.00 pm in the middle of winter, those facilities can be used. Metronet will bring more buses and trains but I call on the council to use its existing and approved budget allocation to start upgrading the bus stops in my area.

I am very proud and humbled to be the member for Southern River. Every day I thank the members of my community for electing me to this place. It is an absolute honour. I miss teaching but I am always grateful to the constituents of Gosnells, Canning Vale, Huntingdale and Southern River for placing me here. I hope I am delivering on my promises and doing what they want me to do. I also acknowledge that all the things we can achieve is only because I have some incredible staff in my office. I want to thank the long-suffering staff, Paul, Jacob and Kelly, for their work. I want to thank my family; my mum; my wider family and friends; my wife, Cath; and my daughter, Heaven; and, of course, happy first birthday to my daughter for next week.

MR R.S. LOVE (Moore) [4.30 pm]: I would like to make a very brief contribution to the Appropriation (Recurrent 2017–18) Supplementary Bill 2018 and the Appropriation (Capital 2017–18) Supplementary Bill 2018. I notice a couple of items in schedule 1 of the Appropriation (Capital 2017–18) Supplementary Bill. There is \$2.6 million for the Governor’s establishment, which is interesting. A lot of money has gone into the Governor’s establishment. How do we debate the Governor in this place or any money given to him? I do not think we are allowed to reflect ill on the sovereign or the Governor. I am not trying to do that, but it seems a lot of money to suddenly put into the Governor’s establishment. I wonder whether it was a well thought out program. Perhaps it was the money announced so that the Governor could do more in the way of advocacy on behalf of the state. It is an interesting role to take up and I look forward to seeing some results from that investment by the Western Australian community.

Down the list I see the Deputy Premier and Minister for Health has unexpected expenditures of \$14 million. While we are talking about health, I would like to talk about a few projects in my electorate that together would cost about \$14 million that desperately need some direction. They are the development of the health centre in Dongara and the replacement of Mullewa Hospital with a more modern health centre.

I will give a little history on the Mullewa and Dongara situations. On 18 March 2016, the previous government announced a funding allocation of \$12 million for redevelopment of the Dongara and Mullewa health centres, with community consultation to start at the end of the month. That was in 2016. As I read the fact file, I see that construction was expected to start in the second half of 2017. That was part of the Southern Inland Health Initiative, a program under which a lot of facilities were built throughout the state. When the communities of Pingelly and, I think, Cunderdin also had these types of health services delivered to them, extensive community consultation occurred. Extra expenditures were arrived at to provide the types of services those new centres ultimately received. The communities were very extensively consulted to develop service models that suited the communities' needs.

I attended the first consultation that took place at Mullewa and Dongara in the term of the last government. I have to say that it was an abysmal performance by the persons undertaking that consultation. They left the community somewhat bewildered and dismayed about what was happening. I admit that that occurred during the time of the previous government. Subsequent to that, I took my concerns to the Minister for Health at the time and the WA Country Health Service and we saw a bit of a turning around of the ship in that regard. By the time we left office in 2017, still nothing concrete had been arrived at for what the new services would look like. The saga began there, I think, because there had not been the same sort of commitment to consult with the local community as had occurred in the two wheatbelt communities of Pingelly and Cunderdin about these types of development.

The case of Mullewa involves the demolition of the existing hospital, which means there will be no hospital as such in Mullewa. Many people in the Mullewa community thought it was a backward step. However, I was assured at that stage by the then government that consultation would throw up a range of options that would lead to the development of a fit-for-purpose health centre that would enhance primary health service delivery into the district and address the unmet chronic health needs of the community. It was also meant to help minimise poor health outcomes for the residents in Mullewa and keep them in their homes longer.

Unfortunately, we are now into the back end of 2019 and it is being reported to me from residents in the area that they are still not seeing much movement on what they call the hospital front. These residents are aware that the hospital will be demolished. However, there seems to be a lack of communication going out to the community. I have raised this with the minister and had briefings with the WA Country Health Service about what is going on in Mullewa. The community needs some communication now, I believe, about the long-term outcomes for Mullewa. The community is very concerned because at the end of last year, we saw the end of residential aged-care services in the town, with the closure of the beds in the old hospital. I am told that a flow-on effect of that has been a reduction in what is known as home and community care services offered in the area. At a recent agricultural field day, an elderly gentleman from Mullewa outlined to me, in no uncertain terms, his concerns about the level of health services and support for the local community that was being received. He outlined that it was leading to a drain of elderly people from the town; people in not such good health were leaving due to their concerns about the health centre. The community up there is very dependent on the hospital and the services provided through the hospital.

I think at the time of the announcement, in the vicinity of \$6 million was to be spent at each centre. I understand that that might have grown a bit, but people are still very concerned about the level of services they will get in the towns. What services will be provided at the new Mullewa health centre? The community would like to know when construction will begin, when it will finish and what the plans are for the services to be provided. They also want to know about staffing, because I am told the staff in the centre have been drifting away because they do not see a future in the town. Staff are leaving for Geraldton and other places. That is leading to a great deal of community concern in Mullewa. I do not blame them because it is now 2019 and before we know it, by the time anything is announced, it will 2020. Remember that this was originally promised to be delivered in 2017. We are now running three years behind time and nothing of any consequence has been said to the community about what it can expect.

To go back a little, the primary healthcare demonstration site program that this was funded under was supposed to replace the older hospital network that required a lot of unnecessary wages and upkeep just to keep it open. It was draining the relevant WACHS district's budget, when it felt it would be better off spending that money providing primary health care in the community to address the various diseases and chronic conditions that might be of concern to those communities. However, I am now very concerned that all we will see is the loss of the hospital, with perhaps even fewer services offered than were offered at the hospital. We have lost the now closed aged-care facility, and that was always going to happen in the town. We really need to get some clear indication on what services will be provided to Mullewa, when those services will be available and when this new health centre will get underway. I know there were some concerns and problems around, shall we say, some red-tape issues with the amalgamation of titles and connections to services et cetera, but they are all behind us now. We need to move on and get some certainty for the people of Mullewa who are asking for what people from other centres have already received: the delivery of an appropriate level of health services to their area. I do not think that is a particularly

outlandish request. I support them fully in their need for certainty and to get some services. At the moment they are getting a raw deal. That needs to change and some of the \$14 million in this budget would have been well spent if it had been spent in Mullewa. It could have also been spent in Dongara as well, but Dongara already has a health centre, which will not be demolished but, instead, remodelled and expanded. That town does not have quite the same level of concern about the future of health services that Mullewa has. For the information of members, the Mullewa community has suffered a spate of power outages. For instance, over the last few years there have been days in the heat of summer when there has been no power and elderly patients and residents have been in distress and discomfort. Some of those issues have been looked at by Western Power, which installed some generators in the area. But this town has contributed to Western Australia for generations. If members were to look at the First World War honour board in the Mullewa Town Hall, they would be amazed at the number of people from Mullewa who went to war and never came back. That town has contributed to the Western Australian economy for many years. Recently, it has been somewhat neglected.

When I first stood for office, I went door knocking and was appalled by the condition of some of the housing in Mullewa. We addressed some of those issues, but the general contention over the area for many years was: "Mullewa is only an hour and a bit from Geraldton. If we don't provide the service, people will just drift into Geraldton and we won't have to worry looking after them in Mullewa any longer." The member for Geraldton is nodding his head; he is aware of this issue. That is one reason why the Shire of Mullewa amalgamated with the City of Greater Geraldton a number of years ago. It realised that it needed to be part of a larger regional group to have a say. I pay tribute to the local councillors and some of the staff at Mullewa and, to some extent, the Mayor of the City of Greater Geraldton because there is still a focus on Mullewa as a community, but it probably lacks that voice that a small shire has. If we compare that with Mingenew or Morawa that has a shire and a shire president who is exclusively concerned about that community and voicing its concerns, it is easier for those residents to have their voices heard. I like to pay particular concern to Mullewa because of its status as a small community in that much larger greater Geraldton community. Most of the city in terms of population is represented by the member for Geraldton, but most of the city in terms of area is represented by me. It is difficult to get the focus on a town like Mullewa when, as I say, the attitude of regional directors of many services for many years has been to simply let Mullewa drift along, hoping that eventually its people will leave and head back to Geraldton, and then they will not have to worry about them. That is not good enough because the people who live there are just as entitled to services as anybody else in Western Australia. As I say, that community has made a very large contribution to Western Australia for many years and it deserves a fair go.

I have been asking questions quietly of the Minister for Health. I must say that the minister's office is very cooperative. His staff provide me with information and updates about what is going on. I have no complaint about that, but I would like to see some movement now. The time for talk is over. We need to get movement so that the community of Mullewa has certainty going forward. We need to know what services will be provided in the health centre and how the development of the suite of services will be influenced by community input. At the moment, they have no input. A high-level reference group exists for some health providers, but it does not involve the community. The community really needs to be consulted in the same way that the Pingelly and Cunderdin communities were consulted when we were in government. For those government members in the house, when these matters next come up in cabinet, I urge them to remember that this town needs to be considered and to have its needs addressed.

Mr D.A. Templeman: I played against Mullewa.

Mr R.S. LOVE: Very good. The member would know then that the Mullewa Saints is a very good team.

I want to move on to another matter in this consolidated account. There is an amount of \$6.642 million for the Minister for Police; Road Safety. I note that the second part of that portfolio is road safety. This afternoon I asked questions of the Minister for Road Safety about Indian Ocean Drive and the need to do more to educate foreign nationals coming into Western Australia to ensure that they and other road users are safe. The minister quite rightly pointed out that most people killed on country roads are country people. There is a myth that goes around country areas that it is city people and foreigners who end up in these tragic events. Indian Ocean Drive is used by a very large number of foreign drivers, many of whom are from Asia, which is important to note for a couple of reasons. It has been promoted heavily as the—what is the term; is it the drive state? What does the government call its program?

Mr I.C. Blayney: The Road Trip State.

Mr R.S. LOVE: It is the Road Trip State. Indian Ocean Drive is probably one of the primary roads in the Road Trip State. Many drivers will arrive in Perth, get their hire car and take straight off into these strange conditions where kangaroos abound and people are on holidays. Some drivers are relaxed, but others are busily trying to get to and from their place of work or accommodation. There is that mix between drivers, some of whom are perhaps in a completely strange environment, still a bit out of sorts because they have come off a long plane trip. They hop into a car and drive up to the Pinnacles or the Lobster Shack in Cervantes. It is very popular with especially the Chinese to go to the Cervantes area and get some crayfish. It is very popular for people to visit the Pinnacles and many other places along the way. That is to be encouraged. Those towns thrive on tourism; that is what they need. But some tourists do not speak English and do not drive on the same side of the road that we do, and in the case of people from

China, they probably do not have an appreciation of the alphabet. I know that if I drive in Malaysia or somewhere like that, or if I am walking around, after a while I can understand the road signs et cetera because they basically use the alphabet. But when I move into Thailand where the more traditional Asian script is used, it is impossible for me to read any signs. I have no idea what they mean. I guess the same applies but in reverse for people coming to Western Australia from China. Again, I am aware that people from other countries visit too, but people from Malaysia, Singapore and Japan drive on the same side of the road as we do. The Chinese, however, do not, and perhaps they also find that they cannot understand any of our signage. For them there is a special need to do more. I hope that the minister takes on board the suggestion around using multilingual signage. I also think that treatments on the road, such as more arrows pointing in the direction drivers should be going, would help. A road safety audit carried out of the road from Lancelin to Breaksea Drive, the Two Rocks entrance, led to the treatments that the minister spoke about—road widening, the increased audible markers, the overtaking lanes, et cetera. Perhaps the road safety audit needs to be extended to include the entirety of Indian Ocean Drive, rather than just the section south of Lancelin, because these are very heavily trafficked areas.

[Member's time extended.]

Mr R.S. LOVE: Very heavily trafficked areas occur further north as well. A lot of people go to the Pinnacles and the Lobster Shack at Cervantes, and other places further up. I wonder whether there needs to be consideration of some speed limitations on some of those key intersections, such as Pinnacles Drive. It might be a good idea if the ongoing traffic was alerted to people coming out, not fully aware of the conditions and the speed of traffic they will be encountering. I have the utmost sympathy for the families of the young people who were killed there the other day. It is a tragic thing to happen, and we should do everything we can to ensure that those types of events do not happen in the future.

Talking about roads that need treatment, another road with a history of tragedy in my electorate is Toodyay Road. When I was first elected, I attended a community meeting at Gidgegannup after a very tragic accident that killed a young family. That was then in the electorate of the member for Swan Hills, when Frank Alban was the member. It was a very difficult time for that community. When a review was done of the number of accidents that had taken place on Toodyay Road, and the number of people who had been killed on that road, it was staggering. There has been some effort on Toodyay Road, but more needs to be done, and I urge the Minister for Police; Road Safety and the Minister for Transport to continue investment on Toodyay Road, so that the wheatbelt section of Toodyay Road gets further treatments, just as the metropolitan area has. As I explained, with Indian Ocean Drive, with the speed variations, I know that even after large expenditure on some key intersections, to widen them and put in turning lanes and slip lanes, et cetera, there is still an 80-kilometre-an-hour speed limit. Dropping speed at those intersections is the only way to do it safely. At the risk of enraging some of the people in my electorate who do not like restrictions on speed limits, I think it would be a very good idea on some of those key intersections to look at those matters.

More generally, talking about road transport issues, the member for Geraldton and I are well aware that, since about 2015, planning of a sort has been going on for a major realignment of the road network from Dongara, through Geraldton, to the Oakajee area, and up past Northampton. The Main Roads website states that it is expected that consultation with the community on the development of that road network will be complete by mid-2020. We do not want to see that sitting forever, being an issue. Five years is a fair bit of time for community consultation. I do not know how many times Main Roads has been to the community in those five years, and what the level of consultation has been, but I know that some of the documents have been sitting around so long gathering dust that people have forgotten that they exist. I was talking to a gentleman at Northampton a month or two ago. The length of time that had passed since his first interaction with Main Roads was quite amazing considering that, at the moment, the town of Northampton has road trains coming through on very narrow streets, and there is a particularly sharp corner right in the middle of town.

In the City of Geraldton, we are aware of a couple of times when road trains have come up to the traffic lights that go over the port link, failed to turn right and ended up down in the town, where there is absolutely nowhere for them to go. These issues need to be addressed. Geraldton has a lot of traffic problems with the North West Coast Highway running through much of its suburban and industrial areas. It cuts the town in half, and that needs to be addressed. I am not trying to speak for the member for Geraldton, but it is part of the same road network. Only on Monday, at Dongara, I was taken by some of my constituents to look at the situation with the Brand Highway, where the Irwin River washes past it. We could look straight up at the highway, and almost underneath the highway, it has been undermined. There needs to be some major road works. People in Dongara put up with the traffic through their town as well, when in fact all that heavy traffic should be moving well away from the towns and the populated areas, with a tourist and commuter route in the Greenough area between Dongara and Geraldton, and again to avoid the town of Northampton with the heavy traffic as well, so the town is not impacted in that way.

I have only a couple of minutes left, and I do not want to keep everyone for too long tonight, but I also spoke today with the parliamentary secretary for the environment about the situation at the Jurien Bay marina. That situation of ongoing fish kills is a distressing issue for the community. It is also leading to a very significant investment in

a state-owned asset not achieving its potential. Apart from the distressing environmental outcomes, there is the economic distress for the area caused by the inability to develop that area around the marina as it should be, because it is not very pleasant to every year have a repeat of these fish kills, which are just awful. I have spoken to the Minister for Transport, and she is aware of the problem, and I have asked her questions in this house. I know that she is keeping a good eye on what is happening there, and I hope that we see some expenditure by the state in the future to put in place an engineering solution that we now know is needed to address this problem. It is not going to go away. Dredging does not help forever, and having little barges going around picking up seaweed does not seem to work. Putting in curtains to aerate the entrance does not seem to have stopped what has occurred. It is pretty clear that an engineering solution is required. That will require a significant amount of investment. I hope, in a future year, I might see a consolidated account statement like this one with some expenditures on it for the key projects that I have just outlined. With that, I thank the house for its indulgence and listening to me, and, I guess, commend the bills.

Debate adjourned, on motion by **Mr D.A. Templeman (Leader of the House)**.

TERRORISM (PREVENTATIVE DETENTION) AMENDMENT BILL 2019

Returned

Bill returned from the Council without amendment.

ADJOURNMENT OF THE HOUSE

Special

On motion without notice by **Mr D.A. Templeman (Leader of the House)**, resolved —

That the house at its rising adjourn until Tuesday, 15 October 2019 at 2.00 pm.

House adjourned at 4.58 pm
