



# Parliamentary Debates

(HANSARD)

FORTIETH PARLIAMENT  
FIRST SESSION  
2019

LEGISLATIVE ASSEMBLY

Tuesday, 26 November 2019



# Legislative Assembly

Tuesday, 26 November 2019

**THE SPEAKER (Mr P.B. Watson)** took the chair at 2.00 pm, acknowledged country and read prayers.

## VISITORS — RIVERGUMS PRIMARY SCHOOL

*Statement by Speaker*

**THE SPEAKER (Mr P.B. Watson)** [2.01 pm]: Members, on behalf of the member for Baldivis, we have students in Parliament today from Rivergums Primary School.

Just sneaking into the chamber on my right-hand side is Hon Mick Murray who is—80?—70 years old today.

[Applause.]

## PUBLIC SECTOR CORRUPTION — AUDITING REFORMS

*Statement by Premier*

**MR M. McGOWAN (Rockingham — Premier)** [2.02 pm]: I acknowledge also the year 5s from Our Lady of Grace Primary School in North Beach who are in the public gallery today, including the Attorney General's daughter, Lily Quigley, who has come along to enjoy things. I also acknowledge the member for Collie—Preston on his significant birthday. It is terrific to see him looking so well.

Yesterday, I announced the immediate steps my government is taking in light of the charges laid against a former senior public servant at the Department of Communities. The conduct that is alleged to have occurred, which goes back many years, is quite frankly disgusting and an insult to the taxpayers of Western Australia, the 140 000 Western Australian public servants who do their job diligently and ethically, and the clients of the Department of Communities, some of whom are the most vulnerable people in the state. As Premier of Western Australia, I am furious on their behalf.

Although the Corruption and Crime Commission and WA Police Force investigation is ongoing, it is essential that the state act immediately to improve accountability and restore trust in the public sector. In light of the revelations, what has gone on for decades cannot be allowed to continue.

**The SPEAKER:** Minister for Police!

**Mr M. McGOWAN:** To that end, yesterday I announced the following changes: the need for agencies to have an audit committee that is independently chaired by someone external to the agency; regular rotation of external accounting firms that conduct internal audits; and segregation of duties in payment authorisation. Beyond this, the Auditor General will be requested to conduct targeted forensic audits of agencies' contract management systems, which will be supported by data analytics measures. Structural changes will also be implemented, and the commercial and land development functions of the Housing Authority will be moved to Development WA. A steering committee will be established to progress these changes, which will report back to cabinet. These changes will require legislative amendments and will have a financial impact on the state budget.

**The SPEAKER:** Members, if you want to have a meeting, go outside, please. Premier.

**Mr M. McGOWAN:** Finally, the Public Sector Commission will be conducting a review into the legal, administrative and governance systems inside the Housing Authority, for which the terms of reference have been released. The review will recommend further changes required at the authority and identify measures that can be implemented across the public sector.

This alleged corruption appears to go back a long time—well beyond the election of this government. We know that corruption flourishes under neglect. It takes reform as well as a culture of speaking out for this behaviour to be exposed. The recent success in uncovering these alleged frauds, which were happening under the previous government, speaks to the importance of the reforms this government has undertaken. Although it is disheartening and disappointing to see that individuals have potentially defrauded the state to this magnitude, the McGowan Labor government will not shrink from its duty to uncover corruption wherever it has been allowed to fester.

## TRADE AND INVESTMENT OFFICES — AUDIT

*Statement by Premier*

**MR M. McGOWAN (Rockingham — Premier)** [2.05 pm]: I rise to inform members that the state government has today released three reports that scrutinise the operations and effectiveness of Western Australia's eight international trade and investment offices. These reports were commissioned in the wake of the revelations of the Corruption and Crime Commission report into the conduct of then trade commissioner of the Tokyo office, Mr Craig Peacock. That conduct was only uncovered following machinery-of-government changes when responsibility for the offices was transferred to the Department of Jobs, Tourism, Science and Innovation—JTSI. Two of the independent reports were commissioned by JTSI—an audit going back ten years and a review into the effectiveness and

efficiency of current arrangements. The third, requested by the Department of the Premier and Cabinet and undertaken by the Public Sector Commission and KPMG, reviews the management of the London, Tokyo and Dubai offices prior to 2017. Collectively, the reports released today represent the most significant review of the overseas office network in 20 years.

I am pleased to note that the audit did not find any further instances of financial misconduct in addition to the findings of the Corruption and Crime Commission against Mr Peacock. Although the DPC no longer manages trade offices, it has accepted the findings of the Public Sector Commission review, and the resulting lessons are being applied across the rest of the department. I can confirm that all 90 recommendations across the two JTSI reports have been accepted and implementation work is already underway.

Not only has the reorganisation of the trade offices by this government uncovered serious misconduct that went unchecked for years, but also the restructure and implementation of the recommendations will lead to a more effective offshore presence for WA to undertake targeted and sustained promotion and facilitation of international trade and investment activity, which is critical to the diversification and strengthening of our economy and the creation of more Western Australian jobs. I commend the reports and I look forward to regular updates as the implementation progresses. I now table the three reports.

[See papers 3047, 3048 and 3049.]

### WORLD DAY OF REMEMBRANCE FOR ROAD TRAFFIC VICTIMS

*Statement by Minister for Road Safety*

**MRS M.H. ROBERTS (Midland — Minister for Road Safety)** [2.07 pm]: On Sunday, 17 November, it was my privilege to attend a ceremony to mark the World Day of Remembrance for Road Traffic Victims. On this day, there are gatherings of this kind all around the globe to remember, celebrate and mourn those killed and injured on the world's roads.

Last year, 159 people were killed and a further 2 000 were seriously injured in road crashes in Western Australia—that is 159 people whose lives were tragically cut short and 2 000 people whose lives have been changed forever. Nor does it stop there. The tragic deaths or injuries of those people also set in train a series of emotional, financial and life-altering changes that impact on family and friends without warning or preparation.

In his address, Dr Sudhakar Rao, who confronts the physical consequences of road trauma on a daily basis, reminded us that road safety is not about statistics—how many this or how many that—but about real people undergoing suffering and loss, which was made especially clear to us by presentations given by Mark Daniels and Louise Clarke. Able Seaman Mark Daniels was riding his motorbike after returning home from deployment. One night, on his way home from a night out with friends, he was struck by a distracted driver at 70 kilometres per hour. He suffered a broken neck, 11 broken ribs, a broken hand, a punctured lung, a ruptured kidney and a severed femoral artery. He medically died three times. His recovery was long, punctuated by many surgeries and his own battle with despair and depression. Out of that, he has emerged triumphant and has developed as an athlete, competing in the Invictus Games and Australian Ninja Warrior. His determination and resilience have led him to become an ambassador for Road Trauma Support WA.

Mark's story is an inspiration, but, as he told it, he made it clear that what made his survival possible was the love and support of his family. Family was the theme of the presentation by Louise Clarke. Her daughter, Bronwyn, was killed in a motorbike crash when riding pillion. Louise reminded us all that the families of those who have died and those who are injured bear the weight of that loss and injury, referring to what she called the “ripple effect” of road trauma. These stories illustrated the theme of this year's World Remembrance Day for Road Traffic Victims, which is “Life Is Not a Car Part”. The stories reminded us that people are not interchangeable and replaceable, as are car parts, and that people are at the centre of a network of relationships that are shattered by road trauma. Occasions like this remind us that the work of the government is about making people's lives not only better but also safer, so that fewer young people have to suffer catastrophic injury and fewer parents lose their children.

### FIREFIGHTING — GRADUATING RECRUITS

*Statement by Minister for Emergency Services*

**MR F.M. LOGAN (Cockburn — Minister for Emergency Services)** [2.10 pm]: On behalf of the member for West Swan, I acknowledge the year 6 “boomers” from Riverlands Montessori School, who I think are still in the chamber or might have just left. There they are there. Hi! How are you? Good.

I also acknowledge the birthday of the member for Collie—Preston, otherwise known as “Grumpy Grandpa” from Collie.

**The SPEAKER:** Settle!

**Mr F.M. LOGAN:** I take this opportunity to inform the house that the Western Australian community will be served by 23 new firefighters who graduated from the Department of Fire and Emergency Services training school 83 on 15 November 2019. Our newest firefighters range from 23 years old to 41 years old. One in five of our newest recruits are female and another one in five are volunteers. I am proud that this year a record 230 women

applied to be a firefighter. Our new firefighters include a former jockey, who I saw at the major fire in Belmont yesterday—he was really thrown into it—structural and civil engineers; a teacher; a WA police detective; an occupational therapist; a lifeguard; an accountant; a fitness trainer; tradespeople; and small business owners. The Department of Fire and Emergency Services latest recruitment campaign successfully targeted the misconceptions around what it takes to be a firefighter, and it supported and encouraged more women than ever before to apply.

The fires in New South Wales, Queensland and South Australia have seen firefighters give everything they can to help communities, save lives and stand as a line of defence between rural New South Wales and greater Sydney. It is a timely reminder that emergency services personnel, both career and volunteer, risk their lives and safety to protect our community. I am sure all members in this house will join me in acknowledging our firefighters. It is a noble profession. I also want to thank the family and friends of all the fire and emergency services personnel who support our emergency services career and volunteer members, as they take time away from their families to selflessly give to others.

In closing, the first bushfire season for our graduating career fire and rescue service firefighters is forecast to be a demanding one, so it is important that everyone be reminded to do their bit to prepare themselves for bushfires. People should ensure they have a five-minute fire chat and develop a bushfire plan that they can put into action. This helps our firefighters to concentrate on putting the fire out. We all need to take responsibility and do our bit for our own preparedness. A prepared community is a safer community.

### **16 DAYS IN WA TO STOP VIOLENCE AGAINST WOMEN**

*Statement by Minister for Women's Interests*

**MS S.F. McGURK (Fremantle — Minister for Women's Interests)** [2.13 pm]: I rise to inform the house of the McGowan government's 16 Days in WA to Stop Violence against Women. This year our campaign is about speaking out to say that violence against women, in all its forms, is unacceptable. Now in its third year, this campaign continues to grow as workplaces, local groups and business and community leaders take up this call to action. Yesterday I was honoured to join with the Premier; Hon Kim Beazley, AC, Governor of Western Australia and his wife, Ms Annus; other ministers; the Commissioner of Police; and more than a hundred leaders to stand together to show our support for 16 Days this year. My message was simple: women should be safe in their homes, relationships, workplaces, where they learn and out in the community.

As this state's first Minister for Prevention of Family and Domestic, I am acutely aware that stopping family and domestic violence and preventing violence against women is a year-round effort. I acknowledge the dedication of the many services and refuges that give women and their children a safe place to stay and recover when they are escaping family and domestic violence. I stood with them last Friday at the twenty-ninth silent memorial march to honour the lives of those in our state who have died at the hands of family members and partners in the last 12 months. Hundreds turned out to march. I acknowledge the other workforces and services across our state who deal with the crisis and aftermath of this violence. On average, WA Police Force respond to a family and domestic violence-related matter every eight minutes. However, the government cannot solve this issue alone, and that is why we have a community-focused effort like 16 Days. We will continue to show leadership on this issue. A safer community is one in which women and their children live free from violence and domestic violence.

### **QUESTIONS WITHOUT NOTICE**

#### **WORKING WITH CHILDREN CHECKS — AUDITOR GENERAL'S REPORT**

##### **1066. Mr P.A. KATSAMBANIS to the Minister for Child Protection:**

I refer to the minister's answers in the Legislative Council regarding the number of charged or convicted child sex offenders who have been working for children for very long periods.

- (1) What investigations has the minister commenced to determine whether any child sex offences have been committed by those applicants while they were working with children?
- (2) Have all the impacted organisations and parents been notified; and, if so, on what date; and, if not, why not?

##### **Ms S.F. McGURK replied:**

- (1)–(2) The member's questions come as a result of an Auditor General's report into the working with children check system. This report was handed down about four weeks ago and found that our legislation and our practice of issuing interim negative notices, particularly, when a person has a criminal charge or conviction, could be a lot more robust. I accept that recommendation of the Auditor General. In fact, the department received short but advanced notice of the Auditor General's recommendations. The department was a very happy to take them all on board, and it gave commitments to make sure that they were built into its processes. Similarly, the Auditor General completed a report into working with children check system under the Liberal–National government, and a number of recommendations were made then to improve the system. Most, but not all, of those recommendations were taken up by the then Liberal–National government. In fact, under the previous government, there was a similar finding that people were not being given interim negative notices and were allowed to work while their applications were being

processed. Having said that, I accept that no level of risk in relation to this matter is acceptable. I have had conversations with the director general of the department to make clear my preference for a much greater use of interim negative notices. That means that if there is any level of risk, caution is exercised and an interim negative notice is issued, which would prevent a person going to work with children while their application is processed. That is the system in place.

The member asked about past failures to issue interim negative notices and of people being allowed to work where they could have had exposure to children while those applications were being processed. The questions that were asked in the other place revealed that some people had charges and a very small number had convictions that would be concerning.

In relation to whether there have been any investigations around children being exposed to those people while they were there, I am not aware that that is the case or that there was any concern raised in relation to child-related work while the working with children check applications were processed. Once they have a negative notice, they quite obviously are not able to do child-related work. I am not aware that there have been any concerns raised. Members would be aware that in a number of child-related professions, mandatory reporting applies—for instance, in schools, health services, boarding houses and the like. A number of professions have mandatory reporting. I am certainly not aware of any cases in which there was any concern raised about children's wellbeing because people were later given negative notices.

#### WORKING WITH CHILDREN CHECKS — AUDITOR GENERAL'S REPORT

##### **1067. Mr P.A. KATSAMBANIS to the Minister for Child Protection:**

I have a supplementary question. Why has the minister not activated a full-scale investigation, given so many charged or convicted sex offenders have had access to Western Australian children over significant periods of time, including potentially in very intimate circumstances?

##### **Ms S.F. McGURK replied:**

I am not aware that there have been any issues raised about the safety of those children in the workplaces or voluntary organisations in which people may have done volunteer or paid work.

Several members interjected.

##### **The SPEAKER:** Members!

**Ms S.F. McGURK:** However, if the member or anyone in this chamber, but certainly from the other side, has any concerns, I would be willing to pursue them. In fact, I urge the member to get in touch with the police if he thinks there is any evidence or areas of concern. We have systems in place now to ensure that people have working with children check cards when they do a range of child-related work or have exposure to children. About 360 000 people have working with children check cards in this state. I have always said that just because someone has a working with children check card does not mean that we all should not still be vigilant about child safety—whether people have a card or do not. It is one measure to keep children safe; however, it is not a fail-safe measure. I reject the assertion that there have not been systems in place previously to keep children safe, but this system is constantly being improved. I accept the Auditor General's recommendations that there be increased use of interim negative notices to make sure that if there is any risk, if there is any criminal past, if there is any area of risk, it should be used as a default while people's applications are being processed.

#### PUBLIC TRANSPORT INFRASTRUCTURE

##### **1068. Mr M.J. FOLKARD to the Premier:**

Before I ask my question, on behalf of the member for Morley, I would like to welcome the year 12 leaders from Dianella Secondary College.

I refer to the McGowan Labor government's unprecedented investment in transport infrastructure, including significant funding for Metronet projects such as the rail extension to Yanchep.

- (1) Can the Premier update the house on the work underway to deliver a much-needed rail line to Yanchep?
- (2) Can the Premier outline to the house how Metronet projects such as this will build this government's strong record on creating jobs?

##### **Mr M. McGOWAN replied:**

- (1)–(2) I thank the member for the question. It is true; this government is delivering the biggest pipeline of transport infrastructure projects this state has ever seen. Under this government, we will see a rail construction boom in Western Australia. By building Metronet, we will drive the economy, boost local businesses, create jobs and set Western Australia up for the long-term future. All up, we are building 72 kilometres of new rail out of this program. By comparison, under the last government, over eight and half years, seven kilometres of rail was built. In other words, that is 10 times as much. One of those new rail lines —

**Mr D.C. Nalder** interjected.

**The SPEAKER:** Member for Bateman!

**Mr M. McGOWAN:** He needs to get another job; it would make him happier!

One of those new rail lines is the extension to Yanchep.

**Ms R. Saffioti:** Westpac!

**Mr M. McGOWAN:** That is right! Even Westpac has standards!

I was in Alkimos the other day with the transport minister; the Attorney General, the member for Butler, who has vigorously lobbied for the Yanchep rail for many years; the member for Burns Beach; and the member for Wanneroo. Can I also thank the member for Pearce, who came along to assist us with the shovel. He was terrifically excited and very happy to be standing next to me at the press conference. The Yanchep extension is a \$530 million project. It is the biggest expansion to our rail network since the Mandurah line back in 2006. In one project, we are doubling what the previous government managed in two terms. There will be new train stations at Yanchep, Alkimos and Eglinton. Under this contract, combined with the Thornlie–Cockburn line, it is expected there will be 3 000 jobs created across both projects—more local jobs, more opportunities for Western Australian workers and more opportunities for Western Australian apprentices. Since we have come to government, more than 56 000 jobs have been created under us in Western Australia, compared with 30 000 jobs lost in the last term of the last government. By building the rail line to Yanchep, we will see even more jobs created.

Several members interjected.

**The SPEAKER:** Members!

**Mr M. McGOWAN:** By this time next year, an additional five Metronet projects will be being built at the same time. This is unprecedented rail construction in Western Australia. We have never seen that level of rail construction and rail carriage construction in Western Australia. This comes on top of our record investment in roads, both in the regions and the city, and it is a significant, dramatic improvement on what was underway under the last Liberal–National government, which did not build rail, but managed to blow debt by unprecedented and world-record proportions. We are creating jobs, getting on with the job of creating infrastructure and ensuring Western Australians get back to work.

#### STATE ECONOMY — STAMP DUTY REBATE

##### 1069. Mrs L.M. HARVEY to the Premier:

Given the significant concerns from the property industry about the McGowan Labor government's recent announcement on stamp duty relief for apartments, will the government immediately rectify this poorly designed policy in the best interests of jobs and the economy?

**Mr M. McGOWAN replied:**

Probably a month ago the Treasurer, the planning minister and I announced a stamp duty cut. It was widely welcomed by a range of industry bodies, who stood around us welcoming and congratulating us for this initiative, which reflected what was asked for by the industry. We went to the member for South Perth's electorate—we ensured that it was announced there—and all the people I met on that day, local builders and builders I have met in the period since, for instance, Paul Blackburne, have all said it is a great policy. Paul Blackburne, who is a significant player and very well respected builder in Western Australia and has done some great projects —

Several members interjected.

**The SPEAKER:** Members!

**Mr M. McGOWAN:** — even approached me at a function recently to say how welcome the stamp duty cut was and how much it meant for apartment sales in Western Australia. We have taken the advice of industry. We have listened to actual builders out there who welcome the policy. Like all Labor governments in Western Australia, we listen to industry and we will continue to listen to industry. It is a very good policy.

#### STATE ECONOMY — STAMP DUTY REBATE

##### 1070. Mrs L.M. HARVEY to the Premier:

I have a supplementary question. Will the Premier now admit that the government bungled its stamp duty relief policy, which will cause damage to jobs and the economy, or do we have to wait two years —

**Mr B.S. Wyatt** interjected.

**The SPEAKER:** Treasurer!

**Mrs L.M. HARVEY:** — for it to be fixed —

Several members interjected.

**The SPEAKER:** Members!

**Mrs L.M. HARVEY:** — like with the government's admission on its bungled policy for regional migration changes?

**Mr M. McGOWAN replied:**

The Leader of the Opposition knows a thing or two about taxes, because when she was in government, all her government did was put them up! It put up stamp duty, it put up payroll tax and it put up land tax. Remember land tax? I was speaking to the member for South Perth. I had constituents, members of the Liberal Party, coming up to me whingeing about the Liberal Party's increases to land tax—prominent Liberal Party members coming up to me whilst I was swimming in a swimming pool and confronting me with their land tax bill.

**Mr R.H. Cook:** In the pool?

**Mr M. McGOWAN:** In the pool. That is what they did.

**Mr D.A. Templeman:** They laminated it!

**Mr M. McGOWAN:** It was extraordinary.

That is what the Liberal Party did when it was in office. If I understand it right, the Leader of the Liberal Party is now complaining about our cut to stamp duty and is saying that it is going to cost the people of Western Australia jobs. That is what she has just said. The Leader of the Liberal Party is saying that our cut to stamp duty is going to cost the people of Western Australia jobs. Therefore, according to her logic, if we put stamp duty up, it will create more jobs—correct? That is her logic. That is the logic that the Leader of the Opposition is now putting forward in this place. Is it any wonder that the Liberal Party is not fit for office?

#### METRONET — YANCHEP EXTENSION

**1071. Ms S.E. WINTON to the Minister for Transport:**

I refer to this government's commitment to building and delivering the job-creating, economic-driving rail extension to Yanchep.

- (1) Can the minister outline to the house how this vital Metronet project will support growth in the northern suburbs?
- (2) Can the minister advise the house whether she is aware of anyone who does not believe this infrastructure is needed for the residents throughout the northern suburbs?

**Ms R. SAFFIOTI replied:**

I thank the member for Wanneroo for that question.

Several members interjected.

**The SPEAKER:** Members, I want to hear this.

**Ms R. SAFFIOTI:**

- (1)–(2) The member for Wanneroo and I were out early this morning, actually, at the Wanneroo Road–Joondalup Drive intersection, where, of course, over the weekend, the beams were put in place and the bridge has been built for what is a great project for the northern suburbs. Members would not be surprised to find that the opposition opposed this project and actually said that we should stop the contract. That is what they said a few months ago when they saw a political opportunity: stop the contract; the people of the northern suburbs do not deserve this congestion-busting project. That is what the opposition said—outrageous. Again, members would not be surprised to learn that it is not the only project in the northern suburbs that the opposition opposes. Of course, on the weekend, as the Premier outlined, we were out there turning the sod for what is a magnificent project—the start of the Yanchep rail line. A part of that project, of course, is three new train stations—Alkimos, Eglington and Yanchep—and a new design for the Alkimos and Yanchep train stations.

**The SPEAKER:** Members on my left, if you want to have a meeting, have it outside.

**Ms R. SAFFIOTI:** The Yanchep and Alkimos train stations are being designed as city stations, which will really allow for significant interaction with the rest of the community. Thousands of jobs will be a part of the project and, of course, the early works are underway now. We also announced that NEWest Alliance is the successful tenderer for that project, and we are in further contract negotiations now.

**The SPEAKER:** Member for Darling Range and member for Nedlands, I call you to order for the first time.

**Ms R. SAFFIOTI:** We know that the opposition ignores rail in question time, as it did in government. Last year, the Leader of the Opposition, when we debated the Yanchep rail line—a rail line that has a strong benefit–cost ratio, a rail line that will service over 170 000 people by 2031 and a rail line whose stations will have some of the best patronage across the network—made these comments —

There is plenty of land up there, but not many houses, and not many people living there at the moment, but they are going to get a \$520 million investment to share amongst those 22 000 people.

That is what the Leader of the Opposition said. She also said —

The Yanchep rail extension formed part of the previous government's transport plan, but not until the population of Perth and Peel reached 2.7 million, which was anticipated to be around 2031. Now that population growth is slowing in Western Australia, that may even have needed to be extended out further beyond 2031.

This is a project that everyone in Western Australia knows is only being delivered because we have a Labor government. The northern suburbs will not have to wait decades for their infrastructure; their infrastructure is being delivered while those homes are being built and families are moving in, and it is a welcome change for everyone in that area.

RURAL TRAFFIC SERVICES — MILUC CIVIL — WATER CORPORATION

**1072. Ms M.J. DAVIES to the Minister for Water:**

I start by wishing the member for Collie–Preston a very happy birthday on behalf of the Nationals WA.

I refer to a company in my electorate, Rural Traffic Services, that was engaged in 2017 as a subcontractor to Miluc Civil for work commissioned by the Water Corporation on the Bruce Rock septic tank effluent disposal scheme.

- (1) Is the minister aware that three years on, Rural Traffic Services is out of pocket by over \$65 000 as a result of the liquidation of Miluc Civil?
- (2) Is the minister aware that other subcontractors owed money by Miluc Civil for Water Corporation–related work were paid out by the Water Corporation?
- (3) If not, will the minister investigate why Rural Traffic Services has been unable to secure payment from the Water Corporation when other subcontractors have been paid by the Water Corporation?

**Mr D.J. KELLY replied:**

I thank the member for the question.

- (1)–(3) It sounds as though a company had a contract with a subcontractor who then had a contract with the Water Corporation. In my time as Minister for Water, a number of members of Parliament and individual contractors have approached my office around issues of non-payment—not a lot, but MPs have raised this issue with me and contractors have come directly to my office. My experience has been that, when appropriate, the Water Corporation has actually been very accommodating to assist those contractors who for some reason may not have been paid by the person to whom they have contracted. Obviously, if it is a commercial dispute, the Water Corporation cannot pay out money that is owed by other contractors; it would not be appropriate. However, when the Water Corporation can pay contractors directly for work that has been done, it is willing to do that. Member, I am not aware that you have contacted my office about this company.

**Ms M.J. Davies:** I have, yes.

**Mr D.J. KELLY:** I am quite happy to talk to the member about it, but I do not know the details. As I said, in my experience, the Water Corporation is very accommodating in this area. Obviously, if there is a commercial dispute between two contractors, it is not appropriate for the taxpayer to just cough up money. If it is a legitimate commercial dispute, it needs to be resolved. The Small Business Commissioner can assist in that regard, but if there is a legitimate issue, I am happy to follow it up for the member.

RURAL TRAFFIC SERVICES — MILUC CIVIL — WATER CORPORATION

**1073. Ms M.J. DAVIES to the Minister for Water:**

I have a supplementary question. I thank the minister for that undertaking. I have raised the issue directly with the minister's office a number of times, so if we provide the minister with a further account of Rural Traffic Services' experience and that of other regional businesses that have been left out of pocket, we would appreciate the minister investigating the matter. I can do so with the Minister for Small Business as well.

**Mr D.J. KELLY replied:**

I take that supplementary as a comment; but, yes.

WATER CORPORATION — IN-HOUSE WORK

**1074. Ms L.L. BAKER to the Minister for Water:**

Do not get comfortable there, minister! I refer to the McGowan government's decision to end the Liberal Party's privatisation of a number of water services, which has seen us able to bring 170 local workers back in house at the Water Corporation.

Could the minister update the house on how bringing metropolitan water production and wastewater treatment services back into public hands will benefit the community and employees?

**Mr D.J. KELLY replied:**

I thank the member for Maylands for that question. Yes, today it was a privilege to be out at the Water Corporation's Innovation Centre in Shenton Park to announce to the workforce there that the board of the Water Corporation has decided to bring back in house work that currently is being done by the Aroona Alliance.

**The SPEAKER:** Member for Balcatta.

**Mr D.J. KELLY:** Currently, the Aroona Alliance operates a bunch of Water Corporation assets in the metropolitan area—wastewater treatment plants, water treatment plants, dams and trunk mains, to name a few. About 400 staff are involved, and just over 200 of them are already Water Corporation employees, but 170 of them are currently employed by a private entity. The Water Corporation board has decided to bring all that work back in house, which will mean that those 170 workers currently employed by the private sector will become directly employed by the Water Corporation. When that announcement was made today, the workforce was absolutely ecstatic. Long-term employees of the Water Corporation were telling their stories. One guy who came to see me had been doing essentially the same job for 20 years. He had had five different names on his shirt. He was pleased that a Labor government had made the decision to reverse the privatisation of these services, which began back in 1996 under the Court Liberal government. We got the same story over and over again. People who were doing the same or similar job, every few years had the potential to have their working lives disrupted by the next contractor or the next change of structure. From the staff's point of view, the announcement was very well received. From the board's point of view, it was absolutely the right thing to do. The new chief executive officer of the Water Corporation, Pat Donovan, explained in some detail the process that the board went through to reach the decision to insource those services. A comprehensive business case was conducted that considered all the options, including maintaining the current structure, right through to insourcing. When the board looked at it, it made the decision that it was the best thing for the business as well as the staff to bring that work back in house. That follows a similar decision of the board in August to bring back in house the Perth Region Alliance contract. About 250 people will become direct employees of the Water Corporation.

On this side of the house, we have a view that water is an essential service and that the public expects and is most comfortable with these services being provided by direct employees of the Water Corporation. We are proud of the job security for those staff that will come as a result of this decision and we are pleased that in the board's view this is the best thing for the business. I know that members opposite do not like these sorts of decisions. As much as it is written all over their faces, they do not like the public sector and especially the way the Water Corporation has done its business. When members opposite were in government, they sold off the construction division of the Water Corporation. It turned out to be an absolute disaster for those staff. They privatised the water treatment plant at Mundaring and signed a 35-year contract. That was the way members opposite approached this essential service. I wish members opposite could have been at the meeting today to hear stories from the staff and to listen to the new CEO of the Water Corporation talk about the meticulous process it went through. We on this side of the house believe that the provision of water is an essential service and, consistent with the views of most Western Australians, we believe those services are best placed in public hands.

ROE 8 AND 9

**1075. Mrs L.M. HARVEY to the Premier:**

I refer to a Main Roads Western Australia feasibility study for Leach Highway and Stock Road that was ordered by the Minister for Transport. Main Roads states that even with the outer harbour development, considerable freight traffic is still anticipated to be maintained and to continually increase for the foreseeable future at the Fremantle port facility. Can the Premier confirm that this is proof that the construction of Roe 8 and 9 is required with or without the outer harbour?

**Mr M. McGOWAN replied:**

I am unaware of the report to which the Leader of the Opposition refers. If she has a specific report, I suggest she asks a question of the Minister for Transport.

**Mr D.C. Nalder** interjected.

**The SPEAKER:** Member for Bateman, I thought you were going to be quiet, but you were not. I call you to order.

**Mr M. McGOWAN:** This issue has been ventilated on many occasions. Our view as a government is that we need to have long-term planning in place to ensure that the freight and trade needs of Western Australia are met for the long term. That is why we set up the Westport Taskforce. Spending billions upon billions upon billions on a road to a port that is going to fill does not seem to me to be a sensible use of public money, particularly when the billions to be spent stop three kilometres or thereabouts short of the port in question. The Leader of the Opposition does not seem to have worked out that therein is one of the issues.

**Mr D.C. Nalder** interjected.

**The SPEAKER:** Member for Bateman, I call you to order for the second time.

**Mr M. McGOWAN:** On top of that, the Leader of the Opposition wants to apply a toll to the road. The only toll road in Western Australia is the Leader of the Opposition's plan. Since coming to government, we have put enormous effort into getting more freight on rail and we have had enormous success in getting more freight on rail. That is what we will continue to do.

**Mr D.C. Nalder** interjected.

**The SPEAKER:** Member for Bateman, do you want to go home early?

**Mr M. McGOWAN:** We will continue to have long-term planning by the Westport Taskforce for an outer harbour in Kwinana to meet the long-term needs of the state. If it was so important to the Leader of the Opposition and if she knew so much about this matter, and if it was so important to the member for Bateman sitting next to her, why did they not build it when they were in government? They had eight and a half years to do it. Why did they not do it? They sat there for eight and a half years doing nothing about this issue. They did not encourage freight on rail. They did not come up with any alternative solutions. They just sat there, sloth-like, doing nothing about this issue that has been building now for decades.

This government is thinking long term about the issue, which I think is what Western Australia needs—some long-term thinking about an issue. Our view on the \$1.2 billion worth of money that the commonwealth apparently has in a contingency account is that it should put it into regional roads. If it wants to spend money and create jobs, and if it wants to save lives, it should put it into regional roads.

**Mr D.C. Nalder:** I thought it was.

**Mr M. McGOWAN:** We are doing that, jointly with the commonwealth. I am glad the member for Bateman raised that.

**Mr D.C. Nalder** interjected.

**The SPEAKER:** Member for Bateman, I call you to order for the third and last time.

**Mr M. McGOWAN:** Mr Speaker, he is very frustrated; he is a very frustrated person.

The Bunbury Outer Ring Road, the Tom Price–Karratha road, the Albany ring-road and numerous other projects across Western Australia are jointly funded by the state and commonwealth. However, if the commonwealth has \$1.2 billion of lazy money sitting around, it should put it into regional roads. It should get out there and help us save more lives across the regions as we are currently doing with numerous projects across regional WA.

#### ROE 8 AND 9

#### 1076. Mrs L.M. HARVEY to the Premier:

I have a supplementary question. Given that Main Roads has stated clearly that there will be more vehicles to Fremantle port, why does the Premier refuse to build the much-needed Roe 8 and 9 to address the worsening road safety and congestion issues in the southern suburbs?

#### Mr M. McGOWAN replied:

Once again, the Leader of the Opposition's grasp of detail is not great. Her grasp of complex arguments is not great. The government will look at the report in question. However, the fact of the matter is that this government has put enormous effort into getting more freight on rail and there has been enormous growth in container traffic on rail, which has taken trucks off the road. Secondly, we have put enormous effort into planning for the long-term future, which is the Westport Taskforce. Thirdly, all sorts of road improvements are occurring around the state, including the High Street intersection, where clearing has commenced.

If we want to talk about transport and if we want to talk about a government that actually does something about getting cars off the road, ensuring that we have decent roads around the state, and about building rail, this government is doing more than any other government in the history of Western Australia to build rail, to build good roads, to ensure that we create jobs, to ensure that employees get opportunities, to make sure that Western Australian companies get opportunities and to build rail carriages here in Western Australia. Our record on transport is second to none in any government in the history of Western Australia with these massive projects. I always hear the opposition muttering, "The commonwealth is helping with that; the commonwealth is helping with that." Yes, it is, because we asked the commonwealth for help and we worked with it to get the money, such as the money for the Yanchep rail. We got \$350 million from the commonwealth for the Yanchep rail because we cancelled the Perth Freight Link. That is where the money came from. The people of Yanchep and the northern suburbs can be grateful that this government took a dramatic step to ensure that that project was funded, as were other projects all over Western Australia—the northern suburbs, eastern suburbs, southern suburbs and regional WA. Areas all over the state are receiving the same attention from this government because we care about long-term planning, decent transport, road and rail.

## POLICE — COMMUNITY SAFETY

**1077. Mr S.A. MILLMAN to the Minister for Police:**

On behalf of the member for Jandakot, I welcome the leadership team from the Mosaic community centre.

I refer to the McGowan Labor government's commitment to community safety, which is demonstrated by its unprecedented boost to police operations over this coming summer. Can the minister advise the house how this unprecedented summer blitz will increase the police presence across Western Australia and help drive down crime?

**Mrs M.H. ROBERTS replied:**

I thank the member for Mount Lawley for his question and for his unswerving support of community safety and the job that our police officers do. On Sunday, 17 November, along with Deputy Commissioner Gary Dreibergs, I had the pleasure of announcing Operation Heat Shield, which is a police operation that will run over summer. It is an unprecedented statewide operation targeting crime and antisocial behaviour over the summer. I think it is well known that not only around Australia, but also worldwide, when people are outdoors and perhaps having a drink and enjoying the sunshine in summer, unfortunately, antisocial behaviour increases and crime peaks. It peaks here in Western Australia, in Australia, and around the world. Thanks to the sound financial management of the McGowan government and the state being in a strong financial position, we are able to allocate an unprecedented amount to supporting our police over this period and will be able to support them for a longer period over summer than ever before.

We have allocated \$5 million and it will start on 1 December, going through until the end of May. It will result in about 55 000 or more police hours being available to the Commissioner of Police to deploy. The beauty of this program is that it can be deployed on a needs basis. We will specifically target those urban centres where we know there are problems and issues from time to time, be that the city, Northbridge, Joondalup, Mandurah or Ellenbrook. Wherever issues occur, additional resources can be mobilised very quickly. It will be similar in regional areas. I hope we do not have to mobilise too many people in Albany, Mr Speaker, but whether it is Bunbury, Geraldton, the Kimberley or the Pilbara, that overtime will be available for the commissioner to allocate to his district superintendents to deploy. Not only district officers will have this opportunity. It will involve a number of our squads. It will involve the mounted police, the dog squad, the regional operations group, the juvenile action group, and bike and beat patrols in the most coordinated police blitz that this state will have seen. Crime is well down compared with the Barnett–Harvey era, but we will not rest on our laurels. We know that summer can be a period in which crime increases. Assaults increase and antisocial behaviour can occur in a variety of urban settings. We want to nip that in the bud. In addition to increased patrols in suburban centres, no matter where they are, in metro or country, police will be targeting volume crimes. They will be looking at burglary, shoplifting, fuel theft and other common crimes that concern people in our community. I am very grateful that the Treasurer and the Premier have provided sound financial management and we are in a position to be able to support our police force to get on and do an excellent job in supporting the community.

## GERALDTON FIRE STATION

**1078. Mr I.C. BLAYNEY to the Minister for Emergency Services:**

I refer to the status of the former Geraldton fire station on the corner of Durlacher Street and Anzac Terrace and future plans for the site.

- (1) Has the minister's office had a request from the City of Greater Geraldton about this site?
- (2) Will the minister agree to gift this site to the city, given that it has been sitting vacant and unused for at least four years?

**Mr F.M. LOGAN replied:**

- (1)–(2) I thank the member for the question. The issue of the Geraldton fire station has gone on for a fair bit. As the member knows, it has been empty since the new station was opened quite a number of years ago. The ownership and occupation of that station has been sought by quite a number of people in Geraldton. As the member may or may not know, under the Fire and Emergency Services Act, the commissioner is not allowed to give away or gift any fire station. It can be used only for the purposes of fire and emergency services. However, as the member knows, we have had the men's shed in there on a temporary basis through working with the City of Greater Geraldton. The final resting place for the fire station will be as a result of discussions between the commissioner, myself and the Department of Finance. We will not be gifting any fire stations, whether it is in Geraldton or any other station in Western Australia.

## GERALDTON FIRE STATION

**1079. Mr I.C. BLAYNEY to the Minister for Emergency Services:**

I have a supplementary question. Given that the unused fire station is impacting on Geraldton's vibrancy, and the contamination issue at the site, replacing the fire station with a car park is probably the best thing to do with the site. The costs of remediation of the contamination will probably be more than the site is worth —

**The SPEAKER:** Member, can you make your supplementary question concise?

**Mr I.C. BLAYNEY:** Surely the logical thing to do is to gift the site to the city.

**Mr F.M. LOGAN replied:**

I have no opinion whatsoever on what should happen in the future for the site, but if someone in Geraldton wants to make an offer to purchase the site—whether it is the council, business or anybody else—they should put it forward and we will discuss it with the Department of Finance.

#### 16 DAYS IN WA TO STOP VIOLENCE AGAINST WOMEN

**1080. Mr T.J. HEALY to the Minister for Prevention of Family and Domestic Violence:**

I refer to the McGowan Labor government's ongoing commitment to both stop family and domestic violence and supporting survivors. Can the minister outline how the government's 16 Days in WA to Stop Violence against Women campaign will help make a difference for vulnerable Western Australians?

**Ms S.F. McGURK replied:**

I thank the member for the question and all members in this place who have an interest in this issue. It is one thing to say that we want to stop our high rates of domestic violence in this state. It is another thing to think about how we will achieve that. As a government, we have done a lot. We have appointed a dedicated minister and allocated significant new resources to respond after violence occurs. Members would be aware that we took a platform of specific initiatives to the election and are working our way through meeting those election commitments. We committed \$21 million of new funding to those commitments and through the budget process have now allocated over \$53 million of new funding to combating domestic violence.

The 16 Days in WA to Stop Violence against Women campaign focuses on prevention and early intervention. We all have a role to play. Again, that is an easy comment to make, but it is another thing to take the time to work through our own spheres of influence, either in our work as parliamentarians, or to put the call to the community to ask people what they are doing in their workplaces, community groups, amongst friends and in their families to make sure that people understand how violence occurs, the extent of domestic violence in our community and how domestic violence looks. I would like to particularly thank the community leaders who have been part of this campaign, which is now into its third year. They have stepped up and said that they will do their bit to make sure that people understand that domestic violence in all its forms is unacceptable. Yesterday, at the event at Optus Stadium—I thank members here who are able to attend along with the Premier and the Governor—the captain of the Wildcats, Damien Martin, was an example of a community leader and an influencer who is prepared to stand up and say that he wants better for his community, and particularly wants better for his girls—his two daughters and his partner. I was pleased last night to have Jimmy Barnes endorse the campaign on social media. For those members who have not read his book, *Working Class Boy*, it is a compelling read that can help people understand the effect that violence and aggression in a household can have on children. I thank him for his endorsement of the campaign.

There was also someone there who was not on my radar, because she is a social media influencer—that is not a world I am that familiar with—she was an ex-contestant on *The Bachelor*, and, more importantly, she is a youth worker and an Indigenous person and activist, and has over 200 000 followers on Instagram, and that is Brooke Blurton. Today she presented a fantastic short video endorsing the campaign. I thank her for her advocacy. We have got a lot of other people from various walks of life to get on board to understand how domestic violence manifests and how we all have a role to play to say that it is not acceptable and we have to stamp it out in our community. WA has high levels of violence, and 16 Days in WA is an opportunity to stop it before it starts.

#### HUAWEI — METRONET CONTRACT

**1081. Ms L. METTAM to the Minister for Transport:**

Can the minister update the house on the progress of the Huawei Metronet radio replacement program, and whether there have been any delays or significant issues?

**Ms R. SAFFIOTI replied:**

I thank the member for the question. As I understand it, the program is being managed by the Public Transport Authority and is in progress and its delivery is being managed. It is a partnership; it is a joint venture between, as I recall, UGL and Huawei. The local manufacturer is out there doing some work and is working under the contract to try to deliver it as soon as it can.

#### HUAWEI — METRONET CONTRACT

**1082. Ms L. METTAM to the Minister for Transport:**

I have a supplementary question. Will the minister table all advice about any issues resulting from trade issues between Huawei and the United States government?

**Dr A.D. Buti** interjected.

**The SPEAKER:** Excuse me, member for Armadale. I did not realise you were there, but I call you to order for the first time.

**Ms R. SAFFIOTI replied:**

I am not really sure what the member is asking. Maybe I can have a discussion with the member later if there are any specific issues or things that she wants followed up. I am not exactly sure what the member is asking.

**The SPEAKER:** That is the end of question time, members.

**CHILD PROTECTION — WORKING WITH CHILDREN CHECKS***Standing Orders Suspension — Motion*

**MR P.A. KATSAMBANIS (Hillarys)** [3.01 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 condemns the McGowan Labor government, in particular the Minister for Child Protection, for failing to protect Western Australian children from child sex offenders through the working with children check and failing to fully investigate the true extent of this issue once becoming aware.

I believe there is an agreement as to time.

*Standing Orders Suspension — Amendment to Motion*

**MR D.A. TEMPLEMAN (Mandurah — Leader of the House)** [3.02 pm]: I move —

To insert 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 P.A. KATSAMBANIS (Hillarys)** [3.03 pm]: I move the motion. It is with great disappointment that I rise to my feet to speak on this motion and have the necessity to bring this motion before the house, because protection of our children is perhaps the primary reason why we as members of Parliament exist. We are here to protect the most vulnerable in our society. We are here to not only set laws into place, but also administer those laws to make sure that they are working in practice to protect those vulnerable members. No-one is more vulnerable than children, and one of the greatest areas of vulnerability for our children, and perhaps the greatest of all that can cause ongoing damage and sometimes intergenerational damage, is to child sex offenders.

Unfortunately, once again this minister and government have been found wanting, and not simply because of what the Auditor General discovered. The Office of the Auditor General did a follow-up on its previous report on the working with children checks and delivered a report titled “Working with Children Checks—Follow-up” on 23 October 2019—more than a month ago—and tabled in this place. It was follow-up work, as I said. We know there have been issues with the working with children check process for a long time. When I was a backbencher in the other place in the previous government, I raised these issues publicly and continued to raise them. I made no apology for raising them. It does not matter the colour or the stripe of the government; protecting our children is an obligation for all of us. Once this report was tabled, we had to basically pry with tweezers out of this government the exact extent of the failures of this system, and we found out in the other place the other day that of the 21 applicants who applied to work with children, continued to work with children and were issued with a negative notice within a 200-day period, 14 had been either charged with or found guilty of a child sex offence. There were 14 people who worked with children for up to 200 days who had been either found guilty of or charged with a child sex offence. That is the answer that the minister provided in the other place. We also found out that there were seven such people for whom the notices took more than 200 days to be processed, and of those seven, one either was charged with or had been found guilty of a child sex offence. This is absolutely not good enough. Just one person is one too many, but here 15 people were working for a long time with children and should have never been anywhere near children.

Today during question time, we asked the minister what she is doing about it. She basically said, “Oh, well, we know it happened; nothing to see here. I haven’t had any reports, so I’m just going to carry on.” We know that child sex offenders do not work in obvious ways. The way they offend is pernicious. It is ongoing and sly, and sometimes it takes years and years before people have the courage or even the knowledge to say something had happened to them when they were young. Once the minister found out on 23 October that this was happening, it

was incumbent upon her to inform every single organisation through which these people could have had access to children and every single parent and family of those children of the damning findings of the Auditor General and the failures of the working with children check, and put procedures in place to protect those families and to carefully work with them to discover whether any offences had occurred. What could go wrong? People who have been charged with or convicted of child sex offences are working with children. What could go wrong? My goodness! The minister can come in here today and say, “No-one has told me about anything, so I am just going to carry on as if nothing is going on”, but it is not good enough. That is not protecting children, families or anyone. The minister is sitting on her hands and doing nothing. That is the motive for this whole government. If a road or a railway line does not get built, that is a problem because of a do-nothing government, but if we do not properly investigate whether child sex offenders who had access to children committed vile crimes against these children, that is more than a problem; it is an absolutely horrendous disgrace and we are letting the children and the families of this state down. It is on the minister’s watch. If she cannot fix it, she may as well get out of the way and get someone in who can fix it.

**MR A. KRSTICEVIC (Carine)** [3.09 pm]: It is pretty obvious that the Minister for Community Services had no idea of the implications or consequences of the Auditor General’s report when it was released, because immediately after its release, the minister said, “We’ll sort things by June 2020. We’ll read through the report and sort out these issues, because there is nothing important or critical in this report.” She tried to quote the Auditor General’s report in a radio interview, saying, “But these 105 people who were finally knocked back needed to be given natural justice. We can’t stop them from getting a job just because we have not finished the checks. We need to give them natural justice.” She was trying to relate that back to the Auditor General’s report. The Auditor General said that natural justice is a factor; however, the importance of the safety and protection of children is paramount. The minister did not say that. She did not have the interests of children at hand when she spoke on this report. She was in no rush; she was saying June next year and that there was plenty of time. We know the minister has no intention to follow up on any of the issues identified in the report.

We know that small children are preyed on, unfortunately, all too often. This minister is not interested in the fact that 28 out of the 105 individuals had committed sex offences, and 15 of them had been either charged or convicted of child sex offences—effectively paedophiles. The minister is saying that paedophiles had access to children for a period of, believe it or not, if one looks at the averages in the report, 8.5 years. Those 15 paedophiles effectively had 8.5 years of access to children. They all had an average of 211 days, but we know it went from 83 to 384 days. For 8.5 years, sex offenders had access to children and the minister is saying there is nothing to see here. I find that unbelievable. If members look at the significant issues in the department’s annual report, they will see no mention that paedophiles and child sex offenders had access to children with the department’s permission. It gave them the right to work with children prior to a working with children check card being issued. To me that is a pretty significant issue. Why did it take the Auditor General to identify this issue? We know that 28 people fall into this category. Every month, a sex offender must have been identified by this department and knocked back for a working with children check card. One would think that the department would have reported back to the minister saying, “Guess what? We’ve got another one this month and another one this month and five this month. We might need to do something about this particular system because sex offenders are working with children for excessive periods of time and we are letting this happen.” Is the minister not talking to her department? We know that these people were doing overnight camps, babysitting and providing childcare services. Those are the services these people were providing, and, again, the minister says that there is nothing to see here. We also know that foster carers are caught up in this as well. Twenty-one foster carers did not have a working with children check card while they were doing their job, and 25 did not re-apply, so it was allowed to slip through the system. The president of the Foster Care Association of Western Australia, Fay Alford, is reported to have said —

She backed claims made by a foster mother who revealed her personal story of battling against the Department of Communities to WAtoday earlier this week, agreeing that the system was in crisis ...

Later in the article, she is reported as saying —

“We have got a government that isn’t terribly focused on child protection ...

The president of the Foster Care Association is saying that this minister does not care about child protection; it is not a priority. The Western Australian Council of Social Service is saying that the Department of Communities is a shambles. The Auditor General is saying that the Department of Communities is a shambles, there are no audit processes and that all people with a criminal record should be stopped and given an interim notice as of 30 October. The minister was very dismissive when we raised that issue in this place. She said that there is nothing to see here. Do members know why she said that? It is because the minister does not actually know what is going on until the opposition digs into an issue, finds out the facts and brings it to her attention. Even then, she says, “There’s nothing to do because these vulnerable children are not coming to me.”

**MRS L.M. HARVEY (Scarborough — Leader of the Opposition)** [3.13 pm]: I want to remind members in this chamber that the reason we are raising this issue again is that, from questions asked in the other place, we have now found that some individuals who are continuing to work with children for up to 200 days were refused

a working with children check because they had child sex offence convictions recorded against them. It is a very grave issue of maladministration of this minister's portfolio. We raise the issue for a number of other reasons. The Auditor General identified that two major issues have impacted on the working with children check system since the 2014 report. Not surprisingly, the first is the Royal Commission into Institutional Responses to Child Sexual Abuse, and the second is the formation of the Department of Communities in 2017. It is really clear that the creation of the mega-department in 2017 has been identified as a key reason for the failure of the Department of Communities, and therefore this minister, with respect to working with children checks. That is the reason we have convicted child sex offenders able to work in one-on-one situations with children in this state for up to 200 days.

When the Auditor General's report was handed down, any minister worth their salt down would have asked the questions: How many of those individuals had child sex convictions? Were those individuals working with children? What are the names of those children and the names of the institutions these people were employed in? We need to provide some support to those children, their families and the institutions. We need to understand whether there was any inappropriate conduct by these convicted child sex offenders while they had one-on-one contact with children prior to their working with children check being refused. That is what a minister should ask. A minister should ask the department to find out whether any children need to be interviewed by the child abuse squad within the Western Australia Police Force. A minister should be thinking about those children's welfare above everything else and asking those questions. When we asked the minister what she did about it and whether these individuals were working with children, she said that we have mandatory reporting, and she is not aware of any cases that have impacted negatively on children's wellbeing. She is not aware of the damage these convicted child sex offenders could have done to these children they were inappropriately in the company of—working as tutors, foster carers and attending overnight camps.

The minister cannot inform us of the risk that these children were put in, because of the chaotic maladministration within her Department of Communities. Moreover, the minister has not come out and said what she is going to do about the chaotic circumstances within the Department of Communities. Is she going to listen to the sector and pull the department of child protection out of that mega-department to remove it from the chaos so that the individuals in the working with children check area can have a clear line of sight to the person to whom they are responsible? Perhaps they might be able to count the number of employees the Department of Communities has absorbed from other departments in the creation of the mega-department and work out how many of them need a working with children check. How many of those individuals are exposed to children without having a working with children check? We do not even know whether some of those individuals might indeed be refused a check if they applied for one. Once again, minister, the Westminster tradition is that the minister is responsible for serious maladministration within the agencies and the portfolios that they manage. This is serious maladministration. We have raised this issue again because the minister's response has been woefully inadequate. The minister should be able to stand up in this place and say, "I have had my department investigate every one of those child who were exposed, and I am happy to report that no inappropriate conduct occurred during the time these child sex offenders were in the company of these children when they should not have been." The minister would be able to say that if she were a responsible minister working on behalf of these children who potentially could be victims.

**MS S.F. McGURK (Fremantle — Minister for Child Protection)** [3.18 pm]: The opposition's criticisms of the administration of the working with children check system under my portfolio, but also under this government, might ring a little more true if it was consistent in applying the same the same standards while it was in government. In fact, the Auditor General reviewed the system under the previous Liberal-National government, and very similar, if not identical, issues were uncovered. I do not remember any minister for child protection on the other side standing up and taking responsibility for those improvements, or, in fact, any improvements being given priority under the previous government. Most particularly, after the review of the act undertaken by the previous government in 2012—five years before it left office—there was no implementation of the improvements to the act under its watch.

The Office of the Auditor General's most recent review of the working with children checks makes a number of good points, which we have accepted, particularly around making sure we have systems to understand areas of risk and patterns, making increased use of interim negative notices, and also proactive work for education and compliance—more work needs to be done. A recently publicised example was the South West Football League, which should have conducted a working with children check on a coach who came in to volunteer or work for the organisation halfway through the season and so missed its checks at the beginning of the season. That organisation either was not aware of or, if it was, did not comply with its legislative requirements to undertake working with children checks for people who came in partway through the season. That is an example of how the department could be more proactive. Having said that, the department did prosecute the Cottesloe Surf Life Saving Club last year.

**The SPEAKER:** Members!

**Ms S.F. McGURK:** The department prosecuted someone who continued to volunteer in that club even though they did not have a card and knew that they should have had one, and it prosecuted the club, which allowed the volunteer to continue that work without a card. The department has done some proactive work, but I absolutely accept it needs to do more.

The Auditor General made a number of recommendations that we have accepted and will work to implement. One criticism is that if there is any level of risk, rather than allow people to continue to work while their applications are being processed, there should be increased use of interim negative notices. The legislation says that people can continue to do child-related work while their applications are being processed. I do not accept what the Leader of the Opposition said, which is that we should stop anyone and everyone from doing child-related work while the applications are being processed. That is what the opposition said; the Auditor General and the Royal Commission into Institutional Responses to Child Sexual Abuse did not say that. Did the Leader of the Opposition take the time to read what the experts said about that? No, she did not.

**Mr A. Krsticevic** interjected.

**The SPEAKER:** Member for Carine! You were heard in silence.

**Ms S.F. McGURK:** I read recommendation 25 from the royal commission's report, "Working with Children Checks Report", which was handed down in 2015. Recommendation 25 says —

State and territory governments should amend their WWCC —

That is, working with children checks —

laws to permit WWCC applicants to begin child-related work before the outcome of their application is determined, provided the safeguards listed below are introduced.

It goes on to outline the detail. It is very specific. Did the Leader of the Opposition bother to look at the experts' recommendations on those matters? No, she just put her hands in the air and said that we should stop everyone from doing any work while their applications are being processed. I do not accept that.

**Mrs L.M. Harvey:** I did not say that.

**Ms S.F. McGURK:** That is what the Leader of the Opposition said.

Several members interjected.

**The SPEAKER:** Members! You were heard in silence.

**Ms S.F. McGURK:** She later tried to retract it, but that is what she said.

**Mr A. Krsticevic** interjected.

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

**Ms S.F. McGURK:** In any case, I accept that there should be an increased use of interim negative notices in situations in which there is any level of risk.

**Mr A. Krsticevic** interjected.

**The SPEAKER:** Members on this side, you were heard in complete silence. I want the same for the minister. Member for Carine, I call you to order for the second time.

**Ms S.F. McGURK:** Thank you, Mr Speaker. As I said in question time, I have made it quite clear to the director general and the department that I expect them to look a lot more closely at their criteria for risk when issuing interim negative notices. That would have the effect of stopping people from doing child-related work while their applications were being processed if there were any level of risk—I accept that.

We continue to work on our improvements to the working with children check system and, of course, we are constantly looking at how we can improve that system. I have said this a number of times: I wish I could say that, as a result of that system and all the other legislation we have in place, we can be assured that no child is at risk. That is not the case. Even with these checks in place, and even with someone holding a working with children check card, we should not take our eyes off the ongoing work of being vigilant and aware of child safety. If we have learnt anything from the royal commission, it is that there is not one fail-safe system; there are myriad responses across our legislative regime, systems, institutions and community awareness about how child safety needs to be a priority.

As I said, the opposition's concerns would be one thing if it did not have such a poor record when it was in office. I refer to the Auditor General's report in 2014, which looked at its record. In 2014, the Auditor General said —

In a quarter of the cases we reviewed where monitoring had identified new criminal record information about card holders, it took longer than four months to issue an interim or negative notice. In one case it took 14 months to consider whether an interim negative notice should be issued because neither WA Police nor the Unit adequately resolved follow-up actions in response to the arrest of a card holder.

In one case it took 14 months, and on average it took over four months to issue an interim negative notice. The report continues —

The automated monitoring process also failed to detect the new criminal charge and report this to the Unit.

Similarly, on the failure of the previous government to have a more robust system of interim negative notices, the Auditor General said —

In nine out of 214 cases we reviewed, people were able to work with children because the initial criminal record information was either incomplete or inaccurate.

Did I hear anyone from the other side asking questions then? Did they raise it? Did the Leader of the Opposition raise that within her cabinet?

**Mrs L.M. Harvey** interjected.

**The SPEAKER:** Member, through the Chair, please.

**Ms S.F. McGURK:** Did the opposition raise that at ministerial level or with its colleagues?

Several members interjected.

**The SPEAKER:** Members!

**Ms S.F. McGURK:** Did the backbenchers raise those issues with their colleagues when the Auditor General's report came out?

**Mr P.A. Katsambanis** interjected.

**Ms S.F. McGURK:** Member for Hillarys, I would be interested to hear whether members opposite raised those questions, what assurances they were given and what evidence there is that they did that, because I doubt it very much. I did not hear any questions or debate from the opposition in the upper house about what sorts of systems its government was putting in place when exactly the same systems exposures were made crystal clear in the Auditor General's report in 2014.

This system has been improved. It is a system that Labor put in place when Alan Carpenter was Premier, so we are very clear. As the Premier outlined last time we were talking about these matters in Parliament, Labor has a very proud record of its working with children check system. The improvements to the mandatory reporting system—full stop—were introduced by Labor and, of course, the statute of limitations was removed so that when abuse occurred, people could seek and receive some justice for what had happened to them.

Finally, Western Australia is the first jurisdiction to report to the national database, CrimTrac. We are the first jurisdiction to make sure that we are complying with the national database to ensure that someone who has a negative notice in Western Australia does not go to another state. We are being proactive, but I absolutely accept that there is more to do. It rings more than a little hollow for the other side to say that this is maladministration and a complete failure of the system when we know that it did nothing when exactly the same faults were found —

**Mrs L.M. Harvey:** It's your machinery-of-government changes.

**The SPEAKER:** Leader of the Opposition!

**Ms S.F. McGURK:** No, that is not true! That is absolutely not true. If that were the case, why were exactly the same faults found when that member was in office? Did the Leader of the Opposition raise any of those questions in cabinet? Did you raise discussions with other child protection ministers?

**The SPEAKER:** Through the Chair, minister!

**Ms S.F. McGURK:** The Leader of the Opposition was the Minister for Police; did she raise any of these questions during the eight and a half years that the former government oversaw working with children checks when similar problems were uncovered? Improvements have been made to the system, but there are more improvements to make. As I have said before, working with children check cards are one avenue of assurance, but a person has to have been charged or have a conviction to have a working with children check application rejected. It could be that someone is a threat to children but they have never been caught or had a conviction or charge against them. Therefore, the criticism from the other side is a little hollow.

**MRS M.H. ROBERTS (Midland — Minister for Police)** [3.30 pm]: Our government and this Parliament is very fortunate to have the member for Fremantle, who, as Minister for Child Protection, does such an excellent job. She is in earnest and diligent. She has her heart in the job and has enormous capacity to do that job. There is no way that we would support this shallow motion from the opposition. This motion has more than a fair dose of hypocrisy to it. In 2014, three years before those members lost office, there was a damning report by the Auditor General, and what did they do? They did nothing. There was not a murmur from them. They sat on their hands and did nothing. They have never been genuine about these issues. They try to politically pointscore out of the tragedy and misery of children in the state. It is just wrong. They look for the shallowest opportunity to gain some little political advantage. The only problem is that they do not look back to their record in office when the most damning report came out. It is always Labor governments that take the initiative on things like this. The Carpenter government put the working with children checks in place in the first place. We did that earnestly and were leaders when we did that. This is a matter for continuous improvement. The sad thing is—no-one knows more than me as Minister for Police—that there are some really bad people in the community who do shocking things, but we have to put in place measures to best protect

our community members and our most vulnerable community members—children. That is why it was a Labor government that put the working with children checks in place in the first place. But the do-nothing Liberals received an Auditor General's report in 2014 and in three years it had not acted on it at all. By comparison, our minister is working hard, diligently, earnestly and sincerely for the betterment of all children in the state.

*Division*

Question put and a division taken with the following result —

Ayes (18)

Mr I.C. Blayney	Mr P.A. Katsambanis	Mr W.R. Marmion	Mr K.M. O'Donnell
Mr V.A. Catania	Mr Z.R.F. Kirkup	Mr J.E. McGrath	Mr P.J. Rundle
Ms M.J. Davies	Mr A. Krsticevic	Ms L. Mettam	Mrs A.K. Hayden ( <i>Teller</i> )
Mrs L.M. Harvey	Mr S.K. L'Estrange	Dr M.D. Nahan	
Dr D.J. Honey	Mr R.S. Love	Mr D.C. Nalder	

Noes (35)

Ms L.L. Baker	Mr M. Hughes	Mrs L.M. O'Malley	Ms J.J. Shaw
Dr A.D. Buti	Mr W.J. Johnston	Mr P. Papalia	Mrs J.M.C. Stojkovski
Mr J.N. Carey	Mr F.M. Logan	Mr S.J. Price	Mr C.J. Tallentire
Mrs R.M.J. Clarke	Mr M. McGowan	Mr J.R. Quigley	Mr D.A. Templeman
Mr R.H. Cook	Ms S.F. McGurk	Ms M.M. Quirk	Mr P.C. Tinley
Ms J. Farrer	Mr K.J.J. Michel	Mrs M.H. Roberts	Ms S.E. Winton
Mr M.J. Folkard	Mr S.A. Millman	Ms C.M. Rowe	Mr B.S. Wyatt
Ms E.L. Hamilton	Mr Y. Mubarakai	Ms R. Saffioti	Mr D.R. Michael ( <i>Teller</i> )
Mr T.J. Healy	Mr M.P. Murray	Ms A. Sanderson	

---

Pair

Mr D.T. Redman

Ms J.M. Freeman

Question thus negatived.

**DEPARTMENT OF FISHERIES SHOPFRONTS — CORAL AND NORTH WEST COASTS**

*Petition*

**MR V.A. CATANIA (North West Central)** [3.37 pm]: I present a petition signed by 98 petitioners that has been certified by the Clerk and is couched in the following terms —

To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, oppose the decision by the State Government to permanently close fisheries shops fronts at five locations—including Jurien Bay, Denham, Carnarvon, Exmouth and Karratha—leaving communities with no direct customer service

This move will have long-term detrimental ramifications to industry, recreational fishers, communities and regional economies, and could threaten the sustainability of our pristine World Heritage areas of Shark Bay and Ningaloo.

We therefore ask the Legislative Assembly to reverse the decision to close over-the-counter services and ensure shop fronts remain open to ensure access to ongoing marine and fishing education; compliance regulation; and licensing management across recreational and commercial fishing spaces, which are strong economic contributors to Western Australia.

And your petitioners as duty bound, will ever pray,

[See petition 164.]

**SHARK BAY — DOCTOR**

*Petition*

**MR V.A. CATANIA (North West Central)** [3.38 pm]: I present another petition signed by 34 petitioners and that has been certified by the Clerk and is couched in the following terms —

To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, agree that a permanent Doctor located in Denham (Shark Bay) is vitally important and a necessity for the town, surrounding communities and region to ensure residents and visitors receive the medical treatment and attention required, a basic health right. A permanent Doctor will reduce the need for residents to travel large distances to seek medical assistance and ensure medical treatment is readily available.

Medical treatment and attention is a basic need of all that is afforded to people residing in the Metropolitan area, but one that it seems is not deemed by the current Government as essential or necessary in regional areas. With more than 6,000 tourism beds in the Shark Bay area, along with permanent residents, the number of potentially vulnerable people is significant. We consider the lack of a permanent Doctor as unacceptable and indefensible.

We therefore ask the Legislative Assembly to call on the Hon Roger Cook, Minister for Health, to support regional families and instate a permanent Doctor to ensure residents of, and visitors to, Shark Bay and surrounding communities receive medical treatment and attention of basic health needs, the same that is afforded to people residing in the Metropolitan area.

[See petition 165.]

### PAPERS TABLED

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

### BILLS

#### *Notice of Motion to Introduce*

1. Work Health and Safety Bill 2019.

Notice of motion given by **Mr W.J. Johnston (Minister for Industrial Relations)**.

2. Safety Levies Amendment Bill 2019.

Notice of motion given by **Mr W.J. Johnston (Minister for Mines and Petroleum)**.

3. Electricity Industry Amendment Bill 2019.

Notice of motion given by **Mr W.J. Johnston (Minister for Energy)**.

4. Family Violence Legislation Reform Bill 2019.

Notice of motion given by **Mr D.A. Templeman (Leader of the House)** on behalf of Mr J.R. Quigley (Attorney General).

### McGOWAN GOVERNMENT — JOB CREATION

#### *Notice of Motion*

**Mrs L.M. Harvey (Leader of the Opposition)** gave notice that at the next sitting of the house she would move —

That this house condemns the do-nothing McGowan Labor government for failing to start any major job-creating projects by the end of three years in government, leading to lost jobs and ongoing domestic recession.

### LIVESTOCK INDUSTRY

#### McGOWAN GOVERNMENT — PERFORMANCE — TOURISM SECTOR

#### MINISTER FOR ENERGY — COAL INDUSTRY

#### McGOWAN GOVERNMENT — PRIVATISATION — ELECTION COMMITMENTS

#### MINISTER FOR TRANSPORT — MAJOR PROJECTS

#### *Removal of Notice — Statement by Acting Speaker*

**THE ACTING SPEAKER (Mr T.J. Healy)** [3.43 pm]: I advise members that private members' business notices of motion 1, 2, 3, 4 and 5, notice of which was given on 19 February and renewed for a further 30 sitting days on 6 August 2019, will be removed and will not appear on the next notice paper.

### HOUSING INDUSTRY

#### *Removal of Order — Statement by Acting Speaker*

**THE ACTING SPEAKER (Mr T.J. Healy)** [3.44 pm]: I inform members that in accordance with standing order 144A, the order of the day that appeared in the last notice paper as number 1 under private members' business, "Housing Industry in Western Australia", has not been debated for more than 12 calendar months and has been removed from the notice paper.

### ROAD TRAFFIC AMENDMENT (IMPAIRED DRIVING AND PENALTIES) BILL 2019

#### *Second Reading*

Resumed from 26 September.

**MR P.A. KATSAMBANIS (Hillarys)** [3.44 pm]: I rise as the lead speaker for the opposition on the Road Traffic Amendment (Impaired Driving and Penalties) Bill 2019. As the title of the bill suggests, it deals with driving impairment, particularly impairment through drugs or alcohol, and penalties related thereto, as well as some other minor changes to legislation that I will get to later.

The Liberal Party stands with every other law-abiding citizen in this state, including members of the government, members of the Nationals WA and members of the crossbench in the other place, in condemning people in our society who continue to flout not only the law but also their own safety and that of other road users by driving whilst they are impaired by either drugs or alcohol, or both drugs and alcohol. We welcome any changes to legislation that will make it tougher for those people who drive whilst impaired and that will punish them appropriately if they choose to drive whilst impaired. We do that unashamedly, because we have seen over decades the carnage that drink-driving and drug-driving can cause on our roads—the death and the serious injury that they can cause to the impaired people, their passengers and, more particularly, to other road users such as the people in other cars that they collide with, as well as pedestrians and cyclists. In some cases, we have even seen drivers impaired by drugs or alcohol driving their cars into people's homes and injuring people who are asleep, including babies safely tucked away in their own homes. The carnage is horrific. We see it on our daily news. We have seen the very confronting advertising, yet a small cohort in our community continues simply to believe that the laws of the land and the laws of physics do not apply to them.

**Mr R.H. Cook** interjected.

**Mr P.A. KATSAMBANIS:** I note that the Minister for Health has responded to my last comment.

**Mr R.H. Cook:** They defy the laws of physics!

**Mr P.A. KATSAMBANIS:** I look at the Minister for Health and the position he holds, and, unfortunately, Ministers for Health and the health system deal with these horrific consequences. They understand that the laws of physics are immutable and if someone runs off the road at great speed whilst impaired by drugs or alcohol, their judgement is impaired, they are going to cause carnage and they are going to end up in our hospitals, in our emergency departments and in our morgues. When I talk about the damage this causes people, we should never forget the damage caused to first responders, whether it be police officers, ambulance officers, tow-truck drivers, people in our hospital emergency departments or perhaps even innocent bystanders who run in as, thankfully, good Samaritans to assist when there is a road traffic incident and injured parties require assistance. We want to minimise and hopefully eliminate this sort of carnage, which is why over many decades now, really since the 1970s when we first started becoming aware of the damage impaired driving can do, we have continued to update our laws to reflect the fact that driving whilst impaired by drugs or alcohol is a serious offence.

It ought to be treated seriously, and those people who continue to do it ought to be appropriately punished.

This bill continues down the pathway that has been established for a long, long time now. The first major change that it deals with is one that could be described as an oversight, a gap or a loophole, but it is potentially a lethal gap or loophole. We know that when we drive down our streets, particularly our main roads and freeways, where there has been a police booze bus operation overnight, we often see a series of parked cars along the side of the road. That usually indicates the police have been successful in detecting drivers impaired by alcohol and that they have issued them with an immediate notice to leave their car and to find an alternative way home. People who are impaired by alcohol should get off our streets immediately. People should not be able to be clocked for driving whilst impaired and then drive off into the sunset to continue to present a risk on our roads.

Unfortunately, that element of our law that applies to drink-driving has not extended to those people who are detected at a roadside test of having the presence of a prescribed illicit drug in their system. Therefore, drug-drivers can theoretically be pulled over to the side of the road, tested by the police, and if the initial test is positive for a prescribed illicit substance, legally, those people can basically give the police their name, address and details and get back behind the wheel of a car and drive off into the sunset, despite having been detected as having illicit drugs in their system and potentially posing a grave risk to themselves and other road users. Anecdotally, I am told that police use a combination of persuasion, silver tongue and perhaps a bit of bluff to persuade those people to leave their car on the side of the road and to come back and get it the next day. But the police have no legal power to direct a person detected on the side of the road as having a prescribed illicit drug in their system to leave their car and find another way to get home. That is a serious risk. Just simply by bringing this bill into the house provides the opportunity for that gap to become better known in the community. Therefore, for that small cohort of hardcore offenders, the real risk is that they will get knowledge of this and choose to thumb their noses at those persuasive techniques that the police use presently. If a person is detected with a prescribed illicit drug in their system, they should not be allowed to drive off; it is as simple as that. If a person breaches the alcohol laws, they have to leave their car on the side of the road. It should be exactly the same with prescribed illicit drugs. I recognise, of course, that the roadside test for drugs requires a few other steps before things can be proven, and there is always a presumption that the test may not necessarily be 100 per cent accurate. But if there is a risk that we are putting an impaired person back on the road, we should be eliminating that risk. Therefore, we support the provision that is being introduced here.

Our concern is—it is particularly a concern for me—about the length of time it is taking to get to the position of implementing this small but very necessary change in the law. We have tabled the bill and it has sat around for a few months in this place. Hopefully, by the end of this week, it will have got through this place and will go to the Legislative Council. We know that they have a little bit of work over there, but sometime next year, the

Legislative Council will get around to looking at this bill and hopefully pass it as well. But in the meantime this loophole continues to exist, especially over the busy Christmas period, which we know is a high-risk period for dangerous incidents to occur on our roads. We know the road toll usually spikes during holiday periods, including the Christmas holiday period. We want to avoid that happening. Governments of all persuasions and well-minded citizens and good corporate citizens engage in campaigns to discourage bad driver behaviour. We know that 99 per cent of people listen to that, but a small cohort does not. I would have thought that this would have been one more weapon police could have had in their armoury coming up to this Christmas holiday period—that is, if they detect a driver who has a prescribed illicit drug in their system, they could at the very least issue them with a notice or a direction to leave their car on the side of the road for 24 hours. That would take just one more risk factor off our roads.

In good faith, when the legislation was tabled and I had an opportunity to look at it, I wrote to the minister and suggested that perhaps, knowing the time frames that we have been working under in the last few months in this place and in the other place, she would consider simply severing these particular provisions and bringing them in in a standalone bill. If she had done that, we could have come in here and I could have got up and said some nice things for five minutes and the minister could have said some nice things and we could have sent it over to the other place. We could have used some powers of persuasion to get its members to find another 10 minutes in their schedule to get it through and we would have got it on the books before Christmas.

**Mrs M.H. Roberts:** Have they ever dealt with anything in the upper house in 10 minutes?

**Mr P.A. KATSAMBANIS:** Minister, if we do not dare, we will never find out. I have a saying I used to use a lot when coaching kids footy, which probably harks back to my own footy career and gives an idea of why I did not progress as far as perhaps others thought I would: you miss every shot for goal that you do not take. It is the same here. If we do not take the chance, we are never going to know. We can laugh and scoff —

**Mr D.A. Templeman:** We are gun-shy.

**Mr P.A. KATSAMBANIS:** Perhaps it is being gun-shy, Leader of the House. Whatever it is, I did offer that suggestion in good faith. I know the minister did not accept it. I was not trying to be funny or sneaky or tricky; I was just simply saying that we have identified a loophole that should have been closed yesterday, so let us close it. That is all. The minister did not accept that, so I moved on. I do not criticise the minister; I just simply say that sometimes we can get stuck in procedures. I used to be in the other place; nowadays, I do not even want to contemplate what actions they might take, because a little bit of knowledge is a dangerous thing. We are talking about road safety. We are talking about a really important issue in relation to road safety. We are not talking about inching up the penalties or tidying up some of the language; we are talking about a serious road safety issue. I would have thought that if we used our joint powers of persuasion, perhaps, members over there would find half an hour to get something through. That is not going to happen now. It was offered in good faith. I accept that the minister has other reasons for not doing it, so we will keep moving.

However, it is an important change and one that we absolutely and fully support. I wish, and the Liberal Party just wishes, that we could have streamlined the process somehow to make it a reality sooner rather than later, especially, as I point out, as we come up to that really dangerous Christmas holiday period. I do not want to indulge too much in these matters, but I take this opportunity to join the minister, the Premier, the Leader of the Opposition, and everyone in between, in urging the public of Western Australia once more to be extra careful and more vigilant than ever before, with themselves and their own driving habits, their family and friends and their driving habits, and, in particular, to just be more aware on the road because they do not want to become the inadvertent victim if they can avoid it. Unfortunately, as experience tells us, we know that there will be idiots on the roads. We want to minimise the number of idiots until eventually we get to the golden point at which we have zero idiots on the roads. People should be ever-vigilant, especially in these holiday periods.

The next change this bill seeks to make is the introduction of a new offence that targets people who drive with both an illegal level of alcohol and prescribed illicit drugs in their system. We know that is a community problem. We know that a number of people use alcohol and drugs in combination with each other. It is a lethal mix—a lethal cocktail. We know the damage that driving while impaired by alcohol can cause on our roads. We know the damage that driving under the influence of illicit drugs can cause on our roads. When you mix the two together, it multiplies the risk by a massive number, so it is a seriously dangerous thing to do. I was told at a briefing the minister's office organised for us that once police find someone who has been drink-driving, they stop there because in most circumstances the penalty that applies for drink-driving is higher than the penalty for drug-driving. I suggest that the Minister for Police could flag that as an area in which more work needs to be done in the future. I do not want to put words in the minister's mouth, but I see her nodding at least semi-approvingly. In today's day and age, that is another area I think we need to tighten up, and tighten up quickly. Currently the penalties for drink-driving are higher and police, knowing that their time is precious—they are run off their feet anyway—stop there and do not bother testing for illicit drugs.

The government is introducing a new offence in this bill that deals with people who have both an illegal level of alcohol and prescribed illicit drugs in their system. It will be a high-level offence to indicate the gravity and seriousness of acting in this way. The opposition obviously supports that provision. As I said, the next step is to get the drug-driving penalties toughened up too.

There is not much more I can say around this offence, other than it is a lethal mix. Excessive levels of alcohol and driving is dangerous. Illicit drugs and driving is dangerous. Mix alcohol and drugs with driving and the potential for damage and harm and carnage on our roads increases exponentially. We want to stop it. If people think they can get away with it, giving them a tough penalty is a good way to go because they do deserve punishment. There is no excuse for not knowing the consequences. Young people today are told about the consequences right through school. They know that well before they go for their driver assessments. They need to read up on all this sort of stuff before they go for their driver assessments, particularly their learner's permit assessment. They know about it, so if later on in life they choose not to listen to it and they are detected, they ought to be punished appropriately. The opposition supports that.

The third element of change this bill introduces is an increase in penalties for drink-driving and drug-driving offences to keep up with inflation in some way and also to ensure that they remain an effective deterrent. I have spoken in this place before about Western Australia not having an effective whole-of-government approach to incrementally increasing prescribed penalties to reflect the time value of money and to keep up with inflation. Often, if we leave penalties on the books for a period, what was a significant financial deterrent 10 or 20 years ago may not necessarily be much of a financial penalty at all and may seem like a slap on the wrist. Being vigilant in increasing penalties is a good thing to ensure that they remain a deterrent. We support that. I note that the increases to the penalties still bring us to around the national average. This is me freelancing a bit, if you like, and expressing my own personal opinion: considering Western Australia's performance in road safety, particularly over the past five years or so in comparison with some of the other states, using even higher penalties as a potential deterrent would probably be a better outcome. I realise that penalties may not be a deterrent for everybody, particularly some of those hardcore idiots I described before who simply do not think that these things apply to them. It may not deter them, but in the main, for the average person, stiff penalties act as a deterrent and financial penalties and licence cancellation penalties also act as a deterrent. I have no problem in saying that the Liberal Party supports the increases that are brought forward by this bill. We would happily consider any other suggestions brought forward in the future.

The fourth element this bill brings before us is a streamlining of some of the enforcement processes around drink-driving and drug-driving, a modernisation of the language and removing some of the obsolete provisions in our Road Traffic Act. Some things have changed and legislation needs to reflect both reality and practice. For instance, references to blood testing will be removed because that is not done routinely for drink-driving anymore. A number of sections have become obsolete through other amendments. For instance, the legislation will delete section 72A of the Road Traffic Act that requires a review of certain provisions that had been introduced by the Road Traffic Amendment (Drugs) Act 2007. The provision is obsolete because the review has already been conducted. The review was tabled in Parliament more than 10 years ago, so that section is obsolete. A series of sections will either be deleted or amended to update them and modernise some of the language as well. The opposition supports that. We do not see it as anything other than good housekeeping. Given that we are introducing some substantive changes to the bill, it is a good opportunity to tidy up the rest at the same time and do the housekeeping I suggested.

That brings me to the last substantive change that this bill will introduce. It is contained in clause 41 and makes a significant change to the regulation-making power in the Road Traffic Act 1974. Keen students of legislation would note that the regulation-making power in the Road Traffic Act is not a standard regulation-making power. It is quite lengthy and prescriptive in many ways. This legislation will introduce a unique new element to it. It will insert a proposed section 111(1)(b) into the Road Traffic Act, which states —

(1) The Governor may make regulations —

...

(b) to regulate or prohibit, or anything that is necessary or convenient to be prescribed to regulate or prohibit —

(i) using a vehicle with a device attached to, or removed from, the vehicle; and

(ii) using or possessing a device while a person is within or on a vehicle.

That is all well and good. If we look at the explanatory memorandum to find out what the minister and the government intends to do with this, we can read —

Clause 41 implements Reform 5 —

That is, reform 5 of this bill —

by inserting proposed new section 111(1)(b) to confirm that regulations can be made to regulate the use of devices in vehicles in both positive and negative terms.

That does not tell us a lot—"both positive and negative terms". Does that suggest that it will regulate whether people can or cannot use a device? That is all well and good. We were left to ponder what this really means. It talks about devices. We know that devices are already regulated. The classic device, which becomes a subject of discussion quite regularly at the moment, whether it is at dinner parties, in this place, or in the media, is the humble mobile phone. That is a device and we know that the use of mobile phones in motor vehicles is regulated at the moment. That is right, and we are not criticising it in any way. It is the right thing to do. If people are driving and

their mobile phone is at their ear, the police can pull them over and issue them with a notice. I notice a lot nowadays that people have the phone on the steering wheel and seem to be tapping away. I am told that some people have been detected watching movies and all sorts of things on their phones while driving. We are already doing that, so what is this change to the regulation all about? There has not been any impediment to making laws about the use of mobile phones. We delved deeper into it and at that briefing we asked what it was about. We were initially told that it was to futureproof the legislation and that there might be new devices in the future. We do not know what those devices will be or what they will look like. If push comes to shove, we can bring in legislation anytime we want anyway, so why do we need this regulation-making power?

We were eventually told that it was because consideration was being given to banning what are colloquially known as radar detectors, which are used by some people to detect the presence of radars or police enforcement action to get people who are driving above the speed limit. Those devices can currently be used in Western Australia and there is no prohibition against them. Some people choose to use them. I think some truck drivers and others choose to use them. There are as many opinions as there are people as to the relative merits of these devices—whether they are good or not good for road safety. I do not want to get into that debate today and I do not think this is the time to have that debate. This is a debate about an amendment to the Road Traffic Act to deal with drug-drivers and drink-drivers. No mention is made of radar detectors in the bill, the explanatory memorandum or the minister's second reading speech. There is a debate about whether it is a good thing or not a good thing. Some people say that anything that makes someone slow down is a good thing. Other people say that if people slow down only selectively, they will feel free to speed the rest of the time, and that is a bad thing. As I said, that is a debate for another day. The issue with including this provision in this bill is that it is a classic example of regulation by stealth, by slipping something in that is completely unrelated to the rest of the subject matter or to a general prohibition to regulate devices. As I said, we already regulate the use of lots of devices in cars, including mobile phones. It is not as though there is a paucity of legislation that allows us to deal with those issues.

I am willing to give the minister an opportunity to further delve into this in summing up or later in consideration in detail, but this appears to be an attempt to slip something completely different into an otherwise innocuous and, in many ways, important bill. As I said, the regulation-making power in section 111 of the Road Traffic Act is quite prescriptive. This extra bit did not have a good explanation to start with and the best explanation that we have been able to divine so far is that there is an intention to at least look at banning the use of radar detectors. We seek a better explanation from the minister. Is that the case? Is that what this is intended for? If it is intended that it be included for that purpose, how and why is the government precluded from making regulations or legislation about radar detectors now? Is there any intention to have a public debate on the merits or otherwise of radar detectors before a ban is considered? Why is the government acting so stealthily? If that is not the case at all—if we are mistaken, or the information we received at the briefing is inaccurate or incomplete, or our interpretation of it is inaccurate or incomplete, what is the real rationale behind the inclusion of proposed paragraph (b) in the regulation-making power of section 111(1)? At this stage, as members of the opposition, we look at it and we shake our heads.

I spoke earlier about a little experience I might have had in the other place. The other place takes particular interest in regulation-making powers and whether they are Henry VIII clauses that fall foul of legislative principles. Without delving into the internecine details of Henry VIII clauses, one look at this clause and the explanations around it would suggest that our friends in the other place might pay particular interest to it and whether it is in fact a Henry VIII clause or otherwise an inappropriate expansion of regulation and regulatory-making power in an area that ought to be reserved for the legislature. I raise this issue and I will raise it again at the consideration in detail stage because, as I said, if the minister wants to get up and say that we need to have a debate in this state about whether radar detectors should be used in the future, I have no issue with that. I personally have no concluded position on it, because it is not an issue that was brought before us in legislation. It is an issue that the Liberal Party does not have a position on, because we believe that in order to come to a position, there needs to be a debate in which we can listen to the relative merits of the arguments. I have no issue with having that debate, but do not bring in a ban by stealth, or do not bring in the power to impose a ban by stealth and then bring in that ban by stealth, because that is not good government, that is not good legislation making and it is certainly not good regulation making. We questioned this. We asked why it is here. We will reserve our judgement and give the minister an opportunity to explain in summing up, and she will perhaps indulge the house for a bit longer than a few moments during the consideration in detail stage on this clause. But, at the moment there is nothing before us to suggest that this addition to the regulation-making power in the legislation is a stealthy way of dealing with an issue that deserves appropriate consideration and public scrutiny. It is not good enough to simply slip it in with a whole series of unrelated clauses and issues—the rest of the bill deals with drivers who are impaired by drugs or alcohol—and go away and let some bureaucrats deal with an issue behind closed doors where the public will not get a say. That is where we have an issue and we would welcome the opportunity to discuss it.

However, we stand with every right-minded and community-spirited Western Australian in dealing with the other provisions and the principles behind those other provisions. We condemn drink-driving and drug-driving. We want police to get drug-drivers off the road once they are detected, and give them an opportunity to go home and get off the drugs before they get behind the wheel of a car again. We are happy to send a message that if someone drives

with both illegal amounts of alcohol and prescribed or illicit drugs in their system, that is a very, very serious offence—a dual offence—and they will be appropriately punished for it. We welcome the opportunity to increase penalties so that they become contemporary and continue to act as a deterrent. We welcome the opportunity for some housekeeping along the way to tidy up some of the language and remove the obsolete provisions, and we generally wish this bill a speedy passage through the house. Regarding the issue of banning drug-drivers for 24 hours after they have tested positive to a prescribed or illegal substance, we just wish it could happen now, that it could happen today and that from today forward police could have that power so that they do not have to rely on a bit of bluff, silver tongue, goodwill and commonsense and they have legislative power and protection behind them. Unfortunately, that will not happen.

In closing, I reiterate that we are coming up to a very dangerous period on our roads. I hope every single Western Australian starts thinking about themselves, their family and every other road user, and they make sure that they do not drive when impaired by alcohol or drugs. I also hope that they consider the rest of their driving activity so that they do not drive distracted and do stupid things on the roads. The whole idea is to get through this period like every period, with no deaths and no serious injuries on the road. It might be aspirational, but if we stop aspiring to get there, we will not get there and it will not be good for our community.

**MR K.M. O'DONNELL (Kalgoorlie)** [4.25 pm]: Greetings, Acting Speaker. I, too, rise to speak on the Road Traffic Amendment (Impaired Driving and Penalties) Bill 2019. I wish to speak as a former police officer and about some of my experiences. I, too, rise to support the bill. The first thing that hit me when I read the explanatory memorandum was the provision to allow a police officer to immediately prohibit a driver who tests positive to the presence of a prescribed or illicit drug from driving for 24 hours. We would have loved to have this in the 1980s, when I first joined the police force. We did not have the ability to prohibit a driver, even for drink-driving. I remember getting to Kalgoorlie–Boulder in the 1980s and driving with a good friend of mine who is now a senior sergeant and has been the officer in charge at many police stations. We would drive around and stop vehicles here and there. Back in those days, all we had was our little bag of crystals; we did not have any drug-testing equipment. I do not think anybody having drugs in their system was ever mentioned back then; it was alcohol only. We would stop the driver and ask them to blow into the bag with the crystals. If it was in the evening, we would then walk around to the front of the police car and stand in front of the headlights. It would be me, my partner and the offender, and we would bend down to hold the bag in front of a headlight to see whether the crystals changed colour. We would tell the offender, “If it changes to green, you’re gone.” We would hold it there, and this is the only time we would ever see an offender get really close to a police officer. The officer would hold it and the offender would look down to see, because they do not want it to turn green. We could see that before the crystals would change. The indication that somebody had alcohol in their breath was all we had to go by. We would then convey that back.

The 1980s was a very different time. I remember going to barbecues whilst I was on duty. We would stop at them when we were in the country and would be offered a beer at the barbecue. I was not a very good drinker and hardly partook in alcohol at all, but it was not uncommon for officers to have a drink on duty when I first joined the police. When we stopped people for driving, sometimes we would stop someone who would be quite civil but we could smell a little bit of alcohol and the crystals only changed a bit. We used to say, “Where do you live? Hop in the back of the van and we’ll drive you home.” One officer even said, “Give me your car keys and pick them up tomorrow.” That was her way of trying to do a prohibition notice, and it was very good. Back then you could use your discretion, but that all changed in the 1990s and onwards; there is no discretion anymore. I learnt after attending various drink-driving accidents in which people were killed that you do not give people a chance. If they are drinking and driving, they are gone; there is no, “Oh, we’ll give you a second chance”. No, I am not for that.

We talk about the counting rules. This is another one that I am very impressed with and thoroughly applaud. Many a time, we would charge a person with a blood alcohol content in excess of .08, and then a month or two later, weeks later or even days later, we would charge them with drink-driving. They have been convicted of the .08 offence. They come to court for the drink-driving offence, and it is regarded as their first offence. Of course, for drink-driving it is their first offence, but they have been driving with alcohol in their system before. It should be a second offence, but back then it was not, so people got away with it. They could have four driving with alcohol offences and have it regarded as only their second offence, so I applaud the court now taking into account the previous conviction against section 64 and sentencing the offender according to the higher prescribed penalties for a second or subsequent offence under section 64AA.

Section 62C is amended under clause 5 by increasing the prescribed penalties for driving instructors who provide driving instruction while having a prescribed illicit drug in their oral fluid or blood. Again, yes, that is a good move. In my time, I stopped cars in which the person in charge of the L-plater learning to drive had been drinking, but back in those days there was no offence for the person teaching a person to drive not being sober. I am very glad that the penalties for this have been increased.

I refer now to section 67AA and the failure to comply offence, which makes it an offence for someone to fail to comply with the requirement to undergo a driver assessment or a requirement under section 66B. My question is about the penalty for that. I think we had a minimum for it of 34 PU. My personal opinion is that if a person who has been drinking or has taken drugs fails to comply, they should have a minimum. It is very hard for a magistrate

to then say, “Oh, yeah, all right. You failed to comply. Do I give you a minimum, halfway?” I firmly believe no; hit them with the maximum. If that is the first time—their first drink-driving offence, their first drug-related offence driving a vehicle, their first failure to comply—hit them, at a minimum, with their second offence; even their third, completely and utterly. We do not want people failing to comply with the officer’s requirement, whether it is to give a drug sample or to give a breath test. In my time as a breathalyser operator, many people failed to comply: “No, I’m not blowing.” They were then charged with driving under the influence—the highest one there is. That is great; that is what should be done. After fingerprinting them, I would ask, as I was about to bail them out, “Why did you not blow into the machine and give a sample of your breath?” Numerous times they would say, “My mates told me that if you’ve been drinking, the easiest way is just don’t blow and you won’t go.” That was the comment. I tell my family, my friends, anyone, “If ever you get caught, follow the officer’s instructions and blow. You never know; you might go low rather than high.” Back then, as soon as you failed to blow, you got done for DUI. I would rather have seen a much higher penalty in this legislation for failing to comply. We want to deter people from failing to comply.

I turn now to the ability of police officers to issue a prohibition notice to prevent persons from driving for 24 hours if they are found to have a prescribed illicit drug in their oral fluid. I mentioned earlier how, back in the old days, some officers would hold their keys, while others would drive people home. I applaud this and the 24-hour provision. I have been in situations in which we have arrested someone for drink-driving. The car remained on the side of the road and we placed the offender in the back of the van and drove back to the police station. They underwent the breath test. Back then, as soon they had done the breath test, they were fingerprinted and photographed and then let out on bail. We then sat down and started typing for about half an hour or 45 minutes. After we had finished our paperwork, we would get back in the van and drive out; the next minute we would drive past where the car had been parked, and it would be gone. He had got back in the car and gone again. If he was smart enough, he would probably make it home and be safe, but, no, in this one instance, he continued driving around, so we pulled him over and he was done for a second time on the same night. The chances are that that might not happen with a prohibition notice.

Clause 40 inserts proposed new section 110A, which refers to grievous bodily harm and a second person dying. My question to the minister is: if multiple people die in an incident and the driver is still alive, does that mean only one charge is put up under proposed new section 110A? Under proposed section 67(3), the incident ultimately results in death after the commencement of the proposed new section. The driver may still be prosecuted and convicted under proposed new section 67(3). I dare say that if there were multiple deaths, there would be charges for that, but on this it refers to a second person. I do not know whether that means the death of a second or more persons.

I also have a question about the amendment of section 111; the member for Hillarys asked a question about that as well. I read clause 41, which amends section 111. I am not being rude, but that was completely written by a lawyer; I have no doubt.

**Dr A.D. Buti:** A lawyer drafting legislation?

**Mr P.C. Tinley:** Give it to an artist!

**Mr K.M. O’DONNELL:** For those who have not read it, it is not that long.

**Dr A.D. Buti:** Which clause is it?

**Mr K.M. O’DONNELL:** It is clause 41 on page 63. Proposed section 111(1)(a) states —

- (1) The Governor may make regulations —
  - (a) for any purpose for which regulations are contemplated or required by this Act and may make all such other regulations as may, in the Governor’s opinion, be necessary or convenient for giving full effect to the provisions of, and for the due administration of, this Act, for the equipment and use of vehicles and for the regulation of traffic, generally; and
  - (b) to regulate or prohibit, or anything that is necessary or convenient to be prescribed to regulate or prohibit —
    - (i) using a vehicle with a device attached to, or removed from, the vehicle; and
    - (ii) using or possessing a device while a person is within or on a vehicle.

**Dr A.D. Buti:** That’s as clear as mud!

**Mr K.M. O’DONNELL:** Yes. It just makes it hard. I was thinking along the same lines as the member for Hillarys. Are they thinking about radar detectors? To some people, radar detectors are good; to others, they are bad. There is good and bad. I notice that in the metropolitan area, the media lets people know where the speed cameras are located. In the country, that does not happen; no-one is told where the speed cameras are. I do not know whether that is an imbalance. As a country driver, my personal opinion is that I would rather not know where the speed cameras are, because it makes me think about where they could be and about my driving and my speed. I do not know whether that happens in the metropolitan area, but in the country, drivers will flash their lights to let other drivers know that there is a speed camera.

**Mr P.C. Tinley:** Isn’t that an offence?

**Mr K.M. O'DONNELL:** When I was a police officer, minister, we used to pull over the car if the driver had flashed their lights. Some officers would even chuck a yellow sticker on the car and say, “You’ve got faulty lights”, and the driver would say, “No, I haven’t.” However, the police were directed not to do that anymore. A driver who flashes their lights does not know who is coming towards them. I tend to think that some people flash because they do not like authority—they have been done by a speed camera, and they do not want anyone else to be done by it. I also think it is a speed deterrent. I have driven along Great Eastern Highway in the middle of nowhere and I have seen a car coming over the ridge, and from all my years of experience, I know the driver is speeding. If I am in my own personal car, I flash my lights at them—and the next minute I can tell that the car is not going as fast as it was. If I have done my bit in slowing them down for the next 20 or 30 kilometres, I think that is well and good.

I think the jury is out on radar detectors in cars. I notice that speed cameras tend to be in the same spot. I do not know whether camera operators have a favourite spot. The traffic officers in Kalgoorlie–Boulder have their favourite little spots. I do not know whether anyone is old enough to remember, but back in the 1980s, when we drove along the tree-lined streets and headed into Northam, on the left-hand side there would be a traffic copper with his radar gun. Nine times out of 10, they would be in that same spot. In Kalgoorlie–Boulder, the coppers love to stand outside the old Main Roads building in Hannan Street, now the St John’s building. They love that one at the bottom of Piccadilly Street. Some people want to have a radar detector so that they will know where the speed cameras are. However, after reading this bill and thinking about it and doing some research, I have no issue. If this says that people cannot use radar detectors, I personally would have no issue with that at all. If this bill will stop people from having radar detectors, that is fine; I will roll with the government on that one.

That is about all from me. Thanks for letting me talk on this one.

**Dr A.D. Buti:** We’re very happy that you did! It was very sensible.

**Mr K.M. O'DONNELL:** Thank you, member for Armadale.

**MS C.M. ROWE (Belmont)** [4.43 pm]: I rise to make a contribution to the debate on the Road Traffic Amendment (Impaired Driving and Penalties) Bill 2019. The key functions of the bill are to address drink and drug-driving right across our community in Western Australia. This is a really important bill, given that drink and drug-driving is a key factor in approximately 20 per cent of all fatal crashes—that is one in five fatal crashes—not to mention that it also plays a part in one in 10 serious injury crashes. Let us not forget that these are not just statistics; they reflect the tragedy of lives lost in our community on our roads.

Over recent decades, attitudinal changes have occurred across our community. I personally recall that when I was growing up, every time we turned on the television, we were faced with advertisements that were designed by the government to deter drink-driving. They were, “If you drink and drive, you’re a bloody idiot.” These advertisements were particularly graphic. I think they played a significant role in altering societal views on drink-driving quite significantly. However, it is clear from the incidence of drug and drink-driving in our community that there is still a long way to go. It is a major hazard for other drivers and road users, and has devastating effects for victims and their families. That is why this bill is so critical. I would like to take this opportunity to thank and acknowledge the work of the Minister for Road Safety for continuing to do everything within her capacity to make sure that our roads are safe for all who use them.

The key elements of this bill are, firstly, that it will allow police officers to immediately prevent a driver who tests positive to an illicit drug in a roadside test from driving for the following 24 hours. Drivers are effectively taken off the road straightaway while they are drug affected. That is really important. It seems nonsensical that this does not happen presently. It is a really important change to make sure that drug-affected drivers are removed from the roads immediately. Secondly, it will introduce a new offence that will target people who drive both with a blood alcohol level above the legal limit and while affected by illicit drugs. Importantly, this bill will increase the penalties for existing drink and drug-driving offences to ensure they continue to be relevant and effective in terms of deterring this behaviour going forward. That is certainly the intent of the proposed changes. The bill also seeks to streamline the enforcement processes for such offences.

It is increasingly evident that drug-driving is a major contributing factor in driver impairment. The costs to our community exceed \$460 million every year. There is also the terrible cost of loss of lives and major injuries that results from this stupidity that is continuing to occur. Presently, we have the incredible situation in which a driver identified as drug affected can continue to drive, whereas a driver who is identified as alcohol affected has their keys taken away immediately on the spot. Thankfully, this bill will rectify that by empowering the police to prohibit a drug-affected person from driving for 24 hours. I really welcome that change. Such provisions are already in place in many of the other states. It has been in place in Queensland since 1999. Western Australia and Tasmania are the only two jurisdictions remaining that do not have this type of legislation. I would suggest that that is not in line with community expectations around how police and governments should deal with this type of behaviour. It is simply not sensible.

As many members have mentioned, drugs and alcohol together exponentially impair a person’s ability to drive. This bill introduces a new offence of driving while affected by both alcohol and illicit drugs, known as a “polydrug” offence. The 2013 Wolff report in the United Kingdom, “Driving Under the Influence of Drugs”, found that drivers

affected by cannabis were six times more likely to be involved in a crash, but when the use of cannabis was combined with the consumption of alcohol, a crash was 16 times more likely to happen. Furthermore, the European Union's project on driving under the influence of drugs, alcohol and medicines found that drivers under the influence of both drugs and alcohol are 29 times more likely to be killed and 32 times more likely to be injured in a vehicle crash. The evidence is there that this combination is absolutely diabolical, so it is really important that we address that combination within this bill. A combined offence was recommended in the 2015 report of the Community Development and Justice Standing Committee entitled "Are We There Yet? How WA Police Determines Whether Traffic Law Enforcement Is Effective". That committee was chaired by the member for Girrawheen. We know that when the opposition was in government, it really took no action on this front. That is a real shame, especially in light of the prevalence of methamphetamine right across our communities, in both metropolitan and regional areas.

The new penalties established by this bill reflect the seriousness of the offences and the seriousness with which this government is tackling these issues to try to make our roads safer. Again, I think these laws will be more in line with what the community expects us to do and what it expects our police to be able to do—that is, to be empowered to make sure that these idiots are off our roads. A polydrug penalty will be 1.5 times the penalty for drink-driving alone. These penalties include minimum periods of disqualification of drivers' licences and a major increase in the fines. Currently, the maximum fine for a first time offender with a blood alcohol content of .05 is only \$500. The bill will increase that penalty. For example, a driver with a blood alcohol content of .08 or greater will face a maximum fine of \$4 500 and, importantly, lose their licence for at least 30 months. Those who drive while affected by drugs will be fined up to \$7 500 or face 18 months in jail. These penalties show how seriously we take road safety in WA. I really welcome that increase in penalties. I hope it acts as a major deterrent to this reckless behaviour, so that it stops and we do not see any more tragedies.

Further to the increase in fines, there is now a penalty for those who fail to comply with a request to provide a breath or blood sample. As the member for Kalgoorlie said, in the past, people refused to have their blood alcohol content tested through a breath or blood test. That will now be an offence called "failure to comply", which will hopefully rectify that issue. The effectiveness of this bill in reducing road trauma will be further strengthened by our government's commitment to increase funding to roadside drug and blood alcohol tests by police. That is really fantastic, because it will help strengthen what this bill can, and hopefully will, do. The bill is obviously designed to make our roads safer and road users more accountable for their actions, with the ultimate desire being to deter drink and drug-driving and hopefully save lives. Any law that seeks to reduce the number of deaths on our roads is critically important and, frankly, long overdue. I commend this bill to the house.

**DR A.D. BUTI (Armadale)** [4.53 pm]: I also rise to contribute to the debate on the Road Traffic Amendment (Impaired Driving and Penalties) Bill 2019. I endorse everything the member for Belmont said in her contribution: this is all about improving safety, trying to reduce injury to drivers and others and trying to reduce the cost to our community. When the minister introduced the bill, she stated in her second reading speech —

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 economic and social effects and the effect on families when people die or are seriously injured are, of course, enormous, especially when these could have been prevented by people not being under the influence of alcohol or drugs. As a government, a Parliament and a community, we should seek to do whatever we can to try to decrease the use of substances, whatever they may be, that impair, inhibit or diminish road performance so that we can try to reduce the consequences, which are fatalities and injuries from major crashes. Further along in the minister's second reading speech, she stated —

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.

This bill is long overdue. The bill introduced to the house by the minister is, from my understanding, supported by the other side. We really need to move this along. As the member for Belmont did in her contribution to this debate and the minister did in her second reading speech, I will refer to the 2015 report of the Community Development and Justice Standing Committee.

**Ms M.M. Quirk** interjected.

**Dr A.D. BUTI:** The committee was chaired by the member for Girrawheen and I was a member. Does the member for Girrawheen not think it was a great committee? We did some fantastic work during those four years. I refer to the report entitled "Are We There Yet? How WA Police Determines Whether Traffic Law Enforcement Is Effective".

It does not matter how long we have been in Western Australia or whatever age we are, we have always been aware of campaigns that have sought to persuade people not to drink and drive or to consume substances that may impair or result in a deterioration of their driver performance. There were strong campaigns when the member for Kalgoorlie and I were teenagers. I cannot remember the year in which random breath testing began.

**Mrs M.H. Roberts:** It was in the 1980s. I think it was about 1984.

**Dr A.D. BUTI:** Yes; it was definitely after I started driving.

**Ms M.M. Quirk** interjected.

**Dr A.D. BUTI:** It is interesting that the member for Girrawheen mentioned that. I was actually a very good boy. I did not like alcohol when I was 17 and 18. Being of Italian background, my father would serve up some marsala—I think it is called marsala.

**Mrs M.H. Roberts:** Grappa? Vino?

**Dr A.D. BUTI:** No; my dad made his own vino, which was very rough. It was marsala. Marsala is a drink. I think my mum used to put it in trifle.

**Mrs M.H. Roberts:** It's a sweet wine.

**Dr A.D. BUTI:** Yes, it is a sweet wine. I would have a bit when I was 10. I remember going to restaurants at the age of 14 or 15 and having an alcoholic snowball, which is like an alcoholic milkshake.

**Mrs M.H. Roberts:** Marsala is good in zabaglione.

**Dr A.D. BUTI:** Very impressive! It never appealed to me to drink a lot, because alcohol was just around the house. When I was 17 and 18 and started driving and going out with my friends, I was always the skipper, because I did not drink back then. I have developed a much greater appreciation for alcohol since I have matured, but of course I am very careful not to consume alcohol to excess and drive.

There is no doubt that RBTs have been a major deterrent. When I was aged 17 or 18 years, there were not random breath tests and people, unfortunately, got behind the wheel when they definitely should not have got behind the wheel. In the area that I lived and still live—I grew up in the Kelmscott–Armadale region—there were a number of deaths. They were not necessarily alcohol related, but they may have been; speed was involved. The deaths were on Brookton Highway in the member for Darling Range's electorate; only little bits are in my electorate. Within the two years after I left Kelmscott Senior High School, between seven and nine people whom I went to school with, or who left school within the two years after me, died along that stretch of road from Kelmscott to Karragullen. Obviously, safety on the road has been drilled into all of us, but, unfortunately, some people do not get the message. They did not get the message back then and they do not get the message now. Now we have the additional issue of the increased prevalence of drugs being utilised when people are also driving. This bill is very timely, very important and also takes up, as I said, the recommendations in the 2015 report of the Community Development and Justice Standing Committee.

I want to refer to a study in the European Union called "Driving Under the Influence of Drugs, Alcohol and Medicines in Europe—Findings from the DRUID Project". It is a very interesting report. The summary of that report states —

Roadside surveys conducted in 13 countries across Europe, in which blood or oral fluid samples from 50 000 drivers were analysed, revealed that alcohol was present in 3.48 %, illicit drugs in 1.90 %, medicines in 1.36 %, combinations of drugs or medicines in 0.39 % and alcohol combined with drugs or medicines in 0.37 %.

Although that does not seem like a large number statistically, it is too many. One is too many. Any number can obviously have a very negative effect. The report also states —

Most of the seriously injured or killed drivers who tested positive for alcohol were severely intoxicated. However, results of interviews in two countries showed that problem drinkers do not believe that alcohol impairs their driving. Intensive drug users were more likely than moderate drug users to drive under the influence, with the latter taking a more responsible approach to driving under the influence of drugs.

Moderate drug users were less likely to drive under the influence of drugs while intensive drug users were more likely to drive under the influence of drugs. Of course, that has a double whammy, because an intensive drug user will consume drugs on a more frequent basis than moderate drug users and is not as inhibited or hesitant about driving, so the dangers obviously are escalated. The report further states that although experimental studies did not show that some drugs had a negative influence on fitness to drive, those who were killed in accidents had considerably higher median drug levels for stimulants. Even though experimental studies seem to suggest that it did not impair someone's fitness to drive, the reality was that those who were killed in accidents had higher median levels of drug use for stimulants and this may have a detrimental effect on self-perception, critical judgement and risk taking, which I think seems to be quite reasonable. Further, the report states —

To combat drug-driving, most countries either operate a zero tolerance policy or take into account degree of impairment, sometimes in a two-tier system.

It refers to certain legal limits. Many European countries have sought to combat drug-driving. As I mentioned, the Community Development and Justice Standing Committee of the thirty-ninth Parliament in 2015 released its report titled “Are We There Yet? How WA Police Determines Whether Traffic Law Enforcement Is Effective”. We had many good reports and that is one of them. The history of that committee in the previous Parliament was very interesting, was it not, member for Girrawheen? It was such a great committee doing a lot of very good work that some opposition members felt that they could not remain on that committee. The committee had five members when this report was handed down. They were the member for Girrawheen, the member for Armadale, the former member for Balcatta, the current member for Vasse, and the now Minister for Sport and Recreation, the birthday boy, the member for Collie–Preston.

Page 61 of the report looks at the issue of the number of drug-driving tests that are performed, from which the committee made some recommendations. We made three recommendations as a result of our finding on the number of drug-driving tests performed. Recommendation 6 was —

That WA Police performs at least 90,000 roadside drug tests per year, as per the expert advice provided in 2012.

Recommendation 7 was —

That more drivers who test positive for alcohol are also tested for drugs.

Recommendation 8 was —

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; and
- provide for drug driving to attract the same penalty as drink driving

The Minister for Police believes in actions, and she has taken this issue very seriously. The fruits of that effort are before us in the Road Traffic Amendment (Impaired Driving and Penalties) Bill 2019. As the member for Belmont mentioned, it is quite absurd that at the moment the police’s hands can be tied behind their backs; when someone has drugs in their body that is not alcohol, they may still be able to drive. The idea of this legislation is to give the police the ability to prohibit the driver from driving for 24 hours. That is a separate situation. It also provides for people to be charged with drug-driving. We are not saying that if someone has drugs in their body, they cannot also be vulnerable to charges being laid for drug-driving. It is to try to immediately prevent that dangerous situation of a person who is under the influence of drugs being able to continue to drive. I am sure that we can see the absurdity of that situation, and that is why it is important that this bill has been brought before the house.

This bill also introduces new offences for driving after having consumed alcohol and drugs, known as a polydrug offences. As the minister said in her speech —

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.

Of course, that also makes sense.

[Member’s time extended.]

**Dr A.D. BUTI:** The Community Development and Justice Standing Committee report of 2015 “Are we there yet?” stated that the Australian Crime Commission has said that illicit drugs provided the greatest threat to the Australian public. Of course, that is in many different respects. It is one of the greatest threats on the road. People who drive under the influence of drugs pose a threat to not only themselves, but also all other road users, whether they are other drivers, cyclists or pedestrians. Further along, the report states —

Researcher Professor Cameron spoke of an “escalation in drug-driving” in all Australian states and ORS executive director Iain Cameron —

I assume that Iain Cameron is no relation to Professor Cameron; or not that I know of —

acknowledged that there was increasing evidence that it was a problem in WA. He suggested that a “change in tactics” may be warranted, since the emphasis thus far had been on drink driving.

Obviously, that is true; there has to be a change in tactics and that is what the minister has done by bringing this bill before the house.

Members should remember that this report came down in 2015. I must say to the member for Girrawheen, who was chair of the committee, it was strange that the previous government did not act on this. The statistical evidence was quite clear; the estimates were telling us things had to change. We made some very pertinent recommendations based on our findings and investigations.

**Mrs M.H. Roberts:** It was actually an excellent and bipartisan report, “Are we there yet?”, and it really was a blueprint for a range of improvements to be made in road safety that would clearly save lives and reduce serious injuries on the road. It is almost scandalous that we have had this delay because the previous government did not act on that report.

**Dr A.D. BUTI:** The minister is 100 per cent right. I must say it was a frustration to all committee members on both sides of the chamber that the government of the day did not positively respond to the report.

I assume, if the member for Girrawheen makes a contribution, that she will refer to this outstanding report, but her humility and modesty may not allow her to read out the chair’s foreword. I think it is very important. We are looking back at 2015, and I would like to spend the rest of my time reading from the chair’s foreword. I am now the chair of a committee and I try to model my forewords on the member for Girrawheen’s forewords. I have not succeeded. I think I might be getting better but I am not at that level. I need to read this chair’s foreword. It starts off with a quote from Bill Gates, which states —

**In business, the idea of measuring what you are doing, picking the measurements that count like customer satisfaction and performance ... you thrive on that.**

Now I move onto the chair’s foreword —

EVERY week we hear tragic news of another life lost on our roads or a family’s future forever altered by involvement in a vehicle crash. Western Australia’s road fatality toll last year —

That would have been 2014 —

was the worst in four years, and critical injuries rose even more severely with 106 more than in 2013. The rate of deaths on WA roads—7.2 per 100,000 people—is much higher than the national average of 4.9.

It was in the wake of these disastrous figures that the Committee decided to focus on road policing as the first in a series of reports on the way WA Police evaluates its performance.

At the end of such a year—or even at the end of what the media terms a “horror weekend” on the roads—many are left scratching their heads, including the police. What can be done to bring down the toll?

Making our roads safer involves input from a number of different agencies. It is an extremely complex and sometimes perplexing problem influenced by factors such as road engineering, vehicle design and education strategies.

Hence, WA Police is not the only agency responsible for the road toll. However, it is a key player. Police are given responsibility for enforcing road user behaviour by apprehending those breaking the law and deterring others from engaging in dangerous behaviour.

Deterrence is an important outcome of enforcement. If police are able to create the perception among drivers that they are at risk of being caught for speeding, drink driving or using a mobile device, for example, anywhere and at any time, then they have been successful in applying the theory of general deterrence.

But how do they measure success? WA Police needs to know whether what it is doing is effective. This is not only important from an accountability perspective, but also in the context of recently implemented reforms to the policing model.

I will not dwell on the former policing model; we know that was a disaster.

**Mrs M.H. Roberts:** Feel free to, if you like.

**Dr A.D. BUTI:** I do not want to upset the flow of this outstanding chair’s foreword. It continues —

Quite rightly, police services consume a significant portion of the State budget and the public needs to be assured that its tax dollars are being well spent.

Throughout the course of this inquiry we have heard that accessing data which would demonstrate police performance on road safety is difficult. Hence, it is not easy for interested parties and the public to determine whether WA Police strategies are working.

Do the police themselves know whether they are working? When faced with competing arguments about the importance of police visibility and what time of the day to conduct RBTs, for example, are they able to produce evidence that favours one strategy over another?

These measurements are not just required from an accountability perspective but also assist road trauma research and stimulate informed debate amongst members of the community. The latter is vital in changing driving culture which is a notoriously difficult outcome to achieve.

Moreover in the context of financial assessments made on the deployment of personnel in a particular role (a cornerstone of the WA Police’s Frontline 2020), useful performance and meaningful measurement of outcomes can lead to greater efficiencies without sacrificing service levels.

Since the focus of the inquiry was an examination of performance measures, consideration of appropriate levels of sworn officer staffing was not canvassed in detail. However, implicit in WA Police's deterrence approach is the need to maintain existing levels of police staff. There was evidence before the Committee that traffic police were not deployed one hundred per cent of the time on traffic duties, that RBT teams had been stood down for periods of days to assist on general matters and the number of infringements issued personally by officers on the road has inexplicably dropped.

Reducing the road toll using strategies of general deterrence requires long term strategic planning, application of scientific evidence and significant resources. It is not easy. But I cannot imagine anyone opposing measures which would result in fewer lives being lost on our roads.

Our impression is that traffic police use evidence and intelligence well in the day-to-day operational activities—the type that apply to specific deterrence. Where WA Police seems to be lacking is in the collection and use of evidence to construct the big picture strategies that might in fact create the perception that drivers breaking the law could be caught anywhere at any time.

It was somewhat surprising to realise in the course of the inquiry that the issues we were investigating were novel or had not been widely canvassed elsewhere. It may well be that this report might stimulate and inspire further research to be conducted such as that recently commissioned by WA Police to be undertaken by the Curtin–Monash Accident Research Centre.

Apart from some thank-yous at the end, that was the chair's foreword.

That told us that the gathering of evidence is very important. But what is also important is that when the evidence is in front of a committee inquiry, whether it is statistical evidence, other empirical evidence or just expert opinions, it is up to governments to respond to that. Unfortunately, the previous government did not respond to that in respect to the issue in this bill.

The Minister for Road Safety has responded to cries to try to work through the ambiguity and the fact that the hands of police are tied in what they can do at the time they find a driver under the influence of other drugs—not only the influence of alcohol. A new offence will be introduced when there is a combination of alcohol and drugs, which is a lethal cocktail. The minister should be applauded for introducing the bill before the house. It brings Western Australia into the twenty-first century in relation to other jurisdictions. Western Australia and Tasmania are the only jurisdictions where drivers are able to continue driving when they return a positive roadside drug test. That is an appalling situation. The sooner this bill passes both houses and becomes law in Western Australia, the better. I strongly commend this bill to the house. I applaud the Minister for Road Safety for bringing this bill before the house. I also applaud the work of the former Chair of the Community Development and Justice Standing Committee for handing down that report. I am assured, without putting words into the minister's mouth, that the former chair's advocacy of that report has been a great motivation for the minister to bring this bill before the house. Hopefully, this is another measure for the police and the community to try to reduce the unsafe situation on the roads caused by people driving under the influence of alcohol and drugs.

**MS M.M. QUIRK (Girrawheen)** [5.20 pm]: I am somewhat embarrassed after that fulsome praise from the member for Armadale. He is being very modest himself, because he was a contributing member of the committee. The Road Traffic Amendment (Impaired Driving and Penalties) Bill 2019 demonstrates something that newer members might not appreciate. If we are members of this place for long enough, recommendations of committees in which we participate may well translate into legislation. I am gratified that the minister has taken on board the recommendations of the Community Development and Justice Standing Committee, and moved road safety sanctions along, which is incredibly important. Normally, one participates in a committee, and its recommendations go into the ether. They might get a bit of publicity for a day or so, if we are lucky, but the broader issues that are looked at in great detail tend to get stuck in an in-tray, and it is not uncommon for governments of both persuasions to ignore the recommendations for longer than the prescribed period.

The eighth report of the Community Development and Justice Standing Committee in the thirty-ninth Parliament, "Are we there yet? How WA Police determines whether traffic law enforcement is effective", was important because we are talking about key performance indicators, and how the police measure what works and what does not work, and where, for example, they should deploy random breath testing or other road safety sanctions. It became apparent from that report that there was not a lot of science in it. If that was the case, how could we get better outcomes; and what identified problems could be better addressed? There were a number of recommendations along those lines. The report has been referred to in great detail, so I will not spend a lot of time on it, but I want to refer to a couple of the findings and recommendations. Finding 11 stated —

The number of drug-driving tests currently being performed by WA Police is lower than in other States and significantly less than recommended in drug-driving studies.

Recommendation 6 was —

That WA Police performs at least 90,000 roadside drug tests per year, as per the expert advice provided in 2012.

It was also recommended that more drivers who tested positive for alcohol should also be tested for drugs. Recommendation 8 was —

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; and
- provide for drug driving to attract the same penalty as drink driving.

That is really the substance of the bill before the house today. As the member for Armadale said, policing should be evidence-based, and I believe that, in some respects, that evidence is either not sought or not properly interpreted, or we rely on anecdotal evidence. An example of that is mentioned in the standing committee's report. We recommended that it be permitted that blood samples be taken from road trauma patients. It was not possible to do that at the time, although subsequent legislation has brought that in. The reason for that was that there was lots of anecdotal evidence, mainly from the hotel lobbyists, that alcohol was not the problem—it was solely methamphetamine. As we know now, it is usually a combination of those things, but we needed the certainty of evidence, by permitting doctors to take blood samples from road trauma patients, when strictly speaking they could not do so under the ethical rules, because they were limited to treating patients rather than gathering evidence. It is an example of how we can now, with some level of certainty, identify the causal factors in drug and drink-driving: is it a combination of both, what is most prevalent and so on? Police can then target their strategies around that particular evidence.

The other thing about road safety is that it is a movable feast. We cannot just sit here and do what we have always done. The road toll is way too high; one victim is too many. We need to constantly evaluate, just as we have evaluated other measures. There is now a culture in the community at last that drink-driving and drug-driving are unacceptable, but we cannot rest on our laurels. We must constantly evaluate whether measures work. This measure is no exception. Some formal evaluation of the measures we are introducing with this legislation should be done at some stage.

To go back to the question of the community, the Community Development and Justice Standing Committee also looked at the community attitude surveys that used to be conducted. They were very helpful, because they would include responses from the community, such as, "I don't anticipate that I would be tested in the suburbs on a Tuesday night." The "anywhere, anytime" message was significant diluted by the fact that people did not really believe that they could be tested anywhere and at any time. As I understand it—the minister might be able to correct me—these surveys are no longer undertaken, but I think they were very valuable. I know they were expensive, but it seems to me that we need to constantly assess community attitudes, and what particular myths exist about whether someone expects to be randomly breath-tested, so that the police have the tools to better harness their resources to create a real deterrent to driving either drunk or under the influence of drugs.

I have three final issues that I want to raise. The first relates to a visit I undertook to Rapid City, South Dakota, of all places. I went there some years ago to look at the 24/7 Sobriety Program that has been copied in many jurisdictions since. I observed that in place. I mention this because of the sanctions that we currently place on drivers. So many jobs are currently reliant upon people having a driver's licence that a novel approach was adopted to ensure that people stayed in the community. The 24/7 Sobriety Program is a court-based management program originally designed for repeat drink-driving offenders. It was first rolled out in South Dakota. Under the program, the standard of no use of alcohol or illegal drugs was a condition of continuing to drive and remain in the community, rather than being incarcerated. The standard was enforced through intensive monitoring by law enforcement agencies with alcohol and drug testing mandated for each participant. Violation of program rules leads to immediate and brief incarceration of the offender. The culmination of strict monitoring and a no-use standard with swift, certain and meaningful, but usually not severe, consequences has been found to be extremely successful.

The program has been studied, researched and evaluated many times over, but, certainly, the outcomes and aims of the sobriety project were to reduce recidivism, improve public safety and serve as an alternative to incarceration, which, of course, is financially beneficial to the state. That allows offenders to remain in the community with their family and friends, permits offenders to remain in employment and saves tax dollars because most monitoring costs are paid by the offenders themselves and the offenders are diverted from jail where appropriate. It also had a collateral effect on family violence offences.

**The ACTING SPEAKER (Mr I.C. Blayney):** I am curious to know whether your committee recommended that that be trialled in Western Australia.

**Ms M.M. QUIRK:** No. In fact, we did not actually look at it, but I went solo to South Dakota and had a look at it. I took a day off to go down to Mount Rushmore to see the bison. I had a look at the program and sat in for a couple of days seeing it being enforced. If the drivers test positive, they are immediately taken into custody and immediately brought before court and judges typically give them escalating jail terms. First violation typically results in incarceration of one or more nights. Repeat violations of the no-use standard or missing test appointments led to increased periods of incarceration and the revocation of any pre-trial release. However, the important and key element here is that all sanctioning is swift and certain. I think one fellow failed while I was present and the

sheriffs were called in and the person was literally hauled away to appear before a judge. The results were really impressive and for that reason it has been introduced in many states of the United States of America. The summary report of the 24/7 Sobriety Project states —

At the time the program was introduced, South Dakota had one of the highest rates of adults ... who reported driving under the influence of alcohol in the nation. ... nearly three-fourths of those involved in fatal crashes ... had a blood alcohol level of 0.15 or higher. The number of people killed in alcohol-impaired crashes in the state has declined steadily.

It goes on to state that from 2006 to 2007, alcohol-impaired traffic deaths in South Dakota declined by an impressive 33 per cent.

People on the program would have to report twice a day—on the way to work and on the way home. Technologies such as a bracelet record alcohol through the sweat glands. A person may not have needed to attend but if the alcohol is detected through the wristband—I think Lindsay Lohan had one of these at one stage—they are called in and sanctioned for having drunk when they have committed not to drink. As I said, not only were the results impressive in relation to alcohol and drug use, but also certainly domestic violence, civil abuse and neglect cases were similarly very much reduced.

The program has been evaluated by think tank Rand Corporation, which does a lot of work in the area of law enforcement and describes the program as having three major components: the ability to order an individual to abstain from alcohol; frequent alcohol testing; and swift, certain and very modest sanctions for a violation. Rand states —

When the program was first piloted in South Dakota ... those who were arrested for repeat drunk driving had to abstain from alcohol and participate as a condition of bond. Participants would go to the sheriff's office twice a day—every day—and blow into a breathalyzer. To rule out false positives, those testing positive for any amount of alcohol had to retest in approximately 15 minutes. If they failed the retest, they were immediately taken to jail, where they would stay for a night or two.

This was very different from the typical practice of ordering individuals to abstain from alcohol but testing irregularly, if at all. 24/7 Sobriety appeared to be creating a credible deterrent threat and holding participants accountable for their behavior while they remained in the community.

Rand concludes as follows —

... the 24/7 program is very promising because of its consistent and immediate consequences. Having those in place appears to be a real deterrent to drinking. When integrated into an area's existing justice system and carried out with fidelity, 24/7 Sobriety can reduce alcohol-involved crimes (such as drunk driving) and improve public health and safety.

I raise this program, firstly, because I had the privilege of seeing it in operation. Secondly, the results were quite impressive and I think it illustrates that we need to think a bit laterally in these cases. Doing the same thing over and over again will not produce different and improved outcomes. Having said that, as I said previously, good evaluation needs to occur. It is all very well having peak programs, but if we do not evaluate them and find on the evidence that they are working, maybe we need to revisit them. When we are trying to keep families together, trying to decrease domestic family violence and trying to make sure people retain their jobs—of course, having employment greatly minimises the risk of recidivism—I think the 24/7 program is an excellent one.

[Member's time extended.]

**Ms M.M. QUIRK:** There are two issues that I think are difficult for authorities to address—that is, the absolutely intransigent alcoholics and drug users who refuse sanction after sanction and cancellation of licence, time and again. However, they are a very small core of the offending population, so it is very difficult for anything to work for those individuals. Maybe in years to come, technology will be available. Yes, we have interlocking devices, but their operation requires something on the part of the driver and, frankly, the really hard cases will just get in another vehicle, but technology is helping. When I was on that same visit in the United States, both Volvo and, I think, General Motors had funding to develop a car that does not require a driver to blow into an interlock. Somehow, the technology is such that the car can sense that the driver has consumed excess alcohol and will not start. It was said at the time that it would be only a few years certainly before Volvo develops its car and General Motors is not far behind. It is another issue in that we need to be mindful that technology can solve some of these less-than-easy-to-solve problems.

The final issue I want to briefly talk about in the discussion of drug-driving is the fact that we have an ageing population. Many of our older Western Australians are on prescription drugs, and some of them mix them inappropriately with inevitable unfavourable consequences. It is not necessarily appropriate to punish people who are taking prescription drugs—of course, the legislation talks about illicit drugs—but the impact of inappropriately mixing drugs can be just as serious. If there is a little money in the road trauma trust fund, it might be worth doing some targeted education programs for our seniors to make sure they are taking their drugs as prescribed and not in lethal combinations or combinations that impair their driving.

With those remarks, I thank the Minister for Road Safety and the members for Belmont and Armadale for their very generous remarks. I do not want to delay the introduction and passing of the Road Traffic Amendment (Impaired Driving and Penalties) Bill 2019 any longer than necessary; I think more than four years is long enough. I thank the minister for implementing the recommendations.

**MR P.J. RUNDLE (Roe)** [5.40 pm]: I rise to also support the Road Traffic Amendment (Impaired Driving and Penalties) Bill 2019. The Nationals WA will support this legislation. This is quite important legislation and, as others have commented, it has been a while coming. This will be only a brief contribution, but I would firstly like to put out some statistics that relate to regional areas. As members know, regional communities seem to be the hardest hit by road deaths. Between 2008 and 2017, 25 340 people were killed or seriously injured in Western Australia. That is quite concerning, but regional communities were the hardest hit. The number of road deaths per 100 000 people in the Western Australian regions was 18.7, compared with 6.1 in Western Australia as a whole. That means that people in the regions are three times more likely to be killed or seriously injured on the road. That is obviously a real concern for all of us.

I have some more stats that I found very interesting. In the regions, 55.4 per cent of those killed or seriously injured were male, and 26.5 per cent were aged between 20 and 29 years. The behaviour statistics show that 8.2 per cent were not wearing seatbelts; speed was a factor in 15.8 per cent of cases; and 8.8 per cent of drivers or riders had a blood alcohol concentration of .05 or higher. I think that adds to the arguments for this legislation. I will cite some further drink-driving statistics from 2018, if I may. In 19 per cent of fatalities, alcohol was a factor, and 63 per cent of alcohol-related fatalities in 2018 occurred in regional Western Australia. That is of real concern, as is the fact that 22 per cent of fatalities tested positive to one or more illicit substances. That really adds to the combination, I guess one could say, of drinking and drugs.

WA today reported on 11 April 2018 that more than 250 people per month were being charged with drug-driving on WA roads. Figures released by the Western Australia Police Force in response to questions asked by the opposition showed that between 1 July 2017 and the end of January 2018, 1 760 people were charged with drug-driving offences in Western Australia. In the same seven-month period, a further 3 239 people were charged with drink-driving in the metropolitan area, while 1 945 people were charged with drink-driving in regional Western Australia. To me, that summarises my concerns about drink-driving, drug-driving and the combination of the two.

We need to use this legislation to give more freedom to the police. When I first read the bill, I actually found it quite hard to believe that the police did not have the power to prohibit from driving for 24 hours a driver who has tested positive on the roadside to the presence of illicit drugs. I admit that I have learnt something there, because I just assumed that that would be automatic—that people in those circumstances could just kiss their car goodbye, park it on the side of the road and that would be the end of it; they certainly would not be able to go back to it, but as it stands at the moment, that is not the case. As has been pointed out, Tasmania is currently the only other state where people can do that.

The legislation also introduces new offences to target people who drive with an illegal level of alcohol and prescribed illicit drugs. At the moment, Victoria is the only other state that has such offences. It will also increase penalties for existing drink and drug-driving offences. That all comes into line quite well. The legislation also enhances and streamlines drink and drug-driving enforcement processes. At the moment, police have the ability to only test once; the legislation will introduce the ability to test again, and I think it goes without saying that that will be an important element of the legislation.

The member for Hillarys talked about regulations and ensuring future safety reforms to address new technological changes—for instance, instruments that do not actually exist yet. That was quite an interesting point. I do not know how we can actually legislate for something that does not exist, but I am sure the member for Hillarys will be asking questions about that during consideration in detail. I understand that technology obviously changes and improves all the time. With the different drugs that are going around, there will be a need for improved technologies as we go along. That will be an interesting element of consideration in detail that I will be keeping an eye on.

I think the Minister for Road Safety is on the right track with convictions for a second or subsequent offence—to have the ability to go back to the original offence and take it to the previous level under the counting rules, as they are described. I think that is fair enough, because if the initial offence is at a higher level, I do not see any reason why we should not be able to go back to it. That is covered under clause 64. I also note that the WA Police Union has advised that it is supportive of the bill, as I would imagine it would be.

I have highlighted a couple of things in the minister's second reading speech. I agree with the minister that this bill will send a message to drivers who are under the influence of alcohol and drugs that there is no place for them on our roads. When I look at some of the things that happen in regional areas, for that part of the population that seems to like to mix both elements—alcohol and drugs—that is not on. We have seen some examples of that. The one that sticks in my memory is the person who was affected by methamphetamine and was driving from Bunbury to Perth on Forrest Highway and weaving all over the road. There is heaps of dash cam footage of how the driver was almost deliberately attempting to run other drivers off the road. In the end, unfortunately, a vehicle that was coming in the opposite direction was run off the road, and the passenger lost their life. That is the sort of instance in which this legislation will come to the fore. It will certainly contribute to road safety by giving the police the

opportunity to implement measures that will get these drivers off the roads. I note the minister's comment that people who mix illicit drugs and alcohol are 20 times more likely to be seriously injured or killed in a road incident. That really sums it up. 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. That is obviously to keep up with modern technology; however, as has been pointed out, there is a bit of a concern that some of the technology has yet to be invented.

From my perspective, I worry about all our road users. The statistics bear out that, hopefully, this bill will be very effective in reducing drink and drug-driving. The wastewater methamphetamine statistics that came out recently for places like Bunbury show that meth use is increasing. There have been discussions in Parliament about the effectiveness of government action in curbing the use of meth and other drugs. This is a good piece of legislation, because it will act as a deterrent. I worry about road users on both metropolitan and regional roads. As I pointed out earlier, people in regional areas are three times more likely to be killed or seriously injured on our roads. The Nationals and I support this legislation. It is good that the Minister for Road Safety has brought this legislation to Parliament. It may have been a long time coming, but it will provide the police with powers that they previously have not had. It must be a real frustration for police to pull over a driver and not have the ability to force them off the roads. I certainly support the legislation in that respect.

**MRS M.H. ROBERTS (Midland — Minister for Road Safety)** [5.53 pm] — in reply: I thank the members for Hillarys, Kalgoorlie, Belmont, Armadale, Girrawheen and Roe for participating in the debate on the Road Traffic Amendment (Impaired Driving and Penalties) Bill 2019, and for their generally very constructive comments. They all indicated their support for this legislation, and that is, of course, very much appreciated. Members have made a lot of thoughtful comments about the bill. The bill deals primarily with people who drink and drive, or use drugs and drive, or a combination of both, and seeks to increase the penalties for that offence. As has been correctly noted by all the members who spoke on the bill, the chief consideration in this bill is the ability to put in place a 24-hour stop for a driver who is under the influence of methamphetamine. I turn to the report that was handed down a few years ago by the Community Development and Justice Standing Committee of this Parliament, titled "Are we there yet?" That is an excellent report, as I commented by way of interjection to the member for Armadale. That committee was chaired by the member for Girrawheen, and the continued interest and support of both the member for Girrawheen and the member for Armadale of road safety measures is appreciated.

As is often the case when we deal with road safety, just about every member in this place is a driver, so I expect everyone will have a view on road safety. We are also members of families and members of the community. I think it is only natural that all of us worry about our family members on the roads. Often we are worried not so much about the behaviour of our family members on the road but that of other road users. In this legislation, we are trying to deal with and crack down on people who use drugs and drive or drink and drive. We are doing that by increasing the penalties and putting in place a driving prohibition. When it comes to road safety, that is one part of the message. The member for Armadale and other members have commented that before the random breath testing legislation came into place, people thought it was okay to drink and drive. I have spoken to a lot of people whose experience in Western Australia, even after the RBT legislation came into place and it became an offence to have a blood alcohol content of .08 or higher, and, in turn, .05 or higher, was that that was okay, so long as they did not get caught. There was a view that if they were a bit over the limit and they took the back streets, that was okay, and hopefully they would get home safely and hopefully they would not get caught by the police.

Over the last 20 or 30 years, community attitudes to drink-driving have changed. Therefore, whilst this legislation deals with penalties, sitting alongside that, we need a change in community attitudes. Thirty years ago, people thought it was okay to drink and drive. A lot of people thought they were still good drivers after a few beers or a few wines or whatever. These days, I think community attitudes have changed, dramatically. Most people now think it is abhorrent and repugnant that someone would drink and drive, or use drugs and get behind the wheel of a vehicle. Therefore, what is even more important than the penalties we put in place is community education and belief. We need to bring the community with us on matters of road safety. Often, Parliament has to take the lead. The community might not have had that perception had Parliament not had the foresight 40 years ago or so to bring forward legislation to put the .08 BAC measure in place. When it comes to road safety, we have to do a bit of leading. We have to be in the penalty space, which comes from us in Parliament, and we have to be in the enforcement space, which is about the number of random breath tests that the police do. The final part is changing community perception. All the recent statistics indicate that community attitudes to drink-driving have changed significantly over time, and that fewer people who are involved in fatal and serious crashes are under the influence of alcohol.

Mr Acting Speaker (Mr I.C. Blayney), I realise that you will adjourn the debate in a moment. Tomorrow, when we come back to this bill, I intend to continue my remarks and to respond more directly to some of the issues that were raised by the individual members who spoke in this debate. That will, of course, include the questions that were put to me by the member for Hillarys and other members.

Debate adjourned, pursuant to standing orders.

*Sitting suspended from 6.00 to 7.00 pm*

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

*Second Reading*

Resumed from 26 September.

**MR D.C. NALDER (Bateman)** [7.01 pm]: I stand to make my contribution to the second reading debate on the Public Works Amendment (WA Building Management Authority Abolition) Bill 2019. By way of background, I acknowledge that the Building Management Authority was established in 1984 to facilitate capital raising for public works. Funds were only ever borrowed on two occasions—approximately \$285 million in 1984 and \$55 million in 1996. Both of these amounts were fully repaid by 2008.

We know that an amendment act has basically made this authority redundant, and that it has been financially dormant since 2009. Annual reports indicate that there are no assets or liabilities, employees, bank accounts or investments. The opposition agrees with the government and supports the carriage of this bill for the abolition of these works.

[Quorum formed.]

**Mr D.C. NALDER:** Nonetheless, given that there are no liabilities, there is a precautionary measure, which I acknowledge is generally taken in cases like this. The amending legislation includes a provision that any assets, rights, liabilities or obligations of the Western Australian Building Management Authority will be assigned to the Minister for Works on behalf of the state. On that basis, we feel very comfortable that this bill has taken into consideration all the necessary things to make sure that it is enacted correctly.

The only other thing that I picked up in this bill is to do with one unrelated matter, which is the deletion of the definition of “judge” as a term. The word “judge” is defined in section 5 of the Interpretation Act 1984, so we are more than comfortable with that amendment as well.

With that, I do not have anything further to add to this bill. Treasury has made the recommendation during the time of the former government. I think it is the right decision, and we are finally getting to the point at which we can carry out the abolition of these works and save some administrative work within the public service. That is all. Thank you.

Several members interjected.

**The SPEAKER:** Members! Thank you. Member for Nedlands.

**MR W.R. MARMION (Nedlands — Deputy Leader of the Opposition)** [7.04 pm]: I will be embarrassed if I go longer now! I anticipated speaking a little bit less than the previous speaker, but I might go a bit further than that. I was around when the Western Australian Building Management Authority was in existence. In fact, I was around before it was in existence!

**Mr B.S. Wyatt:** And you’ll be around after they’ve gone!

**Mr W.R. MARMION:** I will be! The precursor to the Building Management Authority was the Public Works Department. A lot of engineers who graduated in my day got jobs in the public sector. Many were cadets and they spent one or two years in government and then went on to lead some very good companies like Clough Engineering and probably earned seven or eight times more than they were earning in the Public Works Department at the time. I will not mention their names, but they were usually the people who got second-class honours. The people who got first-class honours did research; the people who got second-class honours were probably the fairly bright people in engineering. I was not one of those, member for Victoria Park!

I had a few run-ins with the Building Management Authority. During the mid-1980s, the Building Management Authority was run by Chester Burton, an engineer who I think came up through the Public Works Department and then had a brief stint with the Public Sector Commission. He was put in charge of the Building Management Authority, which delivered a lot of architectural projects in Western Australia. Albert Facey House and the “Silver City” projects in East Perth were all designed, or at least project managed in-house, by some of the very good architects working at the Building Management Authority at the time.

I had a phone call from Chester Burton once, when he was CEO. I was working at the time at the Office of the Auditor General.

**Mr D.A. Templeman:** A phone call or a telegram?

**Mr W.R. MARMION:** It was a phone call. I might put this on the record because it gives an insight into how the public sector worked, or did not work, at the time. Chester Burton rang me up to encourage me to put in for a promotion. I was a level 7 and there was a level 8 position going in the Building Management Authority. I said, “Oh, isn’t Athol Jamieson acting in that?” I had worked with Athol Jamieson at Main Roads Western Australia. Some people might know Athol; he ended up working in the Department of Justice as an executive director. Sadly, Athol has passed away. I said openly to Chester, the CEO, “Isn’t that Athol’s job?” The response on the phone

was that the authority did not operate like that and that it was an open system. I was encouraged to put in an application because the CEO asked me to. When I got the application form, there was a requirement to write a 2 000 word essay on the benefits that the Building Management Authority delivered for Western Australia.

**Mr B.S. Wyatt:** Have you still got the essay?

**Mr W.R. MARMION:** I will get to that! Having worked as the manager of corporate services at Main Roads—by then, I had moved to the Office of the Auditor General—I enlisted some help from the then manager of corporate services at Main Roads, who was an economist. He gave me a few tips and I toiled over a 2 000-word essay. I had to front-up to the interview with my essay—going through an enormous exercise to explain what Building Management Works did for the economic benefits of Western Australia. I struggled, but I did come up with something. When I rocked up for the interview, they gave me a list of six questions that they were going to ask me, and I had 10 minutes to read and get a bit of an idea of the questions. This is an unusual technique in the public service. The chairman of the selection committee was Ian Baxter, who was then head of the Heritage Council of Western Australia and had worked at the Building Management Authority. I had better not mention the other people on the panel. I handed in the essay. I remember one question I got from a person who ended up running Justice—I will not mention his name! I was asked to give an example of a negotiation that did not work out, so I gave an example. I probably cannot use the word he used, but he basically suggested that I was not successful. He used an expletive that we cannot use in this room. That incensed me a little, because it was quite a difficult situation. I then had to explain to the person who the people were who were involved. To cut the story short, I did not get the job—Athol Jamieson got the job. I ran into Athol a couple of months later and said, “How’d you go with your essay?” He said, “Stuff that; I didn’t do an essay!” He got the job and did not even do the essay. This is the public service! He deserved the job.

The Public Works Amendment (WA Building Management Authority Abolition) Bill 2019 will abolish the Building Management Authority. When I got the briefing on this bill from the people who are now at the back of the chamber, I thought that the bill was abolishing the whole department, but it does not exist anymore. The purpose of this bill is to abolish the authority, because it still has to do an annual report. The authority borrowed funds on two occasions—in 1984 and 1996. When the minister delivers his reply, I would be interested in him giving us the reason that the borrowings were undertaken. Were there any specific projects in 1984? Was it for capital works? Was recurrent funding involved? I would be interested to know how the money was procured. Who organised the transaction? Did it go through Treasury Corporation? I imagine it would have done, but were the officers in the Building Management Authority able to negotiate the actual borrowings? Where did the borrowings come from? Was it a reasonable interest rate? One could argue about why an entity that we are now abolishing did that when Treasury could have got the money. I am a bit perplexed as to why it had to do this, so the minister might explain that.

Any obligations of the authority are very well covered by part 2 of the bill. Any liabilities et cetera will revert to the state. However, in the briefing we were told that there were two legacy commercial arrangements—for the Peel Health Campus and the Fremantle justice complex. I know those commercial arrangements will transfer back to the state anyway, but I would be interested to know what they are. I think that is all I need to say. I support the bill.

**MR S.A. MILLMAN (Mount Lawley)** [7.13 pm]: I rise to also make a short contribution to this excellent piece of legislation. I commend the Treasurer for bringing the Public Works Amendment (WA Building Management Authority Abolition) Bill 2019 before the house. A couple of the points I was going to make were covered by the member for Bateman in his contribution, for which I thank him. The member for Bateman and I, together with the members for Armadale, Bicton and North West Central, had the privilege of sitting on the Joint Standing Committee on Audit, which is a committee of both houses of Parliament that considered the review of the Financial Management Act. Later in my contribution this evening I will talk about the work that the Joint Standing Committee on Audit has done on this legislation in terms of some of the recommendations we made and how this bill will give effect to those recommendations. It is all very well to say that we should reduce red tape and make our laws more efficient and productive, but it is an entirely different thing to get on with the job. Through this bill, the McGowan government once again demonstrates not just its commitment to cut red tape but also its ability to get on with the job.

Before I come to the specific provisions of the amending bill, I want to recite some of the relevant history. Members will be well aware of the emphasis I place on the important role that government plays in delivering public infrastructure. We need look only at the original Public Works Act from 1902. One of the first acts of the new Parliament, once Western Australia gained self-government, was to make sure we had the provisions necessary to engage in investment in infrastructure. What a great tradition of public investment in worthwhile public infrastructure! We hear today that the McGowan government continues to get on with the job of making the necessary investments in public infrastructure, whether it be the Yanchep railway line extension as part of Metronet or the Minister for Transport’s congestion-busting, job-creating road maintenance works. This applies to both sides of Parliament, but throughout the history of Western Australia, an integral role of government has been to invest in public works and infrastructure. That is unquestionably a vital endeavour of any government, and one that this McGowan government takes particularly seriously.

As the member for Bateman has already touched on, in order to fund the significant investments in public infrastructure necessary to provide the level of services to which Western Australians are entitled, the Public Works Act was amended in 1984 to create a capital-raising entity that could go to the capital markets and get the money necessary to invest in this infrastructure. That entity was known as the Western Australian Building Authority. The name was amended in 1994 to the Western Australian Building Management Authority. The capital-raising ability of this entity was used on only two occasions—in 1984 and 1996. Since that capital raising in 1996, the requirement for the Building Management Authority to be a capital-raising entity has become obsolete. That is something the Treasurer referred to in his second reading speech, when he said —

... 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.

By that the Treasurer meant, for example, the ability to raise capital through Treasury Corp. In 1996, the requirement for the Building Management Authority to be a capital-raising entity became obsolete. In 2008, the two loans that had been borrowed by this entity were repaid in full. So in 2008, the entity that had been created in 1984 was now obsolete—the authority was largely redundant. It was no longer necessary. It has no known assets or liabilities and it has no known rights or obligations. Even though the authority ceased to function as of 2009, the statutory retention of the authority in the Public Works Act imposed a reporting obligation that has to be discharged by the Department of Finance. I again refer members to the second reading speech of the Treasurer, in which he said —

Abolishing the Western Australian Building Management Authority will reduce red tape ... by removing the need for an annual report to be prepared for a body that is no longer required.

Frankly, given the state of the Western Australian economy and the Western Australian budget, and the challenges we currently face, the people in the Department of Finance have much more important things to be doing than filing annual reports for an obsolete organisation that has been redundant since at least 2009. It is all very well to say that it is important that we reduce red tape, but we cannot just talk the talk—we have to walk the walk as well. We have to pay attention to detail. We have to make sure that we do all the business of government. We do not just let the entity drift away and not do anything to update the statute book. We have to take all of the steps. This is a responsible government that is demonstrating that it is capable of discharging every aspect of its obligations. Let me ask this: have there been any reports, inquiries or suggestions by anybody that perhaps this is precisely what the Parliament should do? As a matter of fact, there have been reports. Members will recall that the Joint Standing Committee on Audit that I referred to earlier tabled its statutorily required review into the Financial Management Act on 16 May 2019. That established that the legislation that is currently up for debate in this chamber is the product of advice from the public service and the recommendation of not one but two parliamentary committees. The Financial Management Act was established on 1 February 2007. The first review of the operation and effectiveness of the act was supposed to take place in February 2012 but, unfortunately, the joint audit committee's report into that review was not tabled until August 2016—not to criticise the joint audit committee and the delay in tabling that report. It is of no moment to go into that history at the moment. Suffice to say, at that point it was recommended that the Building Management Authority of Western Australia, which had been inactive since 2009, be abolished. Unfortunately, that recommendation was not acted upon.

In February 2017, the 10-year anniversary of the Financial Management Act would have arrived, which would have been the second time that a review of the Financial Management Act should have taken place, but, unfortunately, because the last review had only finished in 2016, it was deemed to be surplus to requirements. Therefore, the Treasury review was completed in 2017 and provided to the joint audit committee in 2018. By 2019, the committee had finished its work and concluded its review of the operation and effectiveness of the Financial Management Act. I refer members to the report and to the section titled "Inactive agencies", in particular. Paragraph 5.25 states —

... the Committee is aware that three inactive agencies continue to exist. The Auditor General identified the Landcare Trust, the State Supply Commission, and the Western Australian Building Management Authority ... as inactive agencies in the 2017–18 Audit Results Report.

Paragraph 5.26 states —

The first review of the FMA ... The First Treasury report recommended ... be abolished because:

The original rationale for creating the WABMA is no longer relevant and as the State's borrowing requirements can be adequately accommodated through other legislative means such as the Loan Acts, the continuation of the WABMA's existence is not warranted.

Then we said —

The Auditor General disagreed ... and suggested that 'legislation creating inactive agencies should repealed as soon as possible'.

The footnote is 146, which is the letter from the Auditor General dated 21 November 2018. Recommendation 18 states —

The Treasurer progress legislation to abolish inactive agencies.

We have the expert advice from the public sector; we have the expert advice from the Auditor General; and we have the parliamentary oversight committee all saying that the legislation governing that agency—an agency that had been inactive for 10 years and, in one view, had been redundant for two and a half decades—be repealed.

The final piece of the puzzle is this: we have a government that responds appropriately to the proper recommendations that are made by the public servants, the Auditor General and the parliamentary oversight committee.

I would like to conclude by thanking my fellow members of the committee—I think the member for Armadale is about to make a contribution on this bill as well; I thank him for all the work that he did. This was a unanimous committee report in which members on both sides of the parliamentary divide agreed with the recommendation that this legislation be progressed.

It is all very well to say we believe in reducing red tape, but at the end of the day, the proof is in the pudding. We need a decisive, professional, efficient government that recognises the role that it needs to play and then discharges its obligations to the Western Australian community by playing that role, taking the advice, acting appropriately and bringing forward legislation exactly like this to achieve those objectives. For those reasons, I commend the bill to the house, and congratulate the Treasurer.

**MR D.A. TEMPLEMAN (Mandurah — Minister for Heritage)** [7.24 pm]: I congratulate the member for Mount Lawley for his contribution. He gave a very clear outline of the historical aspects relating to the Building Management Authority, which, of course, we are dispensing now and expunging from history. I was very interested in the member for Bateman's comments—brief as they were; I think it was two minutes' worth. They were poignant utterances from the member for Bateman.

**Mr B.S. Wyatt:** It must be incredibly accurate!

**Mr D.A. TEMPLEMAN:** It was very accurate. Succinct, accuracy and brevity—all those terms can be lavished on the member for Bateman. I am speaking as the Minister for Heritage given that we are dispensing part of our heritage. I was almost going to heritage list the BMA, but I did not know whether I could! It was interesting to listen to the member for Nedlands' nostalgic speech. A wave of nostalgia emanated through the chamber when he stood, because we received a very good outline of a failed interview experience and the wasted effort of an essay that did him no good.

It is interesting that through this bill we are, essentially, dispensing from the workings of government an entity that served Western Australia. Indeed, as the member for Nedlands highlighted, a number of important infrastructure projects were overseen by the BMA. As a former schoolteacher, I can always remember that the BMA was the responsible body for a lot of the ongoing school maintenance requirements. If something went wrong, we would ring the BMA. The BMA would arrive, usually on time, to fix up whatever was broken.

On this night of nostalgia, it is important to acknowledge those that have played a role in the BMA and those that have failed to play a role in the BMA, as articulated by the member for Nedlands. We will never know, given the course of history, how the Western Australian public sector could have changed had the member for Nedlands been successful in moving from the level 7 position that he held to that level 8 position, and the late Athol Jamieson had not usurped him in winning that position. The BMA is an important part of the history of the state. But, again, as the member for Mount Lawley so eloquently highlighted, through this legislation, we need to terminate the BMA as is appropriate, given that it is no longer an entity in its own right; indeed, it is now redundant.

**DR A.D. BUTI (Armadale)** [7.28 pm]: A lot of people want to contribute to this debate. We come across bills that we want to speak about that are the highlight of our parliamentary week, but this is not one of them. I can go one better than the member for Nedlands; I actually did work for the Building Management Authority, which I will get to very shortly. The member for Mount Lawley talked about the member for Bateman, myself and him being members of the Joint Standing Committee on Audit. We are talking about abolishing organisations. The committee made recommendations with respect to that. Personally, I query the need for the joint audit committee, but others in government had a different point of view. It has important functions to a degree—two based in the Auditor General Act and one in the Financial Management Act. The member for Mount Lawley articulated a reason that it should remain, but I must say that as a member of it, it is hard to be motivated to attend the meetings of the Joint Standing Committee on Audit. Obviously, when we are there, member for Bateman, we act in a very professional manner and we discharge our duties. Is that not correct?

**Mr D.C. Nalder:** Correct.

**Dr A.D. BUTI:** Very much so. Before I speak about my brief career in the Building Management Authority, I will mention that the member for Mount Lawley talked a bit about its history, and it is a very rich history. Its forerunner, the Public Works Department, commenced in 1901. Therefore, 1 January 1901 was not only the date of the Federation of Australia, but also the date on which the Public Works Department was established. Who was the first chief engineer? We all know, obviously.

**Mr R.R. Whitby:** Not the member for Nedlands.

**Dr A.D. BUTI:** No, it was not the member for Nedlands.

Several members interjected.

**Ms J. Farrer:** O'Connor.

**Dr A.D. BUTI:** O'Connor—thanks very much to the member for Kimberley. O'Connor was the first chief engineer of the Public Works Department, coming from the previous Department of Works and Buildings. The department had a wide range of responsibilities in agriculture. It was responsible for the rabbit-proof fences. When it disbanded, responsibility for agricultural matters was taken over by the Agricultural Protection Board, the Department of Agriculture and Food and the State Barrier Fence Advisory Committee. Also, it was involved in energy. It began issuing electrical licences in 1925. Bodies such as Western Power and the State Energy Commission of Western Australia later took over many of the responsibilities. It was also involved in harbours and rivers. When the Public Works Department was disbanded, those responsibilities were taken over by the Department of Marines and Harbours, the Department for Planning and Infrastructure, the Swan River Trust and the Department of Conservation and the Environment. The Public Works Department was also involved in mechanical electric services and public buildings. The Building Management Authority, which was commenced on 1 January 1985, was in the public buildings space. The Public Works Department obviously was responsible for some very important iconic buildings in the metropolitan region, such as the Perth GPO, Council House, Government House, Perth Technical College and Sunset Hospital. The Building Management Authority came into place, as I said, on 1 January 1985, and then on 11 September its name was changed to the Western Australian Building Management Authority. People still refer to it as the BMA.

My career in the BMA was only brief. It was, basically, just a bit of paid work experience—I would not say work experience, actually. I finished teaching, started a Master of Industrial Relations and I was about to head off to law school in Canberra and over the summer months I worked at the Welshpool depot of the BMA, which I think would be in the Treasurer's electorate.

**Mr B.S. Wyatt:** Yes.

**Dr A.D. BUTI:** What is there now? I do not know. I had a very important job. I was obviously a low-level public servant, and I remember writing some advice on some things. The job I remember having to do was to work out when the employees in the BMA took sick days. We were trying to work out whether more sick days were taken on a Monday and/or Friday. Obviously, we thought they were trying to build in a long weekend. I did not have access to computers; it was all done by paperwork, basically, leave forms and punch cards for hours and so forth. After my extensive three weeks of research on leave in the BMA, I came to the conclusion that most sick days were taken on a Monday. Is that not amazing? That is riveting information. It is surprising. The second most common day was Friday.

Several members interjected.

**Dr A.D. BUTI:** You got it. Friday was the second most common day. What was the third most common day?

**Mrs A.K. Hayden:** Wednesday.

**Dr A.D. BUTI:** You got it. Unbelievable, riveting research—and I came to the conclusion that members have just come to in about five seconds. It was an interesting experience. It provided motivation for me to do my law degree because I did not want to be stuck in a low-level public service job—I am not saying that low-level public service jobs are not very important because they are all part of the machinery of government and all levels of the public service are very, very important, as we very well know. That was my experience in the BMA. I must say that many of the people who worked there had a loyalty to the organisation. Obviously, I was based at Welshpool, so it was a small organisation. The advantage of being based at Welshpool was that I could go swimming at Somerset swimming pool at lunchtime with one of my colleagues there. I would get on the train at Sherwood near Armadale, get off the train at Welshpool, walk about a kilometre to the BMA depot, and at lunchtime a colleague with a car would drive us to Somerset and we would do about 20 laps.

**Mr D.C. Nalder:** I used to train at Somerset, about 30 years ago.

**Dr A.D. BUTI:** Did the member for Bateman go swimming at Somerset? It is a nice pool.

**Mr B.S. Wyatt:** Both of you swam there when it is not as modern as it is now.

**Dr A.D. BUTI:** I must say, I preferred the old vintage outlook because it had the two pools.

**Mr B.S. Wyatt:** Interestingly, they still have the outdoor pool.

**Dr A.D. BUTI:** It still has the outdoor 50-metre pool, but it used to have another 50-metre outdoor pool on the other side. It is lovely that it still has the trees and so forth. Of course, that was going to close, I think, until—was he the Premier at the time?

**Mr B.S. Wyatt:** Geoff Gallop—a campaign started when he was in opposition and commitments were made when they came to government.

**Dr A.D. BUTI:** Does the member for Victoria Park swim there?

**Mr B.S. Wyatt:** Yes, but not as often as I should.

**Dr A.D. BUTI:** It is a very nice pool. The BMA has had a long history. If we look at its origins, the Public Works Department was established on 1 January 1901 and the BMA came into existence on 1 January 1985. Other speakers have spoken to the merits of the bill. Obviously, it makes a very important contribution and ensures that we tidy up what needs to be tidied up. As the member for Mount Lawley said, we can talk about reducing red tape, but we have to walk the talk. The Treasurer has walked the talk with this outstanding bill, and the member for Bateman has made one of the greatest contributions in the history of parliamentary speeches. It will be one of the great speeches—right to the point and very short, in probably about seven sentences.

The member for Nedlands's contribution was riveting and as usual the member for Mount Lawley was very articulate and brought into play the value of the Joint Standing Committee on Audit. Maybe I need to rethink the value of the joint audit committee, because I did not probably have the same view of its value. Maybe it does some very important work. It was very apt that the Minister for Heritage made a very important contribution. As a former teacher, he would know the value of the BMA. On that, I will conclude my speech, which I do not think I will remember tomorrow!

**MR B.S. WYATT (Victoria Park — Minister for Finance)** [7.38 pm] — in reply: I thank my colleagues for their contributions tonight on the Public Works Amendment (WA Building Management Authority Abolition) Bill 2019. The member for Nedlands asked a question that I will deal with in a minute. I thank in particular the public servants who prepared for me an extensive file for the debate tonight, as members can see. As most members have highlighted—in particular the member for Armadale, the member for Nedlands and the Minister for Heritage, who have had experience over the years with what will shortly be the former Building Management Authority—it is quite an interesting organisation in terms of how governments have been funded for a time. As most members have pointed out, the member for Armadale's entire experience with the Building Management Authority was to prove that the Boomtown Rats were indeed right—nobody likes Mondays! Well done, member for Armadale. For a while, it was a very important provider of funds for capital works.

I want to deal with one particular question that the member for Nedlands raised. I will read from some notes, which the member might find interesting. In 1984, changes were made to the way in which semi-government authorities across Australia—state governments—could borrow money. The government of the day decided that it needed to introduce new measures to allow it to borrow money to fund capital works projects, and hence the WA Building Management Authority was established to borrow funds for public buildings.

The authority was introduced in 1984 by the Burke Labor government. When it was established in 1984, it was referred to as the WA Building Authority and was not an agent of the Crown. The opposition at the time criticised the arrangements because of a lack of transparency with respect to the authority's fundraising activities. I may well be right with some comments I will make in a minute about that. At the time the authority was established, the ability of the commonwealth and the states to borrow funds was limited by global borrowing limits set by the Australian Loan Council. Interestingly, the Australian Loan Council's borrowing limits were reported in our budget until very recently. It was a hangover from the Loan Council days when we had to get authority to borrow within a certain limit.

The 1984 second reading speech cited changes in Australian Loan Council requirements as the catalyst for the creation of the authority. The authority was intended to allow government to supplement its borrowings in order to fund capital works. This probably deals with the member for Nedlands' question: the authority borrowed funds on two occasions. In 1984, the authority borrowed \$285 million for the purpose of funding the state's public works programs between 1984 and 1987. It was for generic capital works—schools and the sorts of things that I suspect the Minister for Heritage referred to. In 1996, it borrowed \$55 million specifically for the Peel Health Campus. The sum of \$285 million was for generic public works and \$55 million was for the Peel Health Campus. Both of those loans were repaid in July 2008.

This point is quite interesting: there is no information on who originally provided the \$285 million loan and what specific projects it funded. We can assume it was for the sorts of things that governments do, but no information has been found about who provided that \$285 million. It appears that after the authority became an agent of the Crown in 1994—it was not when it was established in 1984—the Treasury Corporation took over the role of borrowing for government. The remaining loan in 1994 became subject to an agreement between the WA Treasury Corporation and the authority. The WA Treasury Corporation believes that this is the case but it cannot be confirmed because it cannot find any particular agreement.

**Mr W.R. Marmion:** I know that Albert Facey House was a component of the Forrest Place development. No-one wanted to put in any capital money to build it. I think the government found money; maybe this helped it to put capital in and build Albert Facey House. "Silver City" might have been another component.

**Mr B.S. WYATT:** Yes. The authority is reported as having contributed \$46 million to the operation of the Building Management Authority—effectively the Public Works Department of the day—in 1984–85, and \$100 million in 1985–86. That is \$146 million between those three years. The borrowings were \$285 million, but the difference cannot be explained.

**Mr W.R. Marmion:** That was a lot of money in those days.

**Mr B.S. WYATT:** It was a huge amount of money in those days.

**Mr W.R. Marmion:** I think Albert Facey House was about \$50 million. That was for a whole building.

**Mr B.S. WYATT:** That was a significant amount in those days.

The cost of servicing this loan was covered by an appropriation to what became the Department of Finance. The original maturity date for this loan was October 2017 but it was repaid in July 2008 by the Carpenter Labor government. At the time of course, there was lots of revenue around and debts were paid quicker than expected.

In respect of the Peel Health Campus loan, this loan was provided by the Treasury Corporation. The cost of servicing this loan was met through a revenue payment to Finance by the Department of Health reflecting its use to the Peel Health Campus. Like the other loan, the original maturity date for the Peel Health Campus was in 2018, but it was paid off completely in July 2008. That is an interesting history. It highlights how state governments have emerged from under the kind of borrowing control of the commonwealth over the years to their own standalone entities issuing their own bonds and responsible for financing their own services.

As the member for Mount Lawley highlighted, this has been around a while. Its abolition was identified in a couple of reports. Although it is effectively an organisation with no liabilities and assets et cetera, of course it is an agency that still needs the usual reporting requirements.

I thank all members for their support in allowing the quick passage of this bill, particularly in the last parliamentary week of the year. I think it is something that is well past due being cleaned up.

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 B.S. Wyatt (Minister for Finance)**, and transmitted to the Council.

### **PREMIER'S STATEMENT**

#### *Consideration*

Resumed from 25 September on the following question —

That the Premier's Statement be noted.

**MR R.R. WHITBY (Baldivis — Parliamentary Secretary)** [7.47 pm]: I rise to continue my remarks —

**Ms L. Mettam** interjected.

**The ACTING SPEAKER:** Member for Vasse, keep your noise down; thank you.

**Mr R.R. WHITBY:** I would like to continue my remarks in response to the Premier's Statement that I made some time ago. I think I was cut off after five minutes into it, so I will continue. I am not sure exactly where I left off. I will not recount in great detail the beginning of my previous comments but I will make some comments about the widening of the Kwinana Freeway, which is a major issue of significance not just to the people of Baldivis, but to the people of many electorates and suburbs along the southern corridor of Perth, right down to Dawesville, Mandurah, Warnbro, Rockingham and Kwinana, and Darling Range perhaps to a lesser degree. Traffic congestion on Kwinana Freeway is a major issue. As we know, a strange scenario surrounds the north-bound lanes that perhaps only engineers such as the member for Nedlands and other traffic experts can explain—it is referred to as the Cockburn bottleneck. I guess it has something to do with the way the ramps and the traffic flow happens at that part of the freeway. I think we have all experienced this. It can be any day, and often it can be any time of the day, that traffic slows down. At peak times, particularly in the mornings, for commuters heading north along the freeway it has a knock-on effect all the way down the freeway. Motorists entering the freeway from Safety Bay Road, which includes many of my constituents, will be confronted with a car park that quickly develops a new kilometres up the freeway.

It is a major issue in Baldivis, as I am sure it is in other communities in that part of the world. It was raised with me continually as a candidate prior to the 2017 election. I have told the story in this place before, I think, about how I urged the then shadow Minister for Transport to commit to funding the widening of the freeway. Being a very responsible person, the shadow transport minister at the time was not going to make that political commitment, even though it would have been well received in the communities that I represent, and others. She would not make that commitment because she could not be certain of funding. When there was a change of government, and the shadow Minister for Transport became the Minister for Transport, she was able to secure, with the cooperation of the Treasurer, the Premier and the former Prime Minister, Malcolm Turnbull, funding to be directed to other roadworks, away from the Roe 8 project, and the widening of Kwinana Freeway was one of those. An amount of \$50 million was allocated for that work. Over the past year or more, people travelling on Kwinana Freeway have been very aware of the roadworks, and they continue to this day.

Most of the people in the community have been responsible and patient, because they know that any delay occurring now is similar to the natural delays that occurred with the impact of the Kwinana bottleneck, but they know that the delays they are experiencing now will lead to a positive outcome when that widening work is completed in the coming months. It will be a very welcome project when it is opened. As an interesting aside, the regulation of the traffic speed down to 80 kilometres an hour on a large section of that freeway might have had the impact of creating a smoother flow. The previous impact of the Cockburn bottleneck was not much different from having the construction work, narrowing of lanes and associated work going on at the moment. It has not materially changed much—we have the same delays—but it just means that we know there will be a positive outcome. That is a positive issue for infrastructure in the community that I represent. It has a direct impact on people living in suburbs such as Baldivis, Bertram and Wellard, and then further inland to Waikiki and Leda. That frustration is a constant issue, because we know it means that people have to leave for work earlier than they would have to if the freeway was running at the correct speed, and it means less time with their families. We are looking forward to this project being completed.

A range of important infrastructure projects impact on the community that I represent, and I want to go through some of them to give members an idea of how the McGowan government has been very good at investing in infrastructure. We have heard comments that there has not been enough investment in infrastructure, but I know that in the community I represent, infrastructure development is going ahead, it is very obvious to the community, and it is going to make life a lot easier for a lot of people in the community. Baldivis has grown rapidly in recent years. It is a suburb and a community of young families with lots of children, and one of the boom local industries is actually education. The industry involves the employment of hundreds and possibly thousands of people, including teachers, associated administration staff, education assistants, and gardeners—the list is endless. In Baldivis, it also involves the investment of tens of millions of dollars in state and independent private school facilities in the community.

I want to go through some of the recent works that have occurred just in the time that I have been the member for Baldivis. Wellard Primary School, a brand-new school near the freeway in Wellard, serves the growing community estates of Providence and Emerald Park, and reaches across the freeway eastward into the electorate of Darling Range to take in the community of Sunrise. These are new communities, with young families starting out with young children, and a world-class primary school is growing rapidly. As members of Parliament, we all find in this place that schools are the heart of our communities. We do not have town squares as much anymore; we have local schools, where we see parents of other children who become our friends. We see them at drop-off and pick-up, and it is part of the community glue that makes a suburb into a community.

In addition to Wellard Primary School, we have seen the addition of a second government high school in Baldivis. I am not sure whether a suburb anywhere in Perth has two government high schools—I might be wrong. But Baldivis has two government high schools.

**Mr W.R. Marmion:** Do you mean a suburb or electorate?

**Mr R.R. WHITBY:** I mean a suburb. There would be plenty of electorates but —

**Mr W.R. Marmion:** Subiaco.

**Mr R.R. WHITBY:** Subiaco—with the new Bob Hawke College, of course.

**Mr W.R. Marmion:** No, Subiaco already has Perth Modern School and Shenton College.

**Mr R.R. WHITBY:** Is Shenton College in Subiaco or Nedlands? The member would know. I am guessing.

In Baldivis, we have two government high schools. We have the existing Baldivis Secondary College, and this year the new Ridgeway Secondary College opened to the south of Baldivis.

**Ms M.M. Quirk** interjected.

**Mr R.R. WHITBY:** No, that was a movie from the 1980s—it takes us all back. I think it was called *Fast Times at Ridgemont High*.

**Ms M.M. Quirk** interjected.

**Mr R.R. WHITBY:** Yes, there can be some confusion with that movie that we all enjoyed, but this is Ridgeway Secondary College in Baldivis. In addition, there have been some major extensions to Mother Teresa Catholic College in Baldivis. A few years ago it was just a primary school, but, as of the last two years, it has extended to year 12. This may interest the member for Nedlands again, with his engineering bent: it is the largest rammed earth building in the southern hemisphere. It is actually a series of buildings, but they are connected with walkways, and continually linked up with rammed earth. It is a very attractive, modern and durable building, but it is the largest rammed earth structure in the southern hemisphere—another claim for Baldivis. I think it should be on the Griswold family tour.

**Mr I.C. Blayney:** Do you know who was the architect?

**Mr R.R. WHITBY:** I cannot tell the member off the top of my head, but I can find out if he is interested. I might have a picture on my phone with the architect board.

**Mr I.C. Blayney:** It might have been Broderick from Subiaco, I think, because he built the new school in Geraldton that is built out of rammed earth as well.

**Mr R.R. WHITBY:** It could very well be; I will have to check that.

Other construction work is going on. Big extensions are being made to King's College in Bertram, and new works are planned at Peter Carnley Anglican Community School in Wellard. As members can see, there is a very vibrant government and independent school community in Baldivis, and it is growing. The state government has also announced that, in addition to all those schools I have just mentioned, two new primary schools will be built in Baldivis. The first of them, which had the planning name Baldivis north primary school, is due to open for the 2020 school year. The new principal, Craig Stanners, is in place there, appointing his team, and that school will be open for the beginning of the new school year in a couple of months' time. It is a brand-new school that has only recently taken on the name Sheoak Grove Primary School, named after a grove of native sheoak trees in the area. In addition, a second government primary school will be built in Baldivis, to the south this time. It has a planning name of Baldivis south primary school, and it will be open at the beginning of the 2021 school year.

Since I was a candidate and have been the member for Baldivis, a new school has opened every year, and that will continue to be the case in subsequent years. Indeed, I think it was the case for a number of years before I arrived on the scene. That is enormous growth reflected in the number of families and the number of children being born in the area.

When families are growing, we obviously need other facilities. Sport is another booming business in Baldivis. It has the biggest suburban football competition, with the Baldivis Brumbies, which was successful in winning the league grand final at Rushton Park recently, with a wonderful celebration. There is also the White Knights Baldivis Cricket Club, which is so large it may have to be split into two; the Baldivis Soccer Club for soccer fans; and the Baldivis District Football Club, because the BSC has not been able to accommodate the demand for kids to play soccer. There is the Baldivis Basketball Club, the Baldivis Little Athletics Centre, the Baldivis Netball Club and the Baldivis Tennis Club. I am sure I have missed some along the way. Baldivis has one of the most active sporting communities in the state. That is aided by the addition of a major new facility, the Baldivis district sporting complex, a major undertaking by the local council, assisted with \$1.5 million in state government contribution. There was a federal allocation of another \$2 million from a Labor government had it been elected this year, but, unfortunately, that amount was not forthcoming. I wrote to the Prime Minister to congratulate him on his win and suggested that perhaps he might like to look at doing the right thing by the people of Baldivis. I did not get a response. I got a response from Hon Ben Morton, who did not address the issue and we did not get any commitment there.

[Member's time extended.]

**Mr R.R. WHITBY:** I would like to mention other facilities in Baldivis such as the recently opened Baldivis South Community Centre. It is a wonderful new community centre to which there was the addition of about \$900 000 in Lotterywest money. Before that, another sporting complex received about \$1 million in Lotterywest support. This growth is continuing and we are playing catch-up to a degree because of the massive growth that occurred during the mining and resources boom. If we want to talk about infrastructure and the provision of services to the community, they are happening in Baldivis and the suburb is transforming.

Another matter I want to raise as a representative of an outer suburban area where there are issues around urban sprawl and demands for people is that of finding space for housing. I really think it is time that the burden is lifted from the outer suburbs to always provide the space for new homes. Places like Baldivis and other fringe suburbs have valuable environments and valuable bushland, which are being knocked down to accommodate new housing estates. Obviously, we need growth and the capacity to house more people. However, as a representative of an outer metropolitan area, I believe more responsibility and more burden need to be shouldered by those older inner suburbs of Perth. I note that some lively debate is going on at the moment in some of the older inner suburbs of Perth where people oppose any suggestion of infill or higher density. They do that thinking that other places can bear that responsibility and burden and other communities can see bush wiped out because areas that are established, with services and infrastructure already in place, refuse to contemplate infill or some degree of higher density. I was recently speaking to Dale Alcock, who will be known to everyone in here as one of the major Perth builders. We discussed his vision of Stirling Highway being made a boulevard between Perth and Fremantle where there could legitimately and acceptably be infill of perhaps up to four and five storeys along the length of Stirling Highway. We are not talking about massive towers but about higher density infill in an area that has bus services, train services, medical facilities and hospitals—all the infrastructure already in place that is expensive to provide on the outskirts of Perth. I believe those established suburbs need to shoulder more of the burden of growth in Western Australia. At the moment, the pendulum is unfairly in the direction of those outer suburbs that have to suffer the consequences of growth. I think it should be shifted in the other direction. I think those older inner suburbs can do with more infill without impacting on the quality of life and the amenity of those communities. It is something we need to seriously look at. I know the planning minister is keen for this to happen.

There is another issue. One of the communities I represent is the suburb of Wellard, an area developed probably about 10 years ago now by Peet Ltd. Peet has done a terrific job of incorporating natural vegetation, including old established mature gum trees within the urban environment. Too often, we see the d9 approach to development of new estates in Western Australia. We flatten everything, reduce the land to flat sand and then try to re-establish gardens and European trees, which struggle in our Australian environment. I believe there is another way to proceed when we do developments in outer suburban areas. We should look at the example set in Wellard where Peet Ltd has retained large amounts of native vegetation and natural environment that provides an environment for native fauna. It has retained many large trees. As a result, there is a very attractive community with new homes that have shade and large trees throwing shade over large amounts of the neighbourhood. If people drive around Wellard, they will suddenly take a strange twist in the road because they will be driving around a big gum tree located in an odd position because the planners decided that rather than knock it down, it could take the road around it. People could be driving past some homes, which will come to an end at some public open space, and there will be a strand of gumtrees where the developer thought they were valuable and worthy of retaining. I know that the best way to make money when developing a new estate is to knock everything down and squeeze in as many lots as possible, but I think the example set by Peet Ltd creates a much more liveable community and an area where blocks retain much higher values and be a place where people want to live. There are some other costs that probably cannot be calculated in the environmental cost of that approach, such as cooling down homes in the neighbourhood so people are not cranking up their air conditioners to full blast in the summer. This is the way we need to look at doing developments.

I have mentioned two elements tonight. I have had this conversation with the Minister for Planning and others. We need to do urban development differently. We need to retain much more of the urban canopy and have wildlife corridors so if there are some stranded kangaroos, they might have a chance to get away without being hemmed in by roads and houses. We need to inspire and encourage developers to think more carefully about how they plan their developments and what native vegetation they can retain. Obviously, when old agricultural land is being developed, everything has been wiped out, so there is no valuable native vegetation to retain. However, there are many places in Perth where magnificent trees have been for decades and if not for some simple planning changes or a different approach by developers, we could retain that environment. We would then have the best of both worlds with an environment that is a home for native fauna and a beautiful environment to enjoy because nobody likes to see bushland flattened. However, perhaps if it is done in a more surgical and more responsible way, we can have suburbs that we want to live in that mix it and share the environment with the bush and the natural environment.

That is one approach with new development. The other is that we should take more pressure off the outskirts of Perth to find accommodation for our growing community. The older suburbs can take more people. They have the services and they have the facilities; they do not have to be built again. They have the schools; I talked earlier about all these new schools we are building, and the average primary school in Baldivis has 800 to 900 kids. We know that all across Perth there are wonderful, established local primary schools with only a couple of hundred kids, so we need to re-look at the way we go forward in planning for growth. As a representative of an outer suburban community—I am sure there are many other members here tonight who would concur with me—this is the way forward. We, as a community, have to work together. We do not need a divide and we do not need to be at each other's throats. We need to work together to see a better way forward. I thank the Acting Speaker (Ms M.M. Quirk), and I conclude my comments on the Premier's Statement. Thank you.

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

## **GOVERNMENT RAILWAYS AMENDMENT BILL 2019**

### *Consideration in Detail*

**Clauses 1 to 3 put and passed.**

**Clause 4: Section 48 amended —**

**Ms L. METTAM:** As has been noted by the Minister for Transport, there has been a dramatic increase in railway incidents, and it has also been acknowledged that there has been an increase in category B trespass offences. I note that the minister has also stated that the increase may be attributed to a change in the reporting guidelines of the Office of the National Rail Safety Regulator. Can the minister expand further on this? What is the change in reporting that has caused these numbers to increase? Can the minister give an indication of the extent to which the increase is because of the reporting mechanism?

**Ms R. SAFFIOTI:** This is in relation to the interpretation of the existing guidelines set through the Office of the National Rail Safety Regulator. Previously, our agency was not reporting many incidents relating to level crossings, but another look at the guidelines has changed the interpretation and increased the reporting. I suspect that some of those numbers have increased as a result of a more diligent or strict interpretation of the existing guidelines.

**Ms L. METTAM:** From what date was there a change in the reporting guidelines?

**Ms R. SAFFIOTI:** It was over the 2017–18 to 2018–19 period. Basically, the increase has been over the last two years, as a result of a tougher interpretation of the guidelines. The new ONRSR legislation came into effect in November 2015, and the better application of the ONRSR reporting guidelines has occurred over the past two years.

**Ms L. METTAM:** I assume the minister still acknowledges that there has been a significant increase in trespass offences. We have seen a 74 per cent increase from one financial year to the next. I note the comments made in the minister's media statement about the penalties. Are we still seeing growth in the number of these offences?

**Ms R. SAFFIOTI:** I think we can say that over time, as the population increases, there has been an increase in reportable incidents. For example, in 2010–11 there were 392 category B notifiable occurrences; that figure increased over time to 918 in 2016–17. Over the past couple of years, the change in the interpretation has seen a significant spike over a relatively short time. Our system is mostly fenced, which is very different from some other states. At the transport ministers' meeting last week, it emerged that in many parts of the Victorian network, for example, the rail lines basically back onto people's fences. We at least have some barriers, but issues of trespass are always of concern. Unlike many Asian cities that have entirely closed networks, we have an open network, so issues of trespass are always a concern and something that we are trying to crack down on more. As a result, we have more transit guards, more vigilance along the lines and more reporting to make sure we crack down on trespass and do not have incidents that put at risk the general public, commuters and others involved.

**Ms L. METTAM:** The member for Armadale noted that in 2016 there were only 18 prosecutions under the Criminal Code, and that the Public Transport Authority prosecutes up to 90 per cent of trespass offences on PTA land under the Government Railways Act. How many prosecutions for railway trespass took place over the last three financial years under the Criminal Code, and how many under the Government Railways Act?

**Ms R. SAFFIOTI:** We will endeavour to get that information to the member. The notes in front of me show that there were 18 prosecutions in 2016. We are now trying to find information on prosecutions under the Criminal Code. The member for Armadale made the point that another level has to be proved under the Criminal Code—that the person has been warned to exit the area and the person has not taken that advice or listened to that instruction. That is why prosecutions under the Criminal Code are a lot tougher than under the Government Railways Act.

**Ms L. METTAM:** Can I assume that that information will be provided during the consideration in detail process, just for clarification?

**Ms R. SAFFIOTI:** We are seeking that information now. As I said, in 2016, there were 18 prosecutions. Does the member want the figures for the following years?

**Ms L. Mettam:** Yes, under both the Criminal Code and the Government Railways Act.

**Ms R. SAFFIOTI:** I will read this out. In 2017, there were 128 trespass offences under the Criminal Code, of which 62 were dealt with by the legal justice system. The remaining 66 offences were not progressed, for a number of reasons. In 2017, there were 323 trespass offences under the Government Railways Act 1904, of which 53 were dealt with by the legal justice system.

**Ms L. METTAM:** I am keen to understand how many of the offenders who were prosecuted under the Criminal Code paid the fine and associated court costs, or carried out a community order, if there was one?

**Ms R. SAFFIOTI:** About 50 per cent of all infringement notices are paid, and 50 per cent go to the Fines Enforcement Registry. We do not have information about how much of that is recovered through the Fines Enforcement Registry system. I can say that 50 per cent of fines are paid and 50 per cent go through FER. I cannot tell the member how much of the 50 per cent that goes through FER is paid.

**Ms L. METTAM:** That fits in with another question I have. How will this proposed legislation fit in with the fines enforcement legislation?

**Ms R. SAFFIOTI:** This is where my knowledge of the legal system is tested! In relation to fines that will be applied under this bill, we do not refer automatically to FER. If fines have been determined through the courts, they are referred to FER and then recovered. I understand that in 2003, there was a repeal of certain bylaws when the Public Transport Authority was created and the legislation came into effect.

**Ms L. METTAM:** In relation to my previous question about how many offenders have paid costs under the Criminal Code, I am seeking to understand—accepting that the penalties under the Government Railways Act are not as great—how many of the people who have been prosecuted under that act have paid that less hefty fine?

**Ms R. SAFFIOTI:** We do not find out that information. The money collected through FER goes to the consolidated fund, and we are not informed of the breakdown through the Fines Enforcement Registry.

**Ms L. METTAM:** Just to clarify, once this act is amended, which will effectively just change the amount of the penalty, does that mean that we will not have any transparency about the amount of fines that is paid by those who are prosecuted under this bill?

**Ms R. SAFFIOTI:** For fines that are not referred to the Fines Enforcement Registry, we have clarity and visibility, but once they are referred to the Fines Enforcement Registry they are handled by that registry and we do not have clarity about what is recovered and what particular fines are paid.

**Ms L. METTAM:** Can I clarify whether any other forms of punishment are currently available and have been imposed for trespass, such as community orders or the like?

**Ms R. SAFFIOTI:** I am informed that that is up to the courts when they determine the level of hardship and therefore determine whether the appropriate penalty is a community service order. It is up to the court system and the will of the magistrate.

**Ms L. METTAM:** Can the minister indicate the number of fatalities over the last three financial years that have resulted from trespass? I acknowledge that there will be some cases of suicide in those figures, so I think it would be valuable to have a breakdown of what those fatalities are.

**Ms R. SAFFIOTI:** This is a very sensitive subject and it is difficult to discuss in some ways, given that many instances of fatalities on the network are people taking their own lives. It is an awful, awful thing to think about. I will focus just on fatalities that have resulted from accidents—that is, when people were determined not to have taken their own lives. There were two fatalities over the past two years—one in early 2018 and one in early 2019.

**Ms L. METTAM:** I thank the minister. Why is there not a term of imprisonment as part of the penalty, given that that would act as a strong deterrent and given that a judge would have discretion about whether to impose that? We understand that only 50 per cent of fines issued under the Criminal Code have been paid.

**Ms R. SAFFIOTI:** There has been some analysis of those who have been found guilty of trespass under the Criminal Code more generally across the state, and that has not been able to identify anyone who has been imprisoned just for trespass. That option is available under the Criminal Code, but it is not being used. We understand that the average fine for trespass under the Criminal Code is between \$1 500 and \$2 000.

**Ms L. METTAM:** I note that during the second reading debate and in the minister's media statement, reference was made to court costs. The minister and the member for Armadale both stated that the court costs for the Public Transport Authority are between \$2 000 and \$3 000. The member for Armadale stated that this was the cost in lost time for the PTA to prosecute a trespass offence. Can I get a clarification of the costs and how that figure was arrived at?

**Ms R. SAFFIOTI:** A number of components were considered in estimating that cost. There is the off-track time, which is basically the time involved in transit officers leaving their location to prepare for a case. There are also costs involved in lodging the writs and in PTA prosecutors preparing the cases. There are other potential costs, including the cost of taking train drivers off the job and backfilling their positions. They all contribute to the costs.

**Ms L. METTAM:** Obviously, what would save costs is on-the-spot infringements. What work is the government doing to enable on-the-spot infringements to save the PTA these costs?

**Ms R. SAFFIOTI:** Two bodies of work are being undertaken. Amendments are being drafted to the Public Transport Authority Act to allow for on-the-spot fines, and work is being done on Criminal Code infringements, with drafting underway to facilitate the introduction of on-the-spot fines.

**Ms L. METTAM:** It is a real positive that the government is looking at that under both the Criminal Code and this piece of legislation. What sort of time frame is the government looking at in terms of making the necessary changes to enable this to happen?

**Ms R. SAFFIOTI:** The Criminal Code comes under the police, so I do not have that information in front of me. In relation to the PTA work, drafting has been undertaken and we hope to finalise that in the coming months.

**Ms L. METTAM:** To clarify, the minister made the point that whilst penalties under the Criminal Code are as great as \$12 000 and 12 months' imprisonment, we have not seen penalties as high as that imposed for rail trespass. I just want some clarification. I will be moving the amendment shortly. From the point of view of the PTA, why could the government not simply mimic those penalties in this bill, given that a court will always have discretion to implement the penalty it sees fit?

**Ms R. SAFFIOTI:** In drawing up this amendment to the Government Railways Act, an analysis was undertaken of what is happening in other jurisdictions to try to make it comparable. I understand that the penalty for an equivalent charge in New South Wales is \$5 500, and in Victoria it is \$3 000. We chose a number that we felt was consistent with what is happening in other states.

As I said, the offence of trespassing in the Criminal Code is also a little tougher to meet because it has to be proven that someone has been warned and refused to leave that area. Under this legislation, the requirements to prove someone is guilty of trespass are not as tough, so as a result, we think that a penalty of \$5 000 is the right amount. Of course, compared with what it was, it is a significant increase. It is a major increase and it is comparable with penalties in other states. As I said, the more serious charge is in the Criminal Code. In a sense, that charge is a lot harder to prove, but it is also of a more serious nature because someone has been warned to leave the area and they have refused to leave.

**Ms L. METTAM:** I accept that this legislation is a better mechanism under which to prosecute. For that reason, I move —

Page 3, line 8 — To delete “a fine of \$5 000” and substitute —  
imprisonment for 12 months and a fine of \$12 000

As I stated in the debate on the second reading, we are moving this amendment to seek some consistency with the Criminal Code because, as has been acknowledged, the Government Railways Act is an easier mechanism under which to prosecute. In the interests of consistency, we believe that trespass in the rail network is just as significant an issue as general trespass and a hefty fine or imprisonment would be a significant deterrent. A judge will always have discretion on what penalty is given, but in the last financial year we have seen a 74 per cent increase in trespass offences. The minister pointed to New South Wales and the impacts of having a heftier fine there. I also acknowledge the impact that having an increased penalty has had in New South Wales, which has had an 18 per cent drop in trespass offences.

This is an effort to bring some consistency to the penalties relating to trespassing in this state. As the minister has already stated and as has been acknowledged, the Criminal Code has been used on many occasions when the incidents of trespass are serious. If the mechanism for trespass under the Government Railways Act is a simpler mechanism to use, why do we not give the courts the range of options and send a strong message at the same time? That is why I move this amendment.

#### *Division*

Amendment put and a division taken, the Acting Speaker (Ms M.M. Quirk) casting her vote with the noes, with the following result —

#### Ayes (11)

Mr V.A. Catania	Mr S.K. L'Estrange	Ms L. Mettam	Mr P.J. Rundle
Mr Z.R.F. Kirkup	Mr R.S. Love	Mr D.C. Nalder	Mrs A.K. Hayden ( <i>Teller</i> )
Mr A. Krsticevic	Mr W.R. Marmion	Mr K.M. O'Donnell	

#### Noes (31)

Ms L.L. Baker	Mr D.J. Kelly	Mr P. Papalia	Mr C.J. Tallentire
Dr A.D. Buti	Mr F.M. Logan	Mr S.J. Price	Mr D.A. Templeman
Mr J.N. Carey	Ms S.F. McGurk	Ms M.M. Quirk	Mr P.C. Tinley
Mr R.H. Cook	Mr K.J.J. Michel	Ms C.M. Rowe	Mr R.R. Whitby
Ms J. Farrer	Mr S.A. Millman	Ms R. Saffioti	Ms S.E. Winton
Ms E.L. Hamilton	Mr Y. Mubarakai	Ms A. Sanderson	Mr B.S. Wyatt
Mr T.J. Healy	Mr M.P. Murray	Ms J.J. Shaw	Mr D.R. Michael ( <i>Teller</i> )
Mr M. Hughes	Mrs L.M. O'Malley	Mrs J.M.C. Stojkovski	

---

#### Pairs

Dr D.J. Honey	Mr W.J. Johnston
Mr P.A. Katsambanis	Mr J.R. Quigley
Dr M.D. Nahan	Mrs M.H. Roberts
Ms M.J. Davies	Mr D.T. Punch
Mr J.E. McGrath	Mrs R.M.J. Clarke
Mr I.C. Blayney	Mr M.J. Folkard
Mrs L.M. Harvey	Mr M. McGowan
Mr D.T. Redman	Ms J.M. Freeman

#### **Amendment thus negatived.**

**Ms L. METTAM:** This bill was read in shortly after the publication of the “Public Transport Authority Annual Report 2018–19”. What sort of consultation did the minister and the department engage in in the lead-up to the drafting of this legislation?

**Ms R. SAFFIOTI:** After the train surfing incident that occurred early last year, as I recall, and even before that, some discussions were held between the PTA and me and my office about the level of penalties that existed for trespassing. Other concerns were also raised. As I said, there was an occurrence related to photographs being taken on train tracks. That seems to be a relatively new thing happening in relation to people organising wedding photos being taken on train tracks. Normally it is vintage cars, but for whatever reason it has changed.

A few issues were bubbling. Discussions were held between the agency and my office. As a result, there was an agreement to go forward and increase the penalties to try to create a bigger deterrent. On top of that, there are all these other programs: education programs; more advertising about trespassing; a social media campaign; and a media campaign to stop photographers taking pictures of wedding parties on the tracks. A number of transit officers are involved with younger people who may be wanting to graffiti or trespass. There is a lot of engagement. The Public Transport Authority Arrows Awards night, with a Mexican theme, was held a number of months ago. It was a very successful night. Awards were given to a number of transit officers; a particular one who had directly engaged with at-risk youth in the area to try to encourage them to stay clear of train tracks and trespassing. There is the Right Track education program. We also hosted a joint roundtable between the Australasian Railway Association

and Lifeline Australia. That was the first time that roundtable had been held in WA. It was similar to other roundtables held across Australia. That primarily looked at people committing suicide on our rail lines and the issues confronting employees at the PTA, including train drivers and transit guards, and first responders and witnesses. We are working on all fronts trying to reduce the number of people dying on our tracks but also people trespassing on our tracks.

**Ms L. METTAM:** In terms of this sort of behaviour, what evidence is there to suggest that this behaviour encourages copycat behaviour? Is there any science behind that? Is there any scientific evidence to back that suggestion up, which has been raised before?

**Ms R. SAFFIOTI:** Is the member referring to trespassing or suicides?

**Ms L. Mettam:** I am talking about train surfing and trespass; I am not talking about suicide.

**Ms R. SAFFIOTI:** I have been advised that there is anecdotal evidence that things like graffiti along the tracks and other things come in waves. There might be groups of people in the community—I will say younger people, but I do not want to demonise younger people—who want to undertake these high-risk activities. We have to focus, first of all, on preventing it. Our transit guard system is probably the best in the nation in relation to having a dedicated unit across our rail infrastructure and on our trains. It is a very good system. We are putting in more and more CCTV cameras, which is also a big one, particularly at stations. There were very interesting discussions at the roundtable more generally about the use of CCTV cameras and other imaging equipment being used to predict behaviour. We are targeting information campaigns and working with at-risk youth. This is a particular arm of the policy to try to deter people through increased fines and penalties. All-up, we want to continue to improve safety across the network and reduce person versus train and vehicle versus train incidents in any capacity.

As I said, we have certain challenges. They are different from completely closed networks such as tunnels; and then maybe gates at the station too so there is not a lot of chance to trespass. We do not have that closed system but we probably have a more secure system than other states. Many systems do not have that level of fencing or protection that we do, particularly in Victoria, which is quite interesting. Every state is facing the same battle. As we build our new stations and rail lines, things like noise walls or other protections will also be included to make sure we reduce the ability of people to easily access our train tracks. Accessing platforms is fine but accessing the train tracks is not what we want to see.

**Ms L. METTAM:** Going back a step, when we were talking about the penalties that exist under the Criminal Code, I asked why penalties for general trespass are much harsher than what currently exist and what will exist under the Government Railways Amendment Bill. The minister stated that the Government Railways Act is a simpler mechanism to use for standard forms of trespass on the rail network. For more significant offences, there was a suggestion that it is appropriate that it is much more difficult and challenging to prosecute under legislation such as the Criminal Code. During the second reading debate, the member for Armadale and I both said that the Criminal Code relies more heavily on some level of warning for general trespass. Given there have been two fatalities—not related to suicide—over a two-year period, and there is a good indication that dangerous behaviours, whether wedding photos on trains, train surfing or idiotic behaviour, puts lives at risk, why would the minister not make the mechanism to prosecute very serious behaviour within a framework of a tougher penalty; why would the minister avoid a mechanism that is easier to use?

**Ms R. SAFFIOTI:** In reference to the fatalities—again, I do not like talking about these types of things because of the families involved and how tragic it would be—the accidents that occurred would be similar to a pedestrian being hit by a car in a sense; that is, it was a really unfortunate decision and a very awful accident.

I did not quite get the second part of the member's question. Basically, we are making it easier to penalise people who trespass across our network. We are increasing the fines for people who trespass on our network. The more serious offences will continue to fall under the Criminal Code. As has been demonstrated, penalties issued under the Criminal Code have not reached \$12 000 by any stretch of the imagination. The average has been a lot lower. We think this is a good step, together with all the other education programs we have, to deter people and to increase the spotlight on trespass, making sure that people do not see it as something that they should or can do easily, and that they think twice or three times and do not trespass on our network because of the dangers that imposes on everyone in the community.

**Mr Z.R.F. KIRKUP:** Since we have an opportunity to discuss trespass issues, I was interested in what the minister said before about the enclosed network. I have always found it fascinating when I go to other countries to find that entire stations always have gates. I am not suggesting that that be done here, but this is to do with trespass, I suppose. Is it something that could ever be feasible in Western Australia? I have often thought that it is a wholly efficient system because it keeps people enclosed on the platform. I suppose, as the minister indicated, because we have land around the railway lines, it would be easier for people to get onto the network anyway, outside that. It seems to me, especially in the busy underground stations, to be a sensible idea. I was just wondering whether that is something that the agency has ever looked at.

**Ms R. SAFFIOTI:** A couple of weeks ago I was at the suicide roundtable meeting about those automatic doors and trying to prevent people accidentally going past the line at the stations. The point is that they work effectively at high-volume, closed stations. Here, if we put those screens up at the station and someone wanted to trespass or do something else, they would just walk around, walk along the track and do something. That protection to control commuters is primarily found in enclosed, high-volume networks.

**Clause put and passed.**

**Title put and passed.**

Leave granted to proceed forthwith to third reading.

*Third Reading*

**MS R. SAFFIOTI (West Swan — Minister for Transport) [9.02 pm]:** I move —

That the bill be now read a third time.

**MS L. METTAM (Vasse) [9.03 pm]:** As we have said from the outset, and despite some comments made by those opposite, the Liberal opposition supports the Government Railways Amendment Bill 2019. We note from the minister's response to the second reading debate the reasons the minister was so keen to increase the fine from \$200 to \$5 000, and that it is a significant increase. We know that increasing the penalty for rail trespass in New South Wales resulted in an 18 per cent reduction in the number of trespass incidents over a 12-month period. We very much support the measure and acknowledge that there has been a significant increase in the penalties for trespass. It is an appropriate response to the 74 per cent increase in reportable trespass offences over the past financial year.

In her response to the second reading debate, the minister said that the amendment to the bill proposed to increase the penalty to \$12 000 was what she called "dartboard policy" in deciding what amount we would fine offenders. It certainly was not that. There was some logic behind it. It was simply an effort to provide consistency with penalties that already exist under the Criminal Code and have already been utilised. Contrary to the statement of the Minister for Transport, this figure was not plucked out of the air. The \$12 000 maximum penalty currently sits as a limit for acts of trespass. Given that people can currently be fined for the same unlawful conduct under the Government Railways Act as under the Criminal Code, there is merit in providing for a consistent level of penalty, given the acts we are now seeing on the rail network.

We are not saying at all that we would be removing the discretion of the court. The court will still have the same level of discretion that currently exists under the Criminal Code. I will state again that we have seen a concerning increase in the number of these offences. Trespass offences have increased by 74 per cent. The member for Armadale and the minister both referred to the costs involved for the Public Transport Authority in prosecuting under the Government Railways Act, and I think we are all on the same page. In addition to acting as a deterrent, the fines must always meet a cost recovery goal as well.

In his second reading contribution, the member for Armadale questioned the approach to having such a hefty deterrent. He said that the government is seeking to increase the fine to \$5 000, which will provide cost recovery plus, and a deterrent to the offender if they are found guilty. If the prosecution of the offence was transferred to the Director of Public Prosecutions or the police prosecutor, the amount of lost time to those officers would be significant and would prevent them from dealing with other work. That we are seeking to mimic penalties that exist under the Criminal Code does not automatically mean that these penalties would need to be prosecuted by the DPP. The advice that I have been given is that that would not be the case. I do not think the explanation of it being too hard is reason enough not to provide penalties that are fair deterrents. As I said, I am bemused about why increasing the penalty would mean a transfer to the DPP for prosecutions when we are talking about penalties that exist under the Government Railways Act. This house has recently amended the Real Estate and Business Agents Act 1978 to include imprisonment for the first time, in addition to increasing the penalties associated with consumer protection. That prosecution would be undertaken by Consumer Protection, so the too-hard argument does not really stick. I certainly counter the suggestion made by the member for Armadale in that respect.

**Dr A.D. Buti:** I must have made an impression. I am not even the minister.

**Ms L. METTAM:** Well —

Several members interjected.

**The ACTING SPEAKER:** Members! Member for Dawesville, thank you! Member for Armadale!

**Mr Z.R.F. Kirkup** interjected.

**The ACTING SPEAKER:** Member for Armadale, I call you to order for the first time. Member for Vasse, carry on, please.

**Ms L. METTAM:** It is important to clear up some obvious faults.

**Dr A.D. Buti** interjected.

**The SPEAKER:** Second time, member for Armadale!

**Ms L. METTAM:** The minister referred to the facts that I have used throughout my second reading contribution. She also questioned the facts that were provided about patronage. I stated that from 2016–17 to 2018–19 the figures had flatlined and increased by only 0.4 per cent in total boardings, or two per cent of trains in isolation. If the minister would like to clarify and double-check the facts I have provided, she can go to the Public Transport Authority website, which has that information. I stated that in the last financial year, trespass had increased by 74 per cent. It is a category B notifiable offence of trespass, which has gone up from 510 incidents in 2017–18 to 858 incidents in 2018–19. Assaults have increased by 30 per cent in the last financial year from 113 to 147. I was talking about assaults on transit officers, which I believe should also be a priority of this government. There is also, of course, vandalism. We have seen a 19 per cent increase on our rail network of reportable incidents of vandalism and that can be found in the PTA annual reports.

That concludes my contribution to the third reading debate. We certainly support the effort to increase the penalty and put in some sort of deterrent, given the significant increase in trespass behaviour, which, sadly, causes significant concern on our rail network. I take the opportunity also to thank the advisers for their briefing and their time in consideration in detail.

Question put and passed.

Bill read a third time and transmitted to the Council.

*House adjourned at 9.12 pm*

---

### QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

#### WATER CORPORATION — SCHEME CONNECTION — CARNARVON

**5318. Mr V.A. Catania to the Minister for Water; Fisheries; Forestry; Innovation and ICT; Science:**

I refer to costs to deliver water to customers connected to scheme in Carnarvon, and I ask:

- (a) How much did/does it cost the Water Corporation per kilolitre to deliver water to its customers in:
- (i) 2016–17;
  - (ii) 2017–18; and
  - (iii) 2018 to date;
- (b) What level of cost reflectivity was Water Corporation achieving for its network in Carnarvon over the above periods; and
- (c) What was the average cost of water supply to customers per kilolitre over the above time periods?

**Mr D.J. Kelly replied:**

- (a) Costs are
- (i) \$2.45/kL
  - (ii) \$2.58/kL
  - (iii) \$2.74/kL
- (b) The Liberal National Government changed the methodology for calculating the operating subsidy in the 2016/17 budget without reviewing the potential impact on steps and classes, resulting in some country towns such as Carnarvon becoming over-cost recovered. However, 89% of water delivered to residential customers is billed at or below the metropolitan equivalent price.
- Further, for 2019–20 in total country water supply schemes are under cost-recovered by 49%, including; Coral Bay, Denham, Onslow and Wiluna.
- (i) 136 percent
  - (ii) 152 percent
  - (iii) 144 percent
- (c) A range of tariffs apply to customers, plus concessions where applicable.

For a standard residential customer located in Carnarvon their charges are:

	2016–17	2017–18	2018–19	Notes
Service charge	\$236.22	\$250.39	\$257.90	State-wide uniform
Usage charges	\$/kL	\$/kL	\$/kL	Country North Class 5
0–350kL	\$1.586	\$1.681	\$1.782	Matched to metropolitan prices and provided under the Tariff Cap Policy
350–500kL	\$2.114	\$2.241	\$2.375	
501–750kL	\$4.324	\$4.583	\$5.270	
>750KL	\$7.434	\$7.880	\$9.062	

For a standard non-residential customer located in Carnarvon their charges are:

	2016–17	2017–18	2018–19	Notes
Service charge	Based on meter size e.g. 20mm \$236.22 40mm \$944.93	Based on meter size e.g. 20mm \$250.39 40mm \$1,001.63	Based on meter size e.g. 20mm \$265.41 40mm \$1,061.73	State-wide uniform
Usage charges	Step 14 \$6.828 /kL	Step 15 \$7.880 /kL	Step 15 \$8.353 /kL	Phased in to Step 15 in 2017–18

## HOSPITALS AND HEALTH CAMPUSES — DIGITAL OUTAGES

**5459. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

- (1) For the 2018–19 financial year, did any hospital experience an unplanned digital outage, and if so:
- What hospital;
  - What was the reason for the outage;
  - How long was the outage;
  - What systems were affected;
  - What contingency plans were put in place; and
  - Were there any unforeseen events, unplanned issues or adverse events which occurred that impacted or risked patient safety:
    - If so, what were they?
- (2) Since 1 July 2019 has any hospital experienced an unplanned digital outage and if so:
- What hospital;
  - What was the reason for the outage;
  - How long was the outage;
  - What systems were affected;
  - What contingency plans were put in place; and
  - Were there any unforeseen events, unplanned issues or adverse events which occurred that impacted or risked patient safety:
    - If so, what were they?

**Mr R.H. Cook replied:**

- (1) Yes, the following unplanned digital outages occurred:

<b>(a) Impacted sites</b>	<b>(b) Outage Reason</b>	<b>(c) Outage Duration (dd:hh:mm)</b>	<b>(d) Systems Affected</b>
All sites*	ICT infrastructure issue	08:14:10*	WA Health Telecommunications Network
All sites	ICT infrastructure issue	00:19:30	Patient administration system
Fiona Stanley Hospital	ICT Software issue	01:04:30	Theatre management system
All sites	ICT Software issue	00:08:45	Intranet system
All sites	ICT infrastructure issue	00:17:30	Patient administration system
All hospital sites	ICT infrastructure issue	00:06:06	Bed management system Clinical summary notifications system
Perth Children's Hospital	ICT infrastructure issue	00:09:25	PCH internal communications network
Fiona Stanley Hospital	ICT Software issue	00:00:53	FSH Home Drive H
Fiona Stanley Hospital	ICT infrastructure issue	00:00:23	FSH internal communications network
Fiona Stanley Hospital	ICT infrastructure issue	00:00:57	FSH internal communications network
Fiona Stanley Hospital	ICT infrastructure issue	00:01:55	FSH Home Drive H
Fiona Stanley Hospital	ICT infrastructure issue	00:00:33	FSH internal communications network
Fiona Stanley Hospital	ICT infrastructure issue	00:00:59	FSH internal communications network

Fiona Stanley Hospital	ICT infrastructure issue	00:15:00	FSH Parking system
Fiona Stanley Hospital	ICT infrastructure issue	00:00:57	FSH internal communications network

\* During this eight-day period, all sites experienced a six-hour outage. Services then returned to all sites but in a degraded state. Heightened support was provided by Health Support Services while the issue was remediated.

- (e) Every hospital and health care site has a unique Business Continuity Plan in place that is implemented during digital outages.
- (f) None identified.
- (i) Not applicable.
- (2) Yes. Since 1 July 2019, the following unplanned digital outages occurred;

(a) Impact Sites	(b) Outage Reason	(c) Outage Duration (dd:hh:mm)	(d) Systems Affected
Mainly Health Support Services with some smaller community sites also affected	ICT infrastructure issue	00:07:42	WA Health Telecommunications Network
Perth Children's Hospital	ICT infrastructure issue	00:06:20	Perth Children's Hospital mobile duress system
Fiona Stanley Hospital	ICT Software issue	00:01:22	FSH internal communications network
Fiona Stanley Hospital	ICT infrastructure issue	00:01:37	FSH menu ordering system
Fiona Stanley Hospital	ICT infrastructure issue	00:01:37	FSH on-line e-learning system
Fiona Stanley Hospital	ICT infrastructure issue	00:02:32	FSH electronic medical device tracking system. FSH Document Management System. FSH Paging system. FSH intranet system SharePoint.

- (e) Every hospital and health care site has a unique Business Continuity Plan in place that is implemented during digital outages.
- (f) None identified.
- (i) Not applicable.

#### HOSPITALS AND HEALTH CAMPUSES — MEDICAL EQUIPMENT

##### 5462. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:

- (1) What was the budgeted and actual spend in relation to the maintenance of medical equipment for each hospital and service provider, for the following years:
- (a) 2017–2018;
- (b) 2018–2019; and
- (c) 2019 year to date?
- (2) How much is planned to be spent on the maintenance of medical equipment for each hospital and service provider, for the following years:
- (a) 2019–2020;
- (b) 2020–2021;
- (c) 2021–2022; and
- (d) 2022–2023?

**Mr R.H. Cook replied:**

- (1) (a) Medical equipment maintenance is a sub-category of the total Repairs and Maintenance budget line. Repairs and Maintenance Budgets are provided for individual sites, but are not allocated to specific maintenance sub-categories and therefore WACHS is unable to provide these figures.

<b>HSP</b>	<b>Hospital</b>	<b>Budgeted</b>	<b>Actual Spend</b>
NMHS	Sir Charles Gairdner Hospital	\$1,426,272.08	\$1,458,100.00
	Osborne Park Hospital	\$227,405.42	\$248,414.00
	Women & Newborn Health Service	\$188,305.12	\$253,563.00
	Public Health & Ambulatory Care – NMHS Wide	\$980.24	\$3,259.00
	Area Mental Health Service – Graylands Hospital and other MH Sites	\$8,891.71	\$10,500.00
	NMHS Corporate (reflects the central management of repairs and maintenance through the Procurement, Infrastructure and Contract Management Division)	\$95,255.96	\$75,785.00
CAHS	Princess Margaret Hospital	\$1,526,823.00	\$1,546,069.16
	Perth Children’s Hospital	\$–	\$–
EMHS	Armadale Health Service	\$893,610.00	\$865,051.00
	Kalamunda Hospital	\$98,786.00	\$52,160.00
	Royal Perth Hospital	\$5,007,983.00	\$5,120,679.00
	Bentley Health Service	\$483,341.00	\$613,542.00
SMHS	Fiona Stanley Hospital	\$153,200.21	\$190,294.33
	Fremantle Hospital	\$814,984.73	\$1,112,358.48
	Rockingham Hospital	\$756,274.88	\$726,128.55
	Murray District Hospital	\$17,717.17	\$18,005.42
PathWest	PathWest	\$4,775,203.00	\$3,624,873.00
WACHS – Goldfields	Esperance	N/A	\$214,743.06
	Kalgoorlie		\$463,702.68
	Laverton		\$23,921.98
	Leonora		\$18,545.02
	Norseman		\$14,977.63
WACHS – Great Southern	Katanning	N/A	\$80,489.62
	Albany		\$395,503.45
	Denmark		\$25,988.33
	Gnowangerup		\$9,293.26
	Kojonup		\$14,476.74
	Plantagenet		\$47,374.38
	Ravensthorpe		\$20,086.40
WACHS – Kimberley	Derby	N/A	\$102,112.76
	Kununurra		\$279,306.80
	Broome		\$190,910.98

	Fitzroy Crossing		\$65,301.32
	Halls Creek		\$32,857.20
	Wyndham		\$21,875.03
WACHS – Midwest	Carnarvon	N/A	\$120,381.67
	Geraldton		\$623,990.04
	Dongara		\$9,674.69
	Exmouth		\$47,069.20
	Meekatharra		\$26,083.21
	Morawa		\$16,182.13
	Mullewa		\$8,491.22
	North Midlands		\$9,024.80
	Northampton		\$8,494.37
WACHS – Pilbara	Newman	N/A	\$63,088.24
	Hedland		\$276,195.10
	Onslow		\$25,508.47
	Paraburdoo		\$24,189.80
	Roebourne		\$16,677.50
	Tom Price		\$58,934.51
	Wickham		\$–
	Karratha		\$328,601.03
WACHS – South West	Busselton	N/A	\$163,789.20
	Collie		\$73,925.08
	Margaret River		\$47,497.18
	Warren		\$89,761.62
	Bunbury		\$678,934.33
	Augusta		\$18,779.41
	Boyup Brook		\$11,195.43
	Bridgetown		\$112,606.15
	Donnnybrook		\$17,252.63
	Harvey		\$24,318.40
	Nannup		\$17,246.44
	Pemberton		\$25,677.15
	WACHS – Wheatbelt	Beverley	N/A
Boddington			\$6,116.41
Bruce Rock			\$2,991.92
Corrigin			\$3,921.35
Cunderdin			\$3,083.82
Dalwallinu			\$4,636.20
Dumbleyung			\$1,171.21
Goomalling			\$8,381.67
Kellerberrin			\$4,911.95
Kondinin			\$4,041.41
Kukerin			\$449.95
Kununoppin			\$6,225.50

	Lake Grace		\$4,694.63
	Merredin		\$143,193.24
	Moora		\$38,226.01
	Narembeen		\$4,415.47
	Narrogin		\$202,375.49
	Northam		\$270,065.83
	Pingelly		\$-
	Quairading		\$3,463.26
	Southern Cross		\$5,185.84
	Wagin		\$6,247.37
	Wongan		\$6,933.11
	Wyalkatchem		\$5,497.91
	York		\$4,840.69

- (b) Medical equipment maintenance is a sub-category of the total Repairs and Maintenance budget line. Repairs and Maintenance Budgets are provided for individual sites, but are not allocated to specific maintenance sub-categories and therefore WACHS is unable to provide these figures.

HSP	Hospital	Budgeted	Actual Spend
NMHS	Sir Charles Gairdner Hospital	\$1,909,111.92	\$1,794,329.00
	Osborne Park Hospital	\$397,284.53	\$316,676.00
	Women & Newborn Health Service	\$315,825.33	\$388,161.00
	Public Health & Ambulatory Care – NMHS Wide	\$363.92	\$207.00
	Area Mental Health Service – Graylands Hospital and other MH Sites	\$5,634.23	\$11,746.00
	NMHS Corporate (reflects the central management of repairs and maintenance through the Procurement, Infrastructure and Contract Management Division)	\$90,149.54	\$73,871.00
CAHS	Perth Children’s Hospital	\$1,385,795.00	\$904,847.11
EMHS	Armadale Health Service	\$903,378.00	\$1,013,810.00
	Kalamunda Hospital	\$99,672.00	\$50,279.00
	Royal Perth Hospital	\$5,172,005.00	\$5,171,589.00
	Bentley Health Service	\$215,643.00	\$276,121.00
SMHS	Fiona Stanley Hospital	\$146,665.37	\$219,305.63
	Fremantle Hospital	\$925,766.50	\$1,092,285.67
	Rockingham Hospital	\$665,122.65	\$681,089.38
	Murray District Hospital	\$-	\$421.00
PathWest	PathWest	\$4,720,121.00	\$4,207,289.00
WACHS – Goldfields	Esperance	N/A	\$160,379.94
	Kalgoorlie		\$457,163.18
	Laverton		\$20,610.99
	Leonora		\$20,102.99
	Norseman		\$14,900.76

WACHS – Great Southern	Katanning	N/A	\$74,653.30
	Albany		\$391,942.89
	Denmark		\$23,001.35
	Gnowangerup		\$9,725.18
	Kojonup		\$9,269.56
	Plantagenet		\$28,835.59
	Ravensthorpe		\$15,406.08
WACHS – Kimberley	Derby	N/A	\$110,943.09
	Kununurra		\$339,387.03
	Broome		\$297,673.25
	Fitzroy Crossing		\$57,589.92
	Halls Creek		\$39,151.67
	Wyndham		\$34,345.22
WACHS – Midwest	Carnarvon	N/A	\$303,142.44
	Geraldton		\$613,217.65
	Dongara		\$15,704.22
	Exmouth		\$95,355.30
	Meekatharra		\$35,265.99
	Morawa		\$12,489.04
	Mullewa		\$7,629.37
	North Midlands		\$16,442.79
	Northampton		\$11,607.76
WACHS – Pilbara	Newman	N/A	\$67,928.39
	Hedland		\$410,184.42
	Onslow		\$25,117.28
	Paraburdoo		\$29,303.80
	Roebourne		\$18,408.67
	Tom Price		\$44,256.66
	Wickham		\$–
	Karratha		\$267,131.70
WACHS – South West	Busselton	N/A	\$164,857.47
	Collie		\$81,247.29
	Margaret River		\$56,197.31
	Warren		\$56,600.07
	Bunbury		\$707,577.93
	Augusta		\$26,396.81
	Boyup Brook		\$17,491.54
	Bridgetown		\$132,107.08
	Donnnybrook		\$25,106.88
	Harvey		\$34,452.62
	Nannup		\$14,620.83
	Pemberton		\$29,411.39

WACHS – Wheatbelt	Beverley	N/A	\$5,233.79
	Boddington		\$3,396.37
	Bruce Rock		\$12,991.99
	Corrigin		\$10,638.74
	Cunderdin		\$9,817.93
	Dalwallinu		\$6,057.80
	Dumbleyung		\$1,241.43
	Goomalling		\$4,607.87
	Kellerberrin		\$11,175.94
	Kondinin		\$5,425.72
	Kukerin		\$841.70
	Kununoppin		\$6,618.11
	Lake Grace		\$4,627.11
	Merredin		\$67,752.44
	Moora		\$15,718.49
	Narembeen		\$–
	Narrogin		\$108,479.04
	Northam		\$392,391.19
	Pingelly		\$3,602.39
	Quairading		\$10,352.45
Southern Cross	\$10,290.06		
Wagin	\$4,704.83		
Wongan	\$6,521.78		
Wyalkatchem	\$4,973.88		
York	\$10,339.22		

- (c) Medical equipment maintenance is a sub-category of the total Repairs and Maintenance budget line. Repairs and Maintenance Budgets are provided for individual sites, but are not allocated to specific maintenance sub-categories and therefore WACHS is unable to provide these figures.

HSP	Hospital	Budgeted	Actual Spend
NMHS	Sir Charles Gairdner Hospital	\$1,828,746.62	\$397,084.00
	Osborne Park Hospital	\$428,436.56	\$145,613.00
	Women & Newborn Health Service	\$282,215.07	\$102,237.00
	Public Health & Ambulatory Care – NMHS Wide	\$2,181.00	\$–
	Area Mental Health Service – Graylands Hospital and other MH Sites	\$9,984.92	\$3,129.00
	NMHS Corporate (reflects the central management of repairs and maintenance through the Procurement, Infrastructure and Contract Management Division)	\$63,127.29	\$14,764.00
CAHS	Perth Children’s Hospital	\$175,250.00	\$870,135.95

EMHS	Armadale Health Service	\$215,384.00	\$268,520.00
	Kalamunda Hospital	\$27,291.00	\$9,869.00
	Royal Perth Hospital	\$1,332,057.00	\$1,385,005.00
	Bentley Health Service	\$79,324.00	\$62,228.00
SMHS	Fiona Stanley Hospital	\$28,945.85	\$127,212.45
	Fremantle Hospital	\$273,487.04	\$245,210.37
	Rockingham Hospital	\$179,769.00	\$142,777.10
	Murray District Hospital	\$–	\$301.00
PathWest	PathWest	\$4,579,681.00	\$1,081,143.00
WACHS – Goldfields	Esperance	N/A	\$71,303.10
	Kalgoorlie		\$152,140.83
	Laverton		\$2,913.07
	Leonora		\$3,541.01
	Norseman		\$5,629.59
WACHS – Great Southern	Katanning	N/A	\$12,662.81
	Albany		\$99,050.61
	Denmark		\$9,383.26
	Gnowangerup		\$4,668.26
	Kojonup		\$4,069.23
	Plantagenet		\$5,720.56
	Ravensthorpe		\$16,044.44
WACHS – Kimberley	Derby	N/A	\$27,924.87
	Kununurra		\$112,436.78
	Broome		\$114,351.41
	Fitzroy Crossing		\$8,642.45
	Halls Creek		\$6,857.52
	Wyndham		\$738.26
WACHS – Midwest	Carnarvon	N/A	\$40,556.58
	Geraldton		\$125,469.68
	Dongara		\$7,438.33
	Exmouth		\$3,658.14
	Meekatharra		\$7,823.04
	Morawa		\$4,371.79
	Mullewa		\$3,967.64
	North Midlands		\$4,951.32
	Northampton		\$3,101.77
WACHS – Pilbara	Newman	N/A	\$–
	Hedland		\$147,434.30
	Onslow		\$6,835.09
	Paraburdoo		\$–
	Roebourne		\$2,658.34
	Tom Price		\$413.36
	Wickham		\$–
	Karratha		\$34,164.57

WACHS – South West	Busselton	N/A	\$39,210.38
	Collie		\$19,127.23
	Margaret River		\$16,961.89
	Warren		\$29,342.88
	Bunbury		\$143,904.54
	Augusta		\$5,928.40
	Boyup Brook		\$5,691.55
	Bridgetown		\$28,743.75
	Donnnybrook		\$134.79
	Harvey		\$849.04
	Nannup		\$7,050.95
	Pemberton		\$5,393.13
	WACHS – Wheatbelt		Beverley
Boddington		\$5,283.30	
Bruce Rock		\$1,578.53	
Corrigin		\$5,190.20	
Cunderdin		\$3,072.28	
Dalwallinu		\$1,968.83	
Dumbleyung		\$2,061.28	
Goomalling		\$2,040.99	
Kellerberrin		\$1,361.01	
Kondinin		\$5,362.80	
Kukerin		\$95.00	
Kununoppin		\$1,524.58	
Lake Grace		\$4,145.77	
Merredin		\$12,472.12	
Moora		\$6,335.67	
Narembeen		\$2,954.87	
Narrogin		\$46,856.97	
Northam		\$88,464.01	
Pingelly		\$4,259.41	
Quairading		\$2,767.80	
Southern Cross		\$7,728.31	
Wagin	\$6,078.47		
Wongan	\$3,002.27		
Wyalkatchem	\$1,834.75		
York	\$5,635.72		

- (2) (a) Repairs and Maintenance Budgets are provided for individual sites for 2019–20 but are not allocated to specific sub-categories and therefore WACHS is unable to provide these figures.

HSP	Hospital	\$Planned
NMHS	Sir Charles Gairdner Hospital	\$1,626,214.50
	Osborne Park Hospital	\$282,545.00
	Women & Newborn Health Service	\$320,862.00

	Public Health & Ambulatory Care – NMHS Wide	\$1,733.00
	Area Mental Health Service – Graylands Hospital and other MH Sites	\$11,123.00
	NMHS Corporate (reflects the central management of repairs and maintenance through the Procurement, Infrastructure and Contract Management Division)	\$74,828.00
SMHS	Fiona Stanley Hospital	\$134,751.55
	Fremantle Hospital	\$1,093,820.16
	Rockingham Hospital	\$718,559.00
CAHS	Perth Children’s Hospital	\$3,455,000.00
EMHS	Armadale Health Service	\$861,002.00
	Kalamunda Hospital	\$109,168.00
	Royal Perth Hospital	\$5,229,707.00
	Bentley Health Service	\$364,482.00
PathWest	PathWest	\$4,579,680.68

(b)–(d) Budgets and maintenance plans for 2020–21 and beyond have not yet been determined and therefore NMHS, EMHS, SMHS & WACHS are unable to provide these figures.

HSP	Hospital	(2)(b) 2020–2021 \$ Planned	(2)(c) 2021–2022 \$ Planned	(2)(d) 2022–2023 \$ Planned
CAHS	Perth Children’s Hospital	\$3,550,012.50	\$3,656,512.88	\$3,766,208.26
PathWest	PathWest	\$4,662,115.00	\$4,746,033.00	\$4,831,462.00

#### HOSPITALS AND HEALTH CAMPUSES — MEDICAL EQUIPMENT

##### 5465. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:

Across WA Health, has any medical equipment, purchased prior to 1 July 2018, worth more than \$5000 not been used as at 16 September 2019, and if so:

- (a) What is the equipment;
- (b) How much was it purchased for;
- (c) When was it purchased;
- (d) Where is it located;
- (e) What was it purchased for;
- (f) Why has it not yet been used;
- (g) Is there a warranty which applies to the equipment:
  - (i) If so, when does it expire; and
- (h) Is it anticipated that the equipment will still be used?

##### Mr R.H. Cook replied:

North Metropolitan Health Service – Mental Health Public Health and Dental Services:

- (a) 1 Belmont Pro II dental chair with folding leg rest.
- (b) \$9,900.00
- (c) 3 March 2018.
- (d) Dental Health Physical Resources Workshop, Graylands Health Campus.
- (e) Replacement stock for Dental Health Services state-wide mobile dental van fleet.
- (f) Dental chairs currently in use have not required replacement.
- (g)–(h) Yes.
- (i) June 2020.

## HOSPITALS AND HEALTH CAMPUSES — MEDICAL EQUIPMENT

**5471. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

Since 17 March 2017, has the Medical Equipment Replacement Program (MERP) been used to procure any new additional medical equipment (i.e. not considered a replacement item) and if so:

- (a) What items were procured, how much did that cost, when was it procured and where is that equipment located; and
- (b) Why was the MERP used to purchase this equipment?

**Mr R.H. Cook replied:**

(a)–(b) [See tabled paper no 3045.]

## ROAD SAFETY — “SAFE CARS FOR EVERY BUDGET” REPORT

**5577. Mr P.A. Katsambanis to the Minister for Police; Road Safety:**

I refer to the ‘Safe Cars for Every Budget’ report announced on 4 September 2019, and ask:

- (a) How much money from the Road Trauma Trust Account contributed to the report;
- (b) Who were the funds paid too;
- (c) Was there a tender process; and
- (d) If no to (c) what process was used to select who conducted the report?

**Mrs M.H. Roberts replied:**

The Road Safety Commission advise:

- (a) In 2019/20, the Road Trauma Trust Account contributed \$29,700 towards the cost of the report and \$1,417 to produce 3,000 brochures.
- (b) Monash University.
- (c)–(d) The “Safe Cars for Every Budget” publication, known as the *Used Car Safety Ratings*, is produced and updated annually by Monash University’s Accident Research Centre (MUARC), which is managed by the Centre for Road Safety New South Wales. The publication is coordinated and funded by a Consortium of 16 road authorities and motoring clubs from Australia and New Zealand. In Western Australia, the Road Safety Commission and Royal Automobile Club of Western Australia (RAC) are members of the Consortium.

## CORRECTIVE SERVICES — GREENOUGH REGIONAL PRISON — STAFF AND SECURITY

**5578. Mr I.C. Blayney to the Minister for Emergency Services; Corrective Services:**

I refer to the Government media statement on 25 July 2019 titled ‘staffing numbers continue to climb for corrective services’, and I ask:

- (a) How many new staff have been employed at the Greenough Regional Prison since the prison breakout in November last year;
- (b) What is the Full-Time Equivalent figure for these new staff;
- (c) How many of the 2,420 applicants mentioned in the above media release were from the Midwest;
- (d) Did any of the 2,420 applicants express an interest in working in the Midwest;
- (e) How many of the 70 trainee officers will be based at Greenough Regional Prison;
- (f) What security upgrades have been planned for Greenough Regional Prison since the break out in November last year;
- (g) What security upgrades have been completed since the prison breakout in November last year; and
- (h) Have the training and education services at the prison been reviewed since the breakout in November last year:
  - (i) If yes, can the Minister please outline:
    - (A) the outcomes of the review;
    - (B) how these services will be different compared with the same services before the breakout; and
    - (C) a timeframe for when the outcomes of the review will be implemented in Greenough Region Prison; and
  - (ii) If no, can the Minister indicate a timeframe for when these services will be reviewed:
    - (A) if no, why not?

**Mr F.M. Logan replied:**

- (a) A total of 30 new Prison Officers have been appointed. A further two recruits will be commencing at the prison on 29/11/2019.
- (b) The full-time (FTE) equivalent is 1 FTE per officer.
- (c) Of the 2420 applicants, 224 were local to Geraldton Mid-West.
- (d) Of the 2420 applicants, 77 people who were not local to the Mid-West expressed an interest in working at Greenough Regional Prison.
- (e) Two (2) trainees from the cohort of 70 trainee officers scheduled for training since the July media statement have been posted to Greenough Regional Prison.

Prior to July 2019, there were 24 new trainees appointed to Greenough Regional Prison having graduated from a local run school at the prison; and a further four trainees having been appointed from Perth-based schools.

- (f) Upgrade and separation of the Women's compound to improve security and constructive activity.

Upgrade to the detection system on the inner perimeter management fence.

Upgrade to the CCTV system.

- (g) Replacement of the Sally Port Gate.

Upgrades to internal fencing.

Replacement and upgrade of cell doors.

Hardening to unit control rooms and officer posts.

Upgrade to roof to inhibit movement.

Enhancement to staff egress routes.

Separate walkways.

- (h) (i)–(ii) Yes. The Department is undertaking two whole of Department reviews that will potentially affect the nature of the education and training services at Greenough. These reviews are the Education, Employment and Transitional Services Review which is expected to be completed by early 2020 and the Prison Services Evaluation Project which first stage (high level design) is expected to be completed by June 2020.

The Department is also undertaking a review of Criminogenic Programs, which commenced in September 2019 due to the need for culturally appropriate, gender specific, agile and both short and longer term programs that are effective and offer end-to-end case management from prison to the community. It is anticipated that this review will be completed by November 2019 with the implementation of the approved recommendations to occur over the next 12 to 18 months.

Taking into consideration the recommendations made in the Shuard Report, the Department is implementing a range of responses including:

A specific precinct for women prisoners which is inclusive of gender targeted services.

Improved education and vocational training facilities and programs for all prisoners with a focus on literacy, numeracy and job readiness.

Furthermore, approved enhancements to Security and Response Services (SRS) will enable expansion of the Special Operations Group (SOG) training capabilities to enhance tactical/operational, state-wide security and emergency response capability, 24/7 specialist response, technical support, training and exercising capability. Since the incident the SOG has completed four Incident Control Training (ICT) refresher training sessions at Greenough Regional Prison. As the SRS enhancements mature, training capabilities will continue to increase allowing for delivery of ongoing training to maintain skills across the prison estate.

- (A) Not applicable.

#### ROTTNEST ISLAND — QUOKKA BIRTHDAY

**5579. Mrs A.K. Hayden to the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests:**

I refer to the recent 'Quokka Birthday' event held on Rottnest Island, and I ask:

- (a) How much funding was put towards marketing the event:
  - (i) Was this new funding or from an existing budget; and
  - (ii) Where did this funding come from;

- (b) How much did the event cost Rottnest Island Authority (RIA) to run and operate:
- (i) Please provide a breakdown of cost and funding source; and
  - (ii) What was the loss of income to RIA in regards to the waived landing fee for the event;
- (c) How much did this event cost Tourism WA (TWA):
- (i) Please provide a breakdown of cost and funding source;
- (d) Were there any additional costs outside of RIA and TWA to the State Government:
- (i) If so, please provide a breakdown of cost and funding source;
- (e) How many passengers arrived at Rottnest on the weekend of the event:
- (i) How many via ferry;
  - (ii) How many by helicopter; and
  - (iii) How many by personal transport;
- (f) What was the total income received from the event for the island operators and RIA:
- (i) If not known, what is the estimated income generations for both;
- (g) What was the commercial benefit of the event:
- (i) If not known, what is the estimated commercial benefit of the event; and
  - (ii) What methodology was used to establish this;
- (h) What were the visitor numbers for the comparable weekends (second weekend in September) for the last three years; and
- (i) What was the estimated revenue for the island for the comparable weekends (second weekend in September) for each of the last three years?

**Mr P. Papalia replied:**

- (a) \$32 986.75
- (i) Existing budget.
  - (ii) Funds generated by the Rottnest Island Authority's commercial activities, including visitor accommodation and bicycle hire.
- (b) \$39 628.87
- (i)

Breakdown	Cost (ex GST)	Funding source
Event activities	\$13 870.82	Trading revenue
Event logistics	\$10 278.67	Trading revenue
Event day communications	\$6 973.01	Trading revenue
Salaries and staff costs	\$8 506.37	Trading revenue

- (ii) Island admission fees waived for the event on Sunday, 15 September 2019 Island totalled \$26 959.
- (c) Nil.
- (i) Not applicable.
- (d) No.
- (i) Not applicable.
- (e) 6 121 (estimated).
- (i) 4 200
  - (ii) Unknown.
  - (iii) Estimated 1 900 private boats (based on extrapolation of the 2019 Boating Visitor Survey results) and 21 by plane.
- (f) The Rottnest Island Authority's revenue received from the weekend event was \$105,230.65. The Rottnest Island Chamber of Commerce (RICC) has advised that Island operator revenue information is commercial in confidence.
- (i) The RICC has advised that Island operator income information, including estimates is commercial in confidence.

- (g) Commercial benefits of the event include diversifying the visitor base by attracting new and lapsed visitors to Rottnest Island; increasing the income of small businesses operating on the Island during the shoulder season; creating brand awareness and demand for future visitation; and improving advocacy and repeat visitation by enhancing the visitor experience through authentic events that celebrate all that Rottnest offers as a tourism destination. The event also promoted positive conservation messages regarding the Island's natural environment and all wildlife, including the quokka.

- (i) Not applicable.  
(ii) Not applicable.

(h)

Dates	Visitor arrivals by ferry
Saturday, 8 September 2018 and Sunday, 9 September 2018	2 351
Saturday, 9 September 2017 and Sunday, 10 September 2017	1 444
Saturday, 10 September 2016 and Sunday, 11 September 2016	1 423

(i)

Dates	Rottnest Island Authority revenue
Saturday, 8 September 2018 and Sunday, 9 September 2018	\$117 595
Saturday, 9 September 2017 and Sunday, 10 September 2017	\$103 277
Saturday, 10 September 2016 and Sunday, 11 September 2016	\$102 406

Island operator revenue information is commercial in confidence.

#### LANDS — 40 PADSTOW STREET, KARRINYUP

#### 5591. Mr A. Krsticevic to the Minister for Lands:

I refer to land at 40 Padstow Street, Karrinyup listed on the Department of Planning, Lands and Heritage website as having been identified for sale, and ask:

- (a) Which department or agency currently owns the land;  
(b) What is the original purpose for the agency acquiring the land and why is it no longer required;  
(c) On what basis has the land been identified as surplus to Government requirements and to be disposed of;  
(d) What consultation has been undertaken with local residents and stakeholders with respect to disposing the land;  
(e) What is the anticipated time frame for disposal of the land;  
(f) What is the size of the land to be disposed of; and  
(g) Will the land be disposed of as one lot, or in multiple lots, and if multiple, how many?

#### Mr B.S. Wyatt replied:

- (a) The land identified as surplus to requirements is held by the State of Western Australia and managed by the Department of Planning, Lands and Heritage.  
(b)–(c) The whole site was previously set aside for future water reservoir infrastructure; however, the Water Corporation has since identified that only the northern portion is required.  
(d) Prior to any disposal action proceeding, a scheme amendment will be required under the Metropolitan Region Scheme with a subsequent amendment under the City of Stirling Local Planning Scheme, and this process will provide the community with an opportunity to comment formally.  
(e) Given the future use of the land has yet to be determined, the divestment strategy has not been finalised.  
(f) 3.07 hectares.  
(g) Given the future use of the land has yet to be determined, the divestment strategy has not been finalised.

#### HOUSING — MAINTENANCE — REMOTE COMMUNITIES

#### 5613. Mr D.T. Redman to the Minister for Housing; Veterans Issues; Youth; Asian Engagement:

I refer to contracted services for housing maintenance in remote communities, and ask:

- (a) Can the Minister outline the number of houses in each of the remote communities that are under housing management agreements, and the number of houses where the state government has a responsibility for housing maintenance, albeit via a contracted service provider;

- (b) Of the service call outs by the contracted service provider in each of the last 5 years, will the Minister provide the breakdown of services completed, services not completed, and 'travel only declarations' for each of the Kimberley, Pilbara and Goldfields regions;
- (c) What is the term of the contract for housing maintenance services in each of the Kimberley, Pilbara and Goldfields regions;
- (d) When was the last time the Department of Housing reviewed (internal or otherwise) the provision of these services:
  - (i) Will the minister table this review; and
- (e) What is the total annual value of these contracted housing maintenance services for each of the last 5 years?

**Mr P.C. Tinley replied:**

- (a) [See tabled paper no 3046.]
- (b) [See tabled paper no 3046.]
- (c) The Head Maintenance Contracts for all four Head Contractors is from November 2014 to 30 June 2025.
- (d) (i) The Department of Communities has not formally reviewed the delivery of maintenance services to remote communities. However, it continues to monitor the appropriateness of the model in the context of overall Government service delivery to these communities.
- (e) [See tabled paper no 3046.]

REGIONAL DEVELOPMENT — COUNTRY AGE PENSION FUEL CARD

**5626. Ms M.J. Davies to the minister representing the Minister for Regional Development; Agriculture and Food; Ports; Minister Assisting the Minister for State Development, Jobs and Trade:**

I refer to the Country Age Pension Fuel Card program, and I ask:

- (a) Please advise the total number of Country Age Pension Fuel Card holders;
- (b) How many of the recipients identified in (a) are aged 63 years or more; and
- (c) How many of the recipients identified in (b) are members of a couple?

**Mr M. McGowan replied:**

- (a) As at 11 October 2019, the total number of Country Age Pension Fuel Card holders was 52,875.
- (b)–(c) It is not possible to provide an answer to these two questions. Eligibility for a Fuel Card is based on regional residence and pension payment type.

Age/couple status is neither provided to, nor recorded by, the Department of Transport as administrators of the Fuel Card scheme.

SENIORS AND AGEING — SENIORS CARD

**5627. Ms M.J. Davies to the Minister for Seniors and Ageing; Volunteering; Sport and Recreation:**

I refer to the WA Seniors Card program, and I ask:

- (a) Please advise the total number of current WA Seniors Card recipients;
- (b) How many of the recipients identified in (a) are residents in country local government areas as defined under the terms and conditions for the Country Age Pension Fuel Card Scheme;
- (c) How many of the recipients identified in (b) are members of a couple as defined under the terms and conditions for the Country Age Pension Fuel Card Scheme; and
- (d) With respect to the changing qualification age, what is the anticipated number of card holders in:
  - (i) 2020–21;
  - (ii) 2021–22; and
  - (iii) 2022–23?

**Mr M.P. Murray replied:**

- (a) 395,095
- (b) 83,881
- (c) The Department of Communities does not record the relationship/marital status of WA Seniors Card members other than for payment for the Cost of Living Rebate. The Cost of Living Rebate is only made to WA Seniors Card members who have registered to receive the payment.

- (d) (i) 2020–21 – 404,748
- (ii) 2021–22 – 400,734
- (iii) 2022–23 – 415,218

## LANDGATE — PRIVATISATION

**5628. Mr D.C. Nalder to the Treasurer; Minister for Finance; Aboriginal Affairs; Lands:**

- (1) Why has the Government refused to table the Landgate sale contract?
- (2) What parts of Landgate have been sold and what has been retained?
- (3) What personal information of Western Australians will be accessible to third parties and how can that be used and what parameters and/or restrictions have been applied to protect Western Australians?
- (4) What percentage and dollar value of Landgate's revenue stream (which was \$73.4m in 18/19) has been sold and what percentage and dollar value of Landgate's expenses have been retained?
- (5) The sale of Landgate is expected to generate \$1.4 billion, and the total cost for the National Redress Scheme may be as much as \$640–\$650 million, according to the Premier; with only \$153 million budgeted so far:
  - (a) When are the expenses likely to be incurred and why only partial budgeting to date; and
  - (b) What are you doing with the other \$750 million from the Landgate sale?

**Mr B.S. Wyatt replied:**

- (1) The Government is working with Landgate on the appropriate process to be able to table the transaction documents with Land Services WA in Parliament in due course, which will include the relevant sections regarding privacy.
- (2) Landgate has not been sold.
- (3) There is no change to the personal information that can be accessed or used by third parties as a result of the transaction. All existing privacy protections, including compliance with Federal privacy laws, will be maintained. In addition, the transaction contract contains various protections, including that all data must be stored in Australia.
- (4) A percentage or dollar value of Landgate's revenue stream has not been sold.
- (5) (a) The expenses will be incurred over the 10 year life of the Scheme (2018–19 to 2027–28).
- (b) It is too early to determine if there will be any remaining once the liabilities in 5(a) above are settled. Further, the proceeds from the transaction will also cover the significant liabilities that the State will face as a result of lifting the statute of limitations for victims of child abuse.

## POLICE — RANDOM ROADSIDE TESTING

**5629. Mr P.A. Katsambanis to the Minister for Police; Road Safety:**

I refer to random roadside drug tests, and ask:

- (a) How many random roadside drug tests were conducted in each month from 2017–18 and 2018–19;
- (b) How many random roadside drug tests have been conducted in each month to date in 2019–20;
- (c) How many random roadside drug tests were positive in each month from 2017–18 and 2018–19; and
- (d) How many random roadside drug tests were positive in each month to date in 2019–20?

**Mrs M.H. Roberts replied:**

The Western Australian Police Force advise:

The number of drug tests conducted on drivers was 30 986 in 2015/16; 34 523 in 2016/17; 37 780 in 2017/18 and 40 544 in 2018/19.

- (a) Monthly totals of drug tests 1 July 2017 to 30 June 2018 (inclusive).

Month	Preliminary Drug Tests
July 2017	2 200
Aug 2017	2 906
September 2017	2 985
October 2017	3 676
November 2017	4 010
December 2017	3 256

January 2018	2 974
February 2018	3 544
March 2018	4 213
April 2018	2 580
May 2018	3 856
Jun 2018	1 580
July 2018	3 223
August 2018	3 260
September 2018	3 746
October 2018	3 693
November 2018	4 051
December 2018	3 579
January 2019	3 384
February 2019	3 069
March 2019	3 141
April 2019	3 879
May 2019	2 809
June 2019	2 710

(b) Monthly totals of drug tests from 1 July 2019 to 30 June 2020 (inclusive).

Month	Preliminary Drug Tests
July 2019	1,864
August 2019	3,720
September 2019	3,241

(c) Monthly totals of positive drug tests 1 July 2017 to 30 June 2018 (inclusive).

Month	Positive Preliminary Drug Tests
July 2017	276
August 2017	358
September 2017	310
October 2017	332
November 2017	334
December 2017	339
January 2018	344
February 2018	375
March 2018	445
April 2018	339
May 2018	322
June 2018	251
July 2018	383
August 2018	520
September 2018	462
October 2018	461
November 2018	452
December 2018	453

January 2019	381
February 2019	332
March 2019	366
April 2019	431
May 2019	395
June 2019	322

- (d) Monthly totals of drug tests and positive tests from 1 July 2019 to 30 June 2020 (inclusive).

Month	Positive Preliminary Drug Tests
July 2019	475
August 2019	463
September 2019	447

Statistics are provisional and subject to revision. Preliminary drug tests are used as identifiers for further evidentiary testing (secondary tests and then ChemCentre WA analysis tests) which forms the evidentiary basis of preferring a charge for driving with a prescribed illicit drug. Not all positive preliminary tests will result in positive results for secondary tests or ChemCentre WA analysis.

#### POLICE — RANDOM ROADSIDE TESTING

##### 5630. Mr P.A. Katsambanis to the Minister for Police; Road Safety:

I refer to random roadside drink driving tests, and ask:

- How many random roadside drink driving tests have been conducted in each month from 2017–18 and 2018–19;
- How many random roadside drink driving tests have been conducted in each month to date in 2019–20;
- How many random roadside drink driving tests produced results above the legal limit in each month from 2017–18 and 2018–19; and
- How many random roadside drink driving tests produced results above the legal limit in each month to date in 2019–20?

##### Mrs M.H. Roberts replied:

The McGowan Government has increased the number of alcohol and drug tests on drivers in Western Australia. One test per licenced driver is considered leading road safety practice in relation to alcohol breath tests.

The Western Australia Police Force advise:

- (a) Table 1. Total Breath Tests Conducted by Month in 2017–18 and 2018–19

<b>2017</b>	
July	175 146
August	195 510
September	203 102
October	231 137
November	244 119
December	318 241
<b>2018</b>	
January	221 226
February	187 826
March	198 280
April	151 047
May	88 497
June	109 121
July	170 935
August	174 981
September	208 806

October	170 722
November	163 770
December	246 082
<b>2019</b>	
January	209 533
February	148 421
March	213 027
April	179 205
May	153 682
June	146 886

(b) Table 2. Total Breath Tests Conducted by Month in 2019–20 Year-to-Date (YTD)

<b>2019</b>	
July	138 685
August	182 656
September	185 669
October†	76 222

† YTD is up to and including Sunday 13 October 2019.

(c) Table 3. Total Number of Breath Tests that Resulted in an Evidentiary Charge in 2017 18 and 2018–19

<b>2017</b>	
July	685
August	761
September	730
October	814
November	786
December	936
<b>2018</b>	
January	623
February	677
March	721
April	606
May	498
June	625
July	639
August	668
September	750
October	556
November	628
December	746
<b>2019</b>	
January	579
February	521
March	674
April	562
May	601
June	627

- (d) Table 3. Total Number of Breath Tests that Resulted in an Evidentiary Charge in 2019–20 Year-to-Date (YTD)

2019	
July	577
August	581
September	563
October†	266

† YTD is up to and including Sunday 13 October 2019

Statistics are provisional and subject to revision. The statistics provided in this response are in accordance with the methodology and policy utilised by the State Traffic Command of the Western Australia Police Force. A breath test means a test of a sample of a person's breath (by means of approved apparatus) for the purpose of providing an indication of whether or not a person's blood alcohol content is of or above a predetermined level or an indication of whether or not alcohol is present in the blood of a person. Counts of breath tests resulting in 'evidentiary charges' indicate circumstances where a driver has undergone an evidentiary breath test which has resulted in a charge being preferred. Breath test figures are correct at the time of data extraction. There are time lags between a breath test being issued by an officer at the roadside and that breath test being recorded.

#### WORKSAFE — SHIRE OF YALGOO

#### 5631. Mr P.A. Katsambanis to the Minister for Mines and Petroleum; Energy; Industrial Relations:

I refer to WorkSafe infringement notices issued to the Shire of Yalgoo, and ask:

- How many WorkSafe infringement notices were issued to the Shire of Yalgoo in 2017 and 2018;
- Were there any prosecutions against the Shire or its Chief Executive Officer (CEO) for the infringement notices;
- If no to (b), why not;
- Was any compliance to the infringement notices by the Shire of Yalgoo received by WorkSafe after the due dates;
- Have all staff at the shire of Yalgoo undertaken retraining with regard to bullying and occupational health and safety;
- Did the CEO of the Shire of Yalgoo undertake retraining with regard to bullying, occupational health and safety or conflict management skills;
- If no to (f), what action did WorkSafe take;
- What actions has WorkSafe taken to ensure no culture of bullying in the Shire of Yalgoo is repeated in the future; and
- Is the Minister satisfied with the actions of WorkSafe not to prosecute any infringement notices against the Shire of Yalgoo?

#### Mr W.J. Johnston replied:

- None.
- (d) Not applicable.
- (f) Unknown. WorkSafe has not investigated the Shire of Yalgoo since September 2018 and there is no requirement for the employer, or any other party, to provide such information to WorkSafe.
- Not applicable.
- In 2017 and 2018, five investigations were undertaken into the Shire of Yalgoo. No record of further employee concerns regarding hazards at this workplace have been received by WorkSafe, and no further investigations have been undertaken.
- The WorkSafe Commissioner is an independent statutory office.

#### RACING AND GAMING — GAMING AND WAGERING COMMISSION — ANNUAL REPORT

#### 5633. Mr A. Krsticevic to the Minister for Racing and Gaming:

I refer to the Annual Report of the Gaming and Wagering Commission of Western Australia, and ask:

- Why did the expenditure for monitoring the integrity of casino gaming operations over one year total \$1,118,682 when the target expenditure was \$84,739?

**Mr P. Papalia replied:**

- (a) The cost allocated for monitoring the integrity of casino gambling operations is determined by the number of actual casino compliance activities conducted (as a percentage) of the overall compliance activities conducted by the Department of Local Government, Sport and Cultural Industries.

In 2018/19 the target expenditure for the total cost of monitoring the integrity of casino gaming operations was \$847 390 and it was forecast that 10 violations would occur.

In 2018/19 more casino inspections were conducted, which led to an increase in the overall compliance activities conducted and resulted in the actual cost being \$1 118 682.

In addition, because only one violation was identified, the total expenditure for monitoring the integrity of casino gaming operations is divisible by that one violation.

**ENERGY — HARDSHIP AND DISCONNECTIONS****5639. Mr A. Krsticevic to the Minister for Energy:**

- (1) What is the number and percentage of residential electricity customers who were on a hardship program as at 30 June 2018?
- (2) What is the number and percentage of customers who do not have solar photovoltaic systems installed who were on a hardship program as at 30 June 2019?
- (3) For each energy retailer, and for each month from July 2018 to September 2019:
- (a) How many disconnection warnings were issued for non-payment to:
- (i) Residential customers; and
- (ii) Non-residential customers; and
- (b) How many disconnections occurred for:
- (i) Residential customers; and
- (ii) Non-residential customers:
- (A) Of those residential customers that were disconnected, how many had solar photovoltaic systems installed; and
- (B) Of those residential customers that were disconnected, how many were reconnected at the same address?
- (4) What was the total number of residential electricity disconnections for 2018–19:
- (a) Of those disconnections, what percentage of customers were previously on an instalment plan;
- (b) Of those disconnections, what percentage of customers were disconnected at the same supply address within the past 24 months; and
- (c) Of those disconnections, what percentage of customers were registered as having a concession card?
- (5) At 30 June 2019, what was the average electricity bill debt of residential customers:
- (a) On a hardship program; and
- (b) That were not on a hardship program?

**Mr W.J. Johnston replied:**Synergy

The following information relates to Government owned energy retailers only and includes disconnections for non-payment only. Answers are separated by retailer, being Synergy and Horizon Power.

- (1) 30,640 customers, 3.07 per cent.
- (2) It is not possible to provide this information at this time.
- (3) The number of disconnection warnings and disconnections for the period 1 July 2018 to 30 June 2019 was recently provided in response to Legislative Assembly Question On Notice 5429, and I refer you to that response.

The new information requested is provided below.

Month	(a) Disconnection Warnings	
	(i) Residential Customers	(ii) Non-residential Customers
July 2019	12007	1271
August 2019	12063	1248
September 2019	9258	998

Month	(b) Disconnections for Non-payment	
	(i) Residential Customers	(ii) Non-residential Customers
July 2019	2253	147
August 2019	1847	103
September 2019	1452	75
Month	(A) Of those residential customers that were disconnected, how many had solar photovoltaic systems installed?	
July 2018	144	
August 2018	147	
September 2018	88	
October 2018	170	
November 2018	140	
December 2018	73	
January 2019	113	
February 2019	133	
March 2019	110	
April 2019	66	
May 2019	156	
June 2019	142	
July 2019	171	
August 2019	170	
September 2019	142	
Month	(B) Of those residential customers that were disconnected, how many were reconnected at the same address?	
July 2018	1295	
August 2018	1270	
September 2018	769	
October 2018	1501	
November 2018	1059	
December 2018	639	
January 2019	1167	
February 2019	1193	
March 2019	1198	
April 2019	606	
May 2019	1446	
June 2019	1259	
July 2019	1690	
August 2019	1509	
September 2019	1120	

- (4) 18,056
- (a) 79 per cent
- (b) 28.1 per cent
- (c) 41.1 per cent
- (5) (a) \$546
- (b) \$379

Horizon Power

(1)

Date	(a) Disconnection Warnings		(b) Disconnections	
	(i) Residential Customers	(ii) Non-residential Customers	(i) Residential Customers <sup>2</sup>	(ii) Non-residential Customers <sup>2</sup>
Jul-19	1425	137	310	11
Aug-19	1230	214	273	7
Sep-19	1149	129	216	6
<b>Total</b>	<b>3804</b>	<b>480</b>	<b>799</b>	<b>24</b>

(2) 2019 = 1,487 customers, or 3.74%

(3) The number of disconnection warnings and disconnections for the period 1 July 2018 to 30 June 2019 was recently provided in response to Legislative Assembly Question On Notice 5429, and I refer you to that response.

- (b) (ii) (A) 1<sup>st</sup> July 2019 – 30<sup>th</sup> Sept 2019 = 5  
 (B) 1<sup>st</sup> July 2019 – 30<sup>th</sup> Sept 2019 = 540

- (4) (a) 57.1 per cent  
 (b) 41.2 per cent  
 (c) 36.9 per cent

- (5) (a) \$656  
 (b) \$903

## PUBLIC HOUSING — TENANT DEBT

**5640. Mr A. Krsticevic to the Minister for Housing:**

- (1) Can the Minister advise the level of public housing occupied tenant debt as at 30 June 2019?  
 (2) Of this debt, how much was for:  
 (a) Rent;  
 (b) Repairs for which the tenant is liable;  
 (c) Water Corporation; and  
 (d) Other charges?  
 (3) How many debtors did this debt apply to?

**Mr P.C. Tinley replied:**

- (1) \$7,515,522.34  
 (2) The above debt is inclusive of the following:

Account Type	Amount of Debt
(a) Rent	\$2,356,014.80
(b) Repairs	\$3,206,079.40
(c) Water Charge	\$1,894,905.68
(d) Other Charges	\$58,522.46
<b>Total</b>	<b>\$7,515,522.34</b>

(3) As at 30 June 2019, a total of 14,745 tenancy accounts were in debt.

## PUBLIC HOUSING — VACATED DEBT

**5641. Mr A. Krsticevic to the Minister for Housing:**

- (1) Can the Minister advise the level of public housing vacated (or non-tenancy) debt as at 30 June 2019?  
 (2) Of this debt, how much was for:  
 (a) Rent;  
 (b) Repairs for which the tenant is liable;  
 (c) Water Corporation; and  
 (d) Other charges?

- (3) How many debtors did this debt apply to?
- (4) How many debtors remain clients of the Department of Communities as public housing tenants at an alternative address?
- (5) Of those debtors that are no longer clients of the Department of Communities as public housing tenants, how many debtors:
  - (a) Have alternative accommodation in Western Australia;
  - (b) Does the Department believe are living in Western Australia but do not have alternative accommodation; and
  - (c) Does the Department not know of their subsequent address?

**Mr P.C. Tinley replied:**

- (1) The total value of public housing vacated (or non-tenancy) debt as at 30 June 2019 was \$48,188,569.59.
- (2) (a)–(d) A breakdown of the total value of vacated debt as at 30 June 2019:

<b>Account Type</b>	<b>Amount of Debt</b>
Rent	\$584,288.28
Repairs	\$4,250,485.36
Water	\$235,244.49
Other Charges	\$49,464.19
Vacated Account	\$43,069,087.27
<b>Statewide Total</b>	<b>\$48,188,569.59</b>

Once a tenant has vacated their property, their accounts (a, b, c and d) are considered non-tenancy and placed in suspense. These accounts remain in suspense until final charges (including tenant liability due to vacated maintenance) have been applied, and a review has been completed. This process can take up to three months.

The accounts in suspense are then closed, and their balances are transferred to a vacated account. The Department of Communities is unable to provide a breakdown of vacated debt once the balance of a suspense account has been transferred to a vacated account.

- (3) Total debtors (vacated tenants) that this debt applies to is 9,662 which represents 8,300 vacated tenancies.
- (4) Of the 9,662 debtors, there are 2,213 debtors with non-tenancy debt currently occupying a Public Housing tenancy. Tenants with a non-tenancy debt are required to enter into and maintain a payment arrangement.
- (5) (a)–(c) The Department of Communities does not collect this information. The Department of Communities will attempt to contact the debtor using their last known contact details. If the Department is unsuccessful, the matter is referred to a Debt Collection Agency. If after 12 months the Debt Collection Agency is unable to contact the debtor, the balance will remain on the Department's accounts as a 'Bad Debt' for seven years. If the debtor engages the Department for assistance, within this period, the debtor is required to enter into and maintain a payment arrangement. If, after seven years, the debtor remains uncontactable, the 'Bad Debt' is progressed to the Director General to be 'written off'.

**CORRECTIVE SERVICES — BROADSPECTRUM — ESCAPEE — LAURIE DODD****5642. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:**

I refer to the recent arrest, escape and recapture of Mr Laurie Dodd, and I ask:

- (a) Following Mr Dodd's arrest on 19 September 2019:
  - (i) What security risk assessment of Mr Dodd was provided by the police to corrective services;
  - (ii) What was the court risk assessment provided to corrective services operations; and
  - (iii) Did the information stored in the Total Offender Management System (TOMS) include details of Mr Dodd's previous escapes;
- (b) Was the staffing level of each shift of the Special Operations Group (SOG) between 19 September 2019 and 22 September 2019 at full capacity:
  - (i) If yes, what is the number of staff per shift at full capacity; and
  - (ii) If no:
    - (A) What is the number of staff per shift at full capacity; and
    - (B) For each shift, what was the staff shortfall;

- (c) Was a member of the SOG made aware of Mr Dodd's arrest:
- (i) If yes, when; and
- (ii) Did a member of the SOG inform/advise that they were unable to supervise Mr Dodd:
- (A) If yes, what was the reason given;
- (d) Who made the decision to utilise Broadspectrum instead of the SOG to guard Mr Dodd while he was at hospital;
- (e) Was an error made in appointing Broadspectrum to guard Mr Dodd:
- (i) If yes, what was the error; and
- (f) When were you first made aware of Mr Dodd's escape from Broadspectrum custody, occurring on 21 September 2019?

**Mr F.M. Logan replied:**

- (a) (i) The Western Australian Police Force (WAPOL) do not provide a security risk assessment to Corrective Services as part of the handover of a person in custody. WAPOL generally provide a Custody Handover Summary, however one was not exchanged on this occasion.
- (ii) The Court Risk Assessment Directorate (CRAD) forwarded an email received from WAPOL noting his previous escape in 2004 and that that he was likely to be remanded in custody.
- (iii) Yes.
- (b) (i)–(ii) Releasing this information in to the public domain may endanger the physical safety of staff, prisoners or the public at large and prejudice the maintenance or enforcement of a lawful measure for protecting public safety and/or facilitate the escape of any person from lawful custody, or endanger the security of any prison. For this reason it has not been provided.
- (c) No.
- (i) Not applicable.
- (ii) Not applicable.
- (d) The Officer in Charge (OIC) of Hakea Prison made the determination to request Broadspectrum take over management of the hospital sit. This decision was consistent with Corrective Services policy in relation to non-High Security Escort (HSE) prisoners.
- (e) No. Mr Dodd was not classified as an HSE prisoner therefore appointing Broadspectrum to guard Mr Dodd at hospital was appropriate for his security classification.
- (i) Not applicable.
- (f) 1:19pm Saturday 21 September 2019.

HOUSING — SENIORS HOUSING STRATEGY

**5643. Mr S.K. L'Estrange to the Minister for Housing; Veterans Issues; Youth; Asian Engagement:**

I refer to the Minister's response to Question Without Notice No. 1343 in the Legislative Council on 6 December 2018, in which you advised that you expected to release the seniors housing strategy prior to the last quarter of 2019, and I ask:

- (a) When will the strategy be released to the public; and
- (b) Will you table a copy of the seniors housing strategy in the Parliament:
- (i) If yes, when?

**Mr P.C. Tinley replied:**

- (a) The Minister for Seniors and Ageing and I jointly released 'Ageing with Choice: Future Directions for Seniors Housing 2019–2024', on 16 October 2019.
- (b) (i) The document is publicly available on the Department of Communities' website.

CORRECTIVE SERVICES — INDIVIDUAL MANAGEMENT PLANS

**5644. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:**

I refer to Question on Notice No. 5333, answered on 17 September 2019, in which you advised that an additional 10 public service staff were provided since the beginning of July 2019, for an initial three months, to address the Individual Management Plan (IMP) backlog, and I ask:

- (a) As at 1 October 2019, how many prisoners are waiting for their IMP to be finalised at:
- (i) Acacia Prison;

- (ii) Albany Regional Prison;
  - (iii) Bandyup Women's Prison;
  - (iv) Broome Regional Prison;
  - (v) Bunbury Regional Prison;
  - (vi) Casuarina Prison;
  - (vii) Eastern Goldfields Regional Prison;
  - (viii) Greenough Regional Prison;
  - (ix) Hakea Prison;
  - (x) Karnet Prison Farm;
  - (xi) Melaleuca Remand and Reintegration Facility;
  - (xii) Pardelup Prison Farm;
  - (xiii) Roebourne Regional Prison;
  - (xiv) West Kimberley Regional Prison; and
  - (xv) Wooroloo Prison Farm; and
- (b) Are all of the 10 staff members still assisting with the completion of IMP reports:
- (i) If yes, for how long will the extra 10 staff members assist with completing IMP reports; and
  - (ii) If no, how many of the 10 staff members are still assisting with completing IMP reports?

**Mr F.M. Logan replied:**

- (a) Please note backlog data is captured at the end of the month, therefore, as at 30 September 2019, the following number of prisoners are awaiting their IMP to be finalised at:
- (i) Acacia Prison – 471;
  - (ii) Albany Regional Prison – 79;
  - (iii) Bandyup Women's Prison – 66;
  - (iv) Broome Regional Prison – 0;
  - (v) Bunbury Regional Prison – 21;
  - (vi) Casuarina Prison – 148;
  - (vii) Eastern Goldfields Regional Prison – 21;
  - (viii) Greenough Regional Prison – 8;
  - (ix) Hakea Prison – 49;
  - (x) Karnet Prison Farm – 46;
  - (xi) Melaleuca Remand and Reintegration Facility – 1;
  - (xii) Pardelup Prison Farm – 0;
  - (xiii) Roebourne Regional Prison – 16;
  - (xiv) West Kimberley Regional Prison – 11; and
  - (xv) Wooroloo Prison Farm – 58.
- (b) An individual's IMP consists of components such as treatment assessment, education assessment, security rating, and reintegration needs which inform the Case Conference and final IMP report.
- The 10 additional staff who commenced in July 2019 to assist with the completion of IMPs consisted of four treatment assessors for Hakea Prison and four treatment assessors, one education assessor and one assessment writer to complete IMP reports for Acacia Prison. These temporary positions are currently in place until 24 December 2019 with a possibility of extension. These positions have reduced the backlog of treatment assessments by 31%.
- Furthermore, an additional 10 public service staff were approved by the Commissioner, Corrective Services on 10 September 2019 to assist with the backlog of IMPs. These staff will commence training on 4 November 2019.
- (i) The additional 10 public service staff will assist with completing IMP reports for an initial period of three months.
  - (ii) Not applicable.

## HEALTH — EAST METROPOLITAN HEALTH SERVICE — 2018–19 ANNUAL REPORT

**5648. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 13 of the East Metropolitan Health Service 2018–19 Annual Report, and ask:

- (a) What was the total number of patients who were over boundary for reportable procedures in the following categories:
  - (i) Category 1;
  - (ii) Category 2; and
  - (iii) Category 3?

**Mr R.H. Cook replied:**

I am advised:

- (a) (i) Category 1 (24.1%) = an average of 89 patients (approximate)
- (ii) Category 2 (20%) = an average of 264 patients (approximate)
- (iii) Category 3 (4.7%) = an average of 189 patients (approximate)

## HEALTH — NORTH METROPOLITAN HEALTH SERVICE — 2018–19 ANNUAL REPORT

**5649. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 100 of the North Metropolitan Health Service (NMHS) 2018–19 Annual Report, and ask:

- (a) What strategies are being put in place to deal with the discharge against medical advice (DAMA) rate for Aboriginal patients;
- (b) What was the overall number of Aboriginal patients who discharged against medical advice;
- (c) How many Aboriginal Health Liaison Officer (AHLO) positions were there during 2018–19;
- (d) How many AHLO positions are there forecast to be in 2019–20, 2020–21 and 2021–22; and
- (e) Why is NMHS the only metropolitan health service provider that has seen the Aboriginal DAMA rate deteriorate year on year during the reportable period?

**Mr R.H. Cook replied:**

I am advised:

- (a) NMHS is implementing the ‘Aboriginal Health Action Plan 2018–20’ which includes a number of strategies to assist clinicians and staff in providing culturally secure care for Aboriginal patients including:
  - Cultural learning for clinicians to improve their knowledge of working with Aboriginal patients.
  - Education sessions delivered to clinicians and hospital staff to improve their communication skills when providing care for Aboriginal patients.

In addition the Aboriginal Health Liaison Officer’s (AHLO) provide early intervention for Aboriginal patients at risk of DAMA. The AHLO implements steps to avert DAMA by directly addressing patient requirements.
- (b) 136
- (c) 5.2 FTE
- (d) 5.2 FTE
- (e) The relatively small number of DAMA cases per total discharges impacts on the sample size and therefore the statistical significance of comparisons year-on-year. Further, the comparison to one year does not provide a reasonable trend for which to assess performance.

## HEALTH — EAST METROPOLITAN HEALTH SERVICE — 2018–19 ANNUAL REPORT

**5650. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 81 of the East Metropolitan Health Service 2018–19 Annual Report, and ask:

- (a) What are the main reasons for the deterioration in the WA Emergency Access Target (WEAT) for triage category 3;
- (b) What strategies are being put in place to ensure that there is not a continued deterioration in the category 3 WEAT for the coming financial year;
- (c) What are the main reasons for the deterioration in the WEAT for triage category 4; and
- (d) What strategies are being put in place to ensure that there is not a continued deterioration in the category 4 WEAT for the coming financial year?

**Mr R.H. Cook replied:**

I am advised:

- (1) (a) and (c) Issues impacting performance in the WEAT for triage categories 3 and 4 include:
- Increase in demand across EMHS Emergency Departments (ED) in the 2018–19 period; seeing an additional 6624 patients (3.3% increase) compared to the 2017–18 period and an additional 14904 patients (7.6% increase) compared to the 2016–17 period.
  - Triage categories 3 and 4 being the highest volume of ED presentations (approximately 80% of total presentations).
  - Increase in patients presenting to ED suffering with a mental health illness or under the influence of alcohol or other drugs occupying beds for extended periods of time contributing to increased ramping and access block.
  - Inability to transfer or admit patients in a timely manner, due to access block, causing a flow-on effect in the ability to bring patients into the ED for assessment within the required timeframes.
- (b) and (d) EMHS continues to monitor and manage the WEAT performance on a daily basis. Performance is closely monitored by the EMHS Board and Executive team and reported to the Department of Health.
- EMHS has a range of strategies in place across each health service to improve access to patients presenting to ED focusing on the areas of; leadership and culture, patient flow, models of care, criteria led discharge, timely and transparency data, daily team huddles and policies and protocols. Specifically, Royal Perth Hospital have undertaken infrastructure works to improve patient flow in the ED including; the opening of the Urgent Care Clinic (Toxicology) in May 2018, commissioning of the Mental Health Emergency Centre in October 2019 and a dedicated area for patients arriving by ambulance waiting to be admitted.

HEALTH — SOUTH METROPOLITAN HEALTH SERVICE — 2018–19 ANNUAL REPORT

**5651. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 22 of the South Metropolitan Health Service (SMHS) 2018–19 Annual Report, and ask:

- (a) How many SMHS staff were engaged as part of the health eating collaboration with the City of Mandurah and what was the estimated cost to the taxpayer;
- (b) What specific work was undertaken by SMHS to help Mandurah residents “access seasonal fruit, Vietnamese salad shakes and delicious homemade muffins” and how long will this collaboration exist;
- (c) Has any review been undertaken, or is any review planned, in relation to the impact this change has had on the obesity rates in Mandurah:
- (i) If not, why not; and
  - (ii) If so, when will that review be undertaken;
- (d) Outside of this collaboration, has any other work been undertaken by SMHS to help “combat the growing rates of overweight and obesity in the SMHS community”:
- (i) If so, what was the estimated cost to the taxpayer for these collaborations; and
- (e) What is the estimated total cost to the taxpayer associated with this collaboration?

**Mr R.H. Cook replied:**

I am advised:

- (a) There was one Health Promotion Officer supporting the City of Mandurah. All costs are allocated as part of the SMHS salaries budget for health promotion and prevention.
- (b) None. All food menu items are accessed and provided by the City of Mandurah.
- (c) No.
- (i) The SMHS monitors data provided by the WA Health Epidemiology branch as part of the WA Health and Wellbeing Surveillance System.
  - (ii) Not applicable.
- (d) Yes. The SMHS provides ‘in kind’ support to all local governments within its catchment to curb the rise in overweight and obesity as part of the WA State Public Health Plan 2019–2024, WA Health Promotion Strategic Framework 2017–2021, and WA Sustainable Health Review.
- (i) All costs are allocated as part of the SMHS salaries for health promotion and prevention.
- (e) All costs from this collaboration are allocated as part of the SMHS operating budget.

## HEALTH — SOUTH METROPOLITAN HEALTH SERVICE — 2018–19 ANNUAL REPORT

**5652. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 42 of the South Metropolitan Health Service 2018–19 Annual Report, and ask:

- (a) How many severity assessment code 1 (SAC1) clinical incidents resulted in death during the following years:
- (i) 2014–15;
  - (ii) 2015–16;
  - (iii) 2016–17; and
  - (iv) 2017–18?

**Mr R.H. Cook replied:**

I am advised:

- (a) All severity assessment code 1 (SAC1) clinical incidents are fully investigated to determine whether there are any health service related causative or contributing factors.

Causative or contributing factors identify system issues where improvements could be made. These however are not necessarily directly associated with or causative of the death.

- (i) In 2014–15, there were 40 confirmed SAC1 clinical incidents with a patient outcome of death; 24 were found to have health service related causative or contributing factors and 16 did not.
- (ii) In 2015–16, there were 33 confirmed SAC1 clinical incidents with a patient outcome of death; 16 were found to have health service related causative or contributing factors and 17 did not.
- (iii) In 2016–17, there were 28 confirmed SAC1 clinical incidents with a patient outcome of death; 13 were found to have health service related causative or contributing factors and 15 did not.
- (iv) In 2017–18, there were 22 confirmed SAC1 clinical incidents with a patient outcome of death; 9 were found to have health service related causative or contributing factors and 13 did not.

## HOUSING AUTHORITY — ELECTRICAL ABNORMALITIES, FAULTS AND DETERIORATIONS

**5653. Mr S.K. L'Estrange to the Minister for Housing; Veterans Issues; Youth; Asian Engagement:**

I refer to the electrical fault that caused a tenant harm at a Housing Authority property in Beldon in March 2018. For each of the following regions: North Metropolitan, South Metropolitan, South East Metropolitan, South West, West Kimberley, East Kimberley, Wheatbelt, Goldfields, Mid-West, Pilbara, Great Southern, and Aboriginal Housing Services Regional Remote, I ask:

- (a) How many properties are managed by the Housing Authority;
- (b) How many Housing Authority properties have been checked for electrical circuit abnormalities, faults or deterioration, for each year:
- (i) 2017–18; and
  - (ii) 2018–19; and
- (c) How many Housing Authority properties were deemed unsafe for reasons relating to electrical abnormalities, faults or deterioration, for each year:
- (i) 2017–18; and
  - (ii) 2018–19?

**Mr P.C. Tinley replied:**

- (a) As at 30 June 2019, the Department of Communities (Communities) manages more than 44,000 properties in Western Australia, including Government Regional Officers' Housing, Public Housing, and Aboriginal Housing Service properties.

The table below shows the breakdown of the number of properties managed by the Housing Authority, by region/contract area, as at 30 June 2019:

	Public Housing	Government Regional Officers' Housing	Aboriginal Housing Services	Total
North Metro	11735	1	0	11736
South Metro	6963	30	0	6993

South East Metro	6875	8	0	6883
Great Southern	1149	257	0	1406
Southwest	2494	197	1238	3929
Goldfields	1065	808	646	2519
Midwest/Gascoyne	1664	586	0	2250
Pilbara	1408	1352	484	3244
West Kimberley	1294	868	115	2277
Wheatbelt	1031	510	228	1769
East Kimberley	619	424	0	1043
<b>Total</b>	<b>36297</b>	<b>5041</b>	<b>2711</b>	<b>44049</b>

- (b) Each year all properties managed by Communities are subject to a ‘365 Function Test’ on Residual Current Devices (RCD) and smoke alarms.

In addition, in 2016, the Housing Authority implemented an Electrical Safety Device Program to ensure that properties owned by the Department met relevant Electrical Safety Device legislation.

- (i) During 2017–18, a total of 29,348 properties were either inspected through the Departments’ Electrical Safety Device Program or inspected as a result of a work order which certified the compliance of electrical safety devices.
- (ii) During 2018–19, a total of 26,917 properties were either inspected through the Departments’ Electrical Safety Device Program or inspected as a result of a work order which certified the compliance of electrical safety devices.

The table below shows the breakdown of the number of properties checked for electrical circuit abnormalities, faults or deterioration, by year by individual region/contract area.

	<b>2017–2018</b>	<b>2018–2019</b>
East Kimberley	1,269	1,135
Goldfields	1,271	1,635
Great Southern	907	622
Midwest/Gascoyne	1,858	1,240
North Metro	9,230	7,292
Pilbara	1,948	1,512
South East Metro	4,548	2,523
South Metro	2,806	6,632
Southwest	2,576	1,228
West Kimberley	1,971	2,302
Wheatbelt	964	796
<b>Total</b>	<b>29,348</b>	<b>26,917</b>

- (c) As a result of the works associated with the compliance of electrical safety devices, a number of properties had electrical ‘fault find’ work orders issued to resolve the faults identified.

The table below shows the breakdown of the number of properties which had electrical ‘fault find’ work orders issued, by year:

	<b>2017–2018</b>	<b>2018–2019</b>
East Kimberley	4	8
Goldfields	6	1
Great Southern	2	3
Midwest/Gascoyne	7	6
North Metro	23	16

Pilbara	6	7
South East Metro	15	9
South Metro	12	6
Southwest	10	4
West Kimberley	12	15
Wheatbelt	3	5
<b>Total</b>	<b>100</b>	<b>80</b>

A 'find fault' work order may be issued for various reasons such as, but not limited to:

- Exposed wires;
- Lights/fans 'hanging down' exposing wires;
- Occupant receiving an electrical shock;
- Water damage to a fitting or leak in unit above;
- Burning/sparking/smoking/crackling/buzzing of fittings;
- No power to whole house/complex; or
- Earth rod is damaged or earth wire is disconnected.

Where a property is found unsafe and requires work to rectify an electrical abnormality, fault or deterioration, a contractor will isolate the affected circuit immediately and undertake work to ensure the problem is rectified. In exceptional circumstances, immediate temporary re-location will be provided for tenants for a short term. For longer term problems, relocation to an alternate property will be provided.

#### HEALTH — SOUTH METROPOLITAN HEALTH SERVICE — 2018–19 ANNUAL REPORT

##### **5655. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 130 of the South Metropolitan Health Service 2018–19 Annual Report, and ask:

- (a) What strategies are being put in place to deal with the discharge against medical advice (DAMA) rate for Aboriginal patients;
- (b) What was the overall number of Aboriginal patients who discharged against medical advice;
- (c) How many Aboriginal Health Liaison Officer (AHLO) positions were there during 2018–19; and
- (d) How many AHLO positions are there forecast to be in 2019–20, 2020–21 and 2021–22?

##### **Mr R.H. Cook replied:**

I am advised:

- (a) Strategies being put in place to address discharge against medical advice for Aboriginal patients include:
  - extension of an on-call weekend Aboriginal Health Liaison Officer service at Fiona Stanley Hospital and Fremantle Hospital;
  - increasing the availability of Aboriginal Health Liaison Officers to clinical areas with higher numbers of Aboriginal patients;
  - review and update of the Discharge Against Medical Advice Policy;
  - development of an escalated discharge process and guidelines;
  - Aboriginal Health Liaison Officer referral flow-chart;
  - Take 5 education tool and keeping it on clinical teams agenda;
  - creating a discharge against medical advice tool kit for health professionals; and
  - South Metropolitan Health Service Aboriginal Health Champions, as leads.
- (b) 105 Aboriginal patients discharged against medical advice.
- (c) The South Metropolitan Health Service had 7 full time equivalent Aboriginal Health Liaison Officer positions during 2018–19.
- (d) There is no set forecast for AHLO positions in 2019–20, 2020–21 and 2021–22. The South Metropolitan Health Service has a broader strategy to increase the overall Aboriginal employment throughout the organisation with the aim of improving cultural security.

## HEALTH — SOUTH METROPOLITAN HEALTH SERVICE — 2018–19 ANNUAL REPORT

**5656. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 141 of the South Metropolitan Health Service 2018–19 Annual Report in relation Peel Health Campus (PHC) development stage 1, and ask:

- (a) What projects are covered under stage 1 development;
- (b) What are the expected completion timelines for each project defined in (a); and
- (c) What month or quarter in 2020 is the PHC emergency department reconfiguration expected to be completed?

**Mr R.H. Cook replied:**

I am advised:

(a)–(b)

Projects	Expected Practical Completion Date
Electrical Services Upgrades	Completed
Mechanical Service Replacement	Completed
Building Fabric Upgrades	June 2022
External Works	June 2022
Evaluation of Assets / Facility	June 2020
Car Parking Bays	December 2019
Patient Electrical Systems	Completed
CCTV & Lockdown Capacity Upgrades	June 2020
Building Management Systems:	
Central Air Plant	June 2020
Building Upgrades	June 2022
Plant & Equipment Replacement	June 2022
Minor Works Procurements	June 2022
Fire Protection Upgrade	December 2019

- (c) The PHC emergency department reconfiguration is expected to be completed in the third quarter of 2020.

## HEALTH — NORTH METROPOLITAN HEALTH SERVICE — 2018–19 ANNUAL REPORT

**5659. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 47 of the North Metropolitan Health Service (NMHS) 2018–19 Annual Report, and ask:

- (a) Why is it that the Emergency Department (ED) cost per weighted activity unit in NMHS was the lowest in the metropolitan area at more than 12% below target, compared to all other metropolitan health service providers; and
- (b) What is the breakdown of ED cost per weight activity unit for each hospital in NMHS?

**Mr R.H. Cook replied:**

I am advised:

- (a) ED cost per weighted activity unit are impacted by inherent differences in the workflow, structures, case mix and operations of EDs across sites.
- (b) Sir Charles Gairdner Hospital – \$5,943 per ED WAU  
King Edward Memorial Hospital – \$6,546 per ED WAU

## HEALTH — NORTH METROPOLITAN HEALTH SERVICE — 2018–19 ANNUAL REPORT

**5661. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 120 of the North Metropolitan Health Service 2018–19 Annual Report in relation to the Joondalup Health Campus (JHC) development stage 2, and ask:

- (a) Can the Minister confirm the total contribution from the federal government associated with development and expansion at JHC;

- (b) Can the Minister confirm how much has been put aside from the state government associated with the development and expansion at JHC;
- (c) Can the Minister provide a timeline of the expected completion date related to JHC development stage 2 and what is entailed in this development stage; and
- (d) Are there any other future planned development stages and if so:
  - (i) What projects are planned as part of that development;
  - (ii) What is the anticipated timeline for commencement and completion for each project; and
  - (iii) What is the associated cost for each project?

**Mr R.H. Cook replied:**

I am advised:

- (a) The State successfully negotiated \$158 million in funding from the Commonwealth Government for Joondalup Health Campus (JHC) development stage 2.
- (b) The JHC development Stage 2 Expansion Project Definition Plan (PDP) is scheduled to be considered by Government in the 2019–20 Mid-year Review. The outcome will confirm the State Government's contribution.
- (c) At this stage there is no confirmed project completion date.
- (d) No.
  - (i)–(iii) Not applicable.

HEALTH — NORTH METROPOLITAN HEALTH SERVICE — 2018–19 ANNUAL REPORT

**5663. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 120 of the North Metropolitan Health Service 2018–19 Annual Report in relation to the Graylands Hospital – redevelopment planning, and ask:

- (a) Can the Minister confirm the anticipated timeline for the planning stage associated with the redevelopment; and
- (b) Beyond the planning stage, when is the redevelopment of Graylands expected to commence and be completed?

**Mr R.H. Cook replied:**

I am advised:

- (a) Planning to inform the decommissioning and relocation of non clinical and support services at the Graylands and Selby sites will be finalised for the 2020–21 Budget.
- (b) Commencement of redevelopment will be finalised post-the planning stage. This will also inform the timeframe for completion.

DEPARTMENT OF HEALTH — 2018–19 ANNUAL REPORT

**5666. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 140 of the Department of Health 2018–19 Annual Report in relation to table 25, and ask:

- (a) Why is there no expected year of completion for the Kings Park Link Bridge; and
- (b) What is the current status of the Kings Park Link Bridge and is it still a commitment from the Government that the bridge will be built:
  - (i) If so, when will the project construction phase commence?

**Mr R.H. Cook replied:**

I am advised:

- (a) The Department of Health has been working with several government agencies to clarify elements of the project, including the final design, ownership and ongoing maintenance of the Kings Park Link Bridge. A construction and completion schedule had not been finalised at the time of submitting its annual report.
- (b) The governance of the Kings Park Link Bridge project was transferred to Main Roads WA on 20 September 2019. Main Roads WA will construct, own and maintain the bridge and has established a multi-agency steering committee, which includes WA Health, for this project.
  - (i) The final construction schedule will be determined at the completion of the tender process for the construction of the bridge. Main Roads WA, with support from WA Health and several other government agencies, will be managing the Kings Park Link Bridge project, including the final design and tendering for its construction.

## DEPARTMENT OF HEALTH — 2018–19 ANNUAL REPORT

**5667. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 141 of the Department of Health 2018–19 Annual Report, and ask:

- (a) Broken down by employee category, how many of the six workers' compensation claims were paid out; and
- (b) What is the total value associated with (a)?

**Mr R.H. Cook replied:**

I am advised:

- (a) Nil.
- (b) Not applicable.

## DEPARTMENT OF HEALTH — 2018–19 ANNUAL REPORT

**5668. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 142 of the Department of Health 2018–19 Annual Report, and ask:

- (a) Will the Minister provide a brief summary of the campaigns and costs associated with the \$35,362 spent with Facebook, including:
  - (i) What were the Facebook pages which hosted or promoted each campaign; and
  - (ii) Was any specific audience targeting used and if so, what were the defined audiences for each campaign?

**Mr R.H. Cook replied:**

I am advised:

- (a) Immunisation campaigns that included influenza, measles, mumps, rubella (MMR), meningococcal ACWY, HPV vaccine and booster doses of diphtheria, tetanus and pertussis and strengthening immunisation enrolment requirements for child care services and kindergartens: \$19,106

Sexual health campaigns that included prevention, testing and treatment for sexually transmitted infections (STI), Blood-borne Viruses and gonorrhoea plus sexual health education about relationships and puberty: \$15,810

Heatwave: the heatwave campaign aimed to reduce instances of heat stress and heat-related illness in the Kimberley and Pilbara regions during early December 2018. The campaign advised people in these regions to take precautions to avoid heat stress, which can be particularly dangerous for the elderly, young children and babies, whose bodies cannot always regulate temperature changes efficiently. \$446

- (i) @HealthyWA – <https://www.facebook.com/HealthyWA>

- (ii) Immunisation

Flu vaccine children under 5: 18–50, living in WA

Year 8 immunisation: 58–65, living in WA

Measles Vaccination: 20–53, living in WA

Pregnant women: 18–45, living in WA

Flu vaccine general: 18–65+, living in WA

Flu vaccine over 65: 64+, living in WA

Flu vaccine Aboriginal: 13–65+, living in WA, interests including Australian Aboriginal culture

Starting school 2019: 25–50, living in WA, Parents, Parents with preschoolers (03–05 years)

Year 10 immunisations: 15–16 living in WA

Year 10 immunisations parents: 35–65+, living in WA, Parents: Parents with teenagers (13–17 years)

Year 7/8 immunisation: 30–65+, living in WA, Parents Parents with teenagers (13–17 years) and Parents with preteens (09–12 years) Meningococcal ACWY Women/ATSI: Women, 18–45, living in WA, in postcodes including 6056, 6061, 6112, 6330, 6430, 6530, 6714, 6722, 6725, 6728, 6743, 6753, 6765, 6770, Gosnells, Western Australia

Meningococcal ACWY regional parents: 16–45 living in WA except Perth

Meningococcal ACWY regional parents: 18–45 living in WA in Perth

Year 8 immunisation reminder: 28–65+ living in WA Parents with teenagers (13–17 years)

Starting schools 2018: 20–50 living in WA

Sexual Health

Get the facts youth videos: 13–17, living in WA

Youth STI: 16–24, living in WA

Gonorrhoea: 5–35, men living in WA

Get the facts youth videos regional WA: 14–17 living in WA

Aboriginal STI: 17–29, living in WA

Youth STI video: 16–24, living in WA

Gonorrhoea: 25–35 women living in WA

Get the facts learn and laugh: 14–17 living in WA

Aboriginal BBV: 19–29 living in WA

Heatwave

18–65+ living in WA in Australia: Broome (+50 mi), Derby (+50 mi), Fitzroy Crossing (+50 mi), Halls Creek (+50 mi), Kununurra (+48 mi), Pilbara (+50 mi), Kalumburu (+50 mi) Western Australia

## DEPARTMENT OF HEALTH — 2018–19 ANNUAL REPORT

**5669. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 142 of the Department of Health 2018–19 Annual Report in relation to Facebook expenditure, and ask:

- (a) Did any other health service provider (HSP) advertise with Facebook and if so:
  - (i) What was the campaign summary and associated expenditure; and
  - (ii) Why was this not reported under the relevant legal disclosures for the relevant HSP but was for the Department of Health?

**Mr R.H. Cook replied:**

I am advised:

- (a) Yes.
  - (i) South Metropolitan Health Service (SMHS): \$1,601.00  
Child and Adolescent Health Service (CAHS): \$7029.85  
WA Country Health Service (WACHS): \$86.32
  - (ii) CAHS: The transaction expenditure for this promotion was recorded in the General Ledger in July 2019. Therefore, the advertising disclosure for this promotion will be included in CAHS' 2019–20 Annual Report.  
  
WACHS: The amount is reported within the total amount spent on advertising under the relevant legal disclosures for the WA Country Health Service.  
  
SMHS: Refer to page 150 of the SMHS Annual Report 2018–19.

## WA COUNTRY HEALTH SERVICE — 2018–19 ANNUAL REPORT

**5671. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 57 and 134 of the WA Country Health Service 2018–19 Annual Report, and ask:

- (a) Why was there such a significant deviation from the target to actual costs associated with the average cost per bed-day for specialised residential care facilities, flexible care (hostels) and nursing home type residents; and
- (b) What is the 2019–20 target and what work is being done to ensure that these targets are met going forward?

**Mr R.H. Cook replied:**

I am advised:

- (a) The target for 2018–19 was derived from the strict application of an Outcomes-Based Management (OBM) allocation to expenditure. WA Country Health Service (WACHS) is currently working with the Department of Health (DOH) to improve the allocation process and derive an improved target that more accurately reflects the cost of service delivery under the indicator definition.
- (b) The target for 2019–20 is currently set at \$315. WACHS is working with the DOH to ensure targets more accurately reflect the cost of service delivery under the indicator definition.

## WA COUNTRY HEALTH SERVICE — 2018–19 ANNUAL REPORT

**5673. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 123 of the WA Country Health Service 2018–19 Annual Report, and ask:

- (a) What strategies are being put in place to deal with the discharge against medical advice (DAMA) rate for Aboriginal patients;
- (b) What was the overall number of Aboriginal patients who discharged against medical advice;
- (c) How many Aboriginal Health Liaison Officer (AHLO) positions were there during 2018–19; and
- (d) How many AHLO positions are there forecast to be in 2019–20, 2020–21 and 2021–22?

**Mr R.H. Cook replied:**

I am advised:

- (a) Strategies include:

WACHS has a DAMA policy (September 2019) that outlines a range of actions that should be undertaken when a patient is identified at risk of DAMA;

employing more Aboriginal people to support improved health outcomes for Aboriginal people;

developing a new Aboriginal workforce strategy and prioritising the use of Section 51 to attract more Aboriginal employees;

strengthening the Aboriginal Mentorship Program to support growth and development of existing employees;

WACHS is investigating the role of Aboriginal Health Practitioner to add to the existing WACHS Aboriginal workforce structure.

Enhanced services through improved access to Aboriginal Interpreters, and locating AHLO service desks at the front entrance of hospitals for contact and support;

development of signage and interpretive talking posters in local languages;

mandatory Cultural eLearning Training training for all WACHS staff.

The appointment of five Regional Aboriginal Health Consultants – with two currently in recruitment phase. The Consultants are members of Regional Executive teams, and their role includes cultural maintenance, community engagement and Aboriginal workforce support.

- (b) 907 Aboriginal patients discharged against medical advice.
- (c)–(d) 56.

## WA COUNTRY HEALTH SERVICE — 2018–19 ANNUAL REPORT

**5674. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 125 of the WA Country Health Service 2018–19 Annual Report, and ask:

- (a) Why has the total hospital readmission rate continued to increase well above target; and
- (b) What strategies are being in place to arrest and mitigate the readmission rate into the future?

**Mr R.H. Cook replied:**

I am advised:

- (a) The nature of some mental health conditions and lack of service options in close proximity in country locations (such as other primary or secondary care providers, step-down or sub-acute accommodation) necessitates care plans that, for some patients, include return to hospital in the event of crisis and short-lived periods of risk to self. People needing readmission sometimes have complex social circumstances and limited personal and family support.

- (b) The WACHS Mental Health Quality and Safety Steering Committee continue to guide strategy for improvements to care.

WACHS works closely with other service providers to identify service gaps and build service capacity in the primary and secondary sector along with improving the transition of care for consumers to these providers where appropriate.

In November 2018, Albany opened a Step Up Step Down Unit (SUSD) that assists with providing additional options for care post-discharge. Other SUSD units are planned for Bunbury Kalgoorlie, Karratha and Geraldton.

## WA COUNTRY HEALTH SERVICE — 2018–19 ANNUAL REPORT

**5675. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 147 of the WA Country Health Service 2018–19 Annual Report, and ask:

- (a) Broken down by employee category, how many of the 248 workers' compensation claims were paid out; and
- (b) What is the total value associated with (a)?

**Mr R.H. Cook replied:**

I am advised:

- (a)–(b) Workers Compensation settlements are paid by the Insurance Commission of Western Australia.

## HEALTH — ANIMAL RESOURCES AUTHORITY — 2018–19 ANNUAL REPORT

**5676. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 15 of the Animal Resources Authority 2018–19 Annual Report and ask what actions have been taken to help resolve the lease issue at Murdoch and when is this expected to be resolved?

**Mr R.H. Cook replied:**

I am advised:

The Animal Resources Authority has been working closely with Treasury to resolve the Murdoch University land lease at the earliest opportunity.

## HEALTH — ANIMAL RESOURCES AUTHORITY — 2018–19 ANNUAL REPORT

**5677. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:**

I refer to page 15 of the Animal Resources Authority 2018–19 Annual Report and ask what actions have been taken to help resolve the lease issue at Murdoch and when is this expected to be resolved?

**Mr R.H. Cook replied:**

Please refer to Legislative Assembly Question on Notice 5676.

## COMMUNITY SERVICES — GRANDCARERS SUPPORT SCHEME

**5680. Mr A. Krsticevic to the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services:**

I refer to the Grandcarers Support Scheme, and ask:

- (a) How much was spent for the financial years 2015–16, 2016–17, 2017–18, and 2018–19;
- (b) How many recipients received funding; and
- (c) How many grandchildren was funding provided for?

**Ms S.F. McGurk replied:**

- (a)–(c) Please refer to the table below:

Financial year	Funding (\$)	Number of recipients	Number of grandchildren provided for
2015–16	555,150	961	1,699
2016–17	574,500	959	1,749
2017–18	608,200	1,005	1,867
2018–19	645,500	1,069	1,997

## HARDSHIP UTILITY GRANT SCHEME — RECIPIENTS

**5681. Mr A. Krsticevic to the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services:**

I refer to the Hardship Utility Grant Scheme (HUGS), and ask:

- (a) How much was spent on HUGS for the following years 2013–14, 2014–15, 2015–16, 2016–17, 2017–18, and 2018–19;
- (b) How many recipients received funding via:
  - (i) Water Corporation;
  - (ii) Synergy;
  - (iii) Horizon Power; and
  - (iv) Alinta Energy;

- (c) What was the total spent each year on:
- (i) Water Corporation bills;
  - (ii) Synergy bills;
  - (iii) Horizon Power bills; and
  - (iv) Alinta Energy bills; and
- (d) For each year, how many recipients received more than one HUGS grant in the year?

**Ms S.F. McGurk replied:**

- (a) State Government expenditure on the Hardship Utility Grant Scheme (HUGS) is as follows:

Year	Total expenditure (\$)
2013–14	9,266,347
2014–15	8,846,140
2015–16	8,241,661
2016–17	15,783,142
2017–18	21,231,813
2018–19	7,483,730

- (b) The number of recipients who received HUGS funding, by utility provider, is as follows:

Utility	2013–14	2014–15	2015–16	2016–17	2017–18	2018–19
Water Corporation	1,057	1,468	1,262	1,401	3,179	1,554
Synergy	16,455	14,375	10,266	27,071	40,209	9,768
Horizon Power	1,910	1,572	1,602	1,334	1,209	486
Alinta Energy	5,415	5,540	6,444	8,570	9,008	1,617

- (c) The total spend for HUGS, by utility provider, is as follows:

Utility	2013–14 (\$)	2014–15 (\$)	2015–16 (\$)	2016–17 (\$)	2017–18 (\$)	2018–19 (\$)
Water Corporation	331,201	488,877	501,714	547,842	1,195,710	772,368
Synergy	6,254,015	5,643,433	4,356,897	11,382,087	16,020,506	5,276,454
Horizon Power	1,190,650	976,509	1,060,621	834,395	791,916	360,425
Alinta Energy	1,461,389	1,668,150	2,190,086	2,811,115	2,778,132	764,076

- (d) The Department of Communities' HUGS Online System records applications, not individual recipients. It is not possible to provide data on the number of applicants who received more than one HUGS payment per year.

## MINING — EXPLORATION EXPENDITURE

**5683. Mr W.R. Marmion to the Minister for Mines and Petroleum; Energy; Industrial Relations:**

- (1) Can the Minister advise what the estimated total mining exploration expenditure was in Western Australia for the years 2015–16, 2016–17, 2017–18 and 2018–19?
- (2) Can the Minister also advise what the estimated total gold mining exploration expenditure was in Western Australia for the years 2015–16, 2016–17, 2017–18 and 2018–19?

**Mr W.J. Johnston replied:**

- (1) This information is publicly available from the Australian Bureau of Statistics. Specific questions regarding data collected by the Australian Bureau of Statistics should be directed to that organisation.
- (2) See answer (1).

## MINES AND PETROLEUM — GOLD EXPORTS

**5684. Mr W.R. Marmion to the Minister for Mines and Petroleum; Energy; Industrial Relations:**

- (1) Can the Minister advise what the total dollar value of Western Australian gold exports was for the years 2015–2016, 2016–17, 2017–18 and 2018–19?
- (2) Can the Minister advise the total ounces of gold that were exported by Western Australian gold mining companies for the years 2015–16, 2016–17, 2017–18 and 2018–19?
- (3) Can the Minister advise the total dollar value that the State received from gold royalties for the years 2015–16, 2016–17, 2017–18 and 2018–19?

**Mr W.J. Johnston replied:**

- (1) The State Government does not compile gold export data, but the value of gold exports from Western Australia is available from the Australian Bureau of Statistics (ABS). Specific questions regarding data collected by the ABS should be directed to that organisation.
- (2) No. The ABS reports value, but not volumes therefore the volume of gold exports is not available.
- (3) Western Australia received gold royalties totalling:
  - 2015–16 – \$239.55 million
  - 2016–17 – \$262.87 million
  - 2017–18 – \$272.77 million
  - 2018–19 – \$291.42 million

## POLICE — REDRESS SCHEME

**5685. Mr P.A. Katsambanis to the Minister for Police; Road Safety:**

I refer to the police redress scheme, and ask:

- (a) How many applicants were not successful;
- (b) Were there any changes to the membership of the Independent Assessment Panel (IAP) during the redress process;
- (c) If yes to (b) what were the changes;
- (d) Were only members of the IAP making an assessment of each application or were they assisted by the public service;
- (e) Of the applications for redress that were rejected who is conducting a review of the appeals lodged;
- (f) Has any additional resources been provided for the appeals process; and
- (g) If yes to (f) where will the resources be provided from?

**Mrs M.H. Roberts replied:**

The McGowan Government's \$16 million Police Redress Scheme aims to recognise and support former officers who were medically retired through the "section 8 process" due to a work-related injury or illness, and is the first and only Scheme of its kind in Australia. Applicants' eligibility for the scheme has been decided by an Independent Assessment Panel, chaired by former Commissioner of Police Karl O'Callaghan. The eligibility criteria for applicants were broadly publicised and are:

Must have been a WA Police Officer or Aboriginal Police Liaison Officer;

Must have been removed from office for medical reasons under section 8 (with reference to Section 33L) or Section 38B(4) for Aboriginal Police Liaison Officers of the Police Act 1892, or Section 505A of the Police Force Regulations 1979 for probationary constables before 9 April 2019 (note: this does not apply for officers removed for loss of confidence);

Must have suffered a work-related illness or injury that caused or was a significant factor in a subsequent Section 8 medical retirement;

Must not have been convicted of a serious offence punishable by five years or more incarceration;

Applications could not be made on behalf of someone who has died.

The Western Australian Police Force advise:

- (a) There is a review process currently underway for applicants who were deemed ineligible for the Scheme. Until that process is completed, final numbers for ineligible applicants cannot be provided.
- (b) No.
- (c) Not Applicable.
- (d) The Review Team within the Western Australia Police Force compiled a de-identified report on each applicant. The report was then provided to the IAP who assessed and determined an applicant's eligibility for the Redress Scheme.
- (e) The IAP considers all requests for review of the original decision where the applicant was deemed by the IAP to be ineligible. If the original decision is upheld by the IAP, the request for a review is then provided to an Independent Assessor, who makes the final assessment.
- (f) Yes, the Independent Assessor.
- (g) The Independent Assessor is a senior Commissioned Officer from the Western Australia Police Force.

## METHAMPHETAMINE — MINING AND PASTORAL REGION AND NORTH WEST CENTRAL

**5686. Mr V.A. Catania to the Deputy Premier; Minister for Health; Mental Health:**

I refer to media reports of high methamphetamine use in regional areas, and I ask:

- (a) What support structures are in place in the Mining and Pastoral region to assist people who want to stop using drugs; and
- (b) Are all rehabilitation requests in North West Central able to be supported and fulfilled?

**Mr R.H. Cook replied:**

I am advised:

- (a) The following services are available in the Mining and Pastoral region to assist people who want to stop using drugs;

Community Alcohol and Drug Service (CADS) teams are the main region-wide providers of outpatient counselling for individuals and families, prevention activities and diversion services. The CADS teams are located in the Kimberley, Midwest, Pilbara, Goldfields and Wheatbelt regions. The services in the Kimberley and the Midwest are integrated with the public community mental health team which facilitates coordinated client care across both services.

Breakdown of location of each CADS is detailed below:

The Kimberley CADS, delivered by WA Country Health Service, has offices in Broome, Derby, Fitzroy Crossing, Kununurra and Halls Creek. Outreach services are provided to Mowanjum, Pandanus Park, Looma, Wangkatjungka, Bayulu, Noonkanbah, Yiyili, Ringers Soak Kutjunka, Kalumburu, Wyndham and Warmun. Outreach services have recently commenced to Balgo;

The Midwest CADS, delivered by WA Country Health Service, has offices in Geraldton, Carnarvon and Meekatharra. Outreach services are provided to Mullewa, Dongara, Kalbarri, Northampton, Three Springs, Mount Magnet, Cue, Yalgoo, Exmouth, Shark Bay/Denham and Burringurrah;

The Pilbara CADS, delivered by Mission Australia, operates from offices in Karratha, Port Hedland, Tom Price and Newman. Outreach services are provided to Onslow, Dampier, Port Samson, Wickham, Roebourne and Marble Bar;

The Goldfields CADS, delivered by Hope Community Services, has offices in Esperance and Kalgoorlie. Outreach services are provided to Coolgardie, Kambalda, Menzies, Ravensthorpe, Hopetoun, Leonora, Laverton and Norseman; and

The Wheatbelt CADS, delivered by Holyoake Institute, has offices in Northam, Narrogin and Merriken. Outreach services are provided to York, Toodyay, Beverley, Quairading, Cunderdin, Tammin, Goomalling, Dowerin, Wyalkatchem, Wongan Hills, Dalwallinu, Bindoon, Moora, Jurien Bay, Cervantes, Lancelin, Guilderton, Bruce Rock, Narembeen, Southern Cross, Nungarin, Wagin, Boddington, Williams, Pingelly, Brookton, Corrigin, Kondinin, Hyden and Lake Grace.

In addition to the CADS the following services are available in the Mining and Pastoral Region:

Residential alcohol and drug treatment services funded by the Mental Health Commission and the Commonwealth government are located at Hope Community Farm (provided by Hope Community Services in Geraldton), 9 Mile in Broome, (provided by Milliia Rummurra Aboriginal Corporation), 7 mile in Wyndham, (provided by Ngnowar Aerwah Aboriginal Corporation), Turner River in Port Hedland, (provided by Yaandina Community Services), the Goldfields Rehabilitation Services in Kalgoorlie, (provided by Goldfields Rehabilitation Services Inc) and the Northam Recovery Centre (provided by Fresh Start Recovery Program).

Sobering Up Centres are located at Broome (provided by Milliia Rummurra Aboriginal Corporation), Derby (provided by Garl Garl Walbu Alcohol Association Aboriginal Corporation), Wyndham (provided by Ngnowar Aerwah Aboriginal Corporation), Kununurra (provided by Waringarri Aboriginal Corporation), Port Hedland (provided by Bloodwood Tree Association), Roebourne (provided by Yaandina Community Services), Carnarvon (Carnarvon Family Support Service) and Kalgoorlie (provided by Bega Garberringu Aboriginal Corporation).

Specialist alcohol and drug counselling and prevention services, primarily for Aboriginal people, are located at Broome (provided by Milliia Rummurra Aboriginal Corporation), Wyndham (provided by Ngnowar Aerwah Aboriginal Corporation), Fitzroy Crossing (provided by Nindilingarri Cultural Health Services), Warmun (provided by Warmun Community) and Port Hedland (provided by Bloodwood Tree Association).

A dedicated outreach service, provided by Cyrenian House and Milliia Rummurra Aboriginal Corporation, provides services to the Dampier Peninsula and Bidyadanga.

Low medical withdrawal services provided by Yaandina Community Services are located at Roebourne but can be utilised by people from other areas.

An alcohol and drug counselling service (provided by Ngaanyatjarra Health Services) provides services to the communities of Blackstone, Wingellina and Jameson in the Ngaanyatjarra Lands.

As part of the Methamphetamine Action Plan additional funding was allocated via the 2019/20 Budget process, for services in the Mining and Pastoral region:

\$20.1 million for the continuation of the North West Drug and Alcohol Support Program to reduce the harm caused by alcohol and other drugs in the Kimberley, Pilbara and Mid-West.

\$9.2 million to establish a comprehensive alcohol and other drug youth service in the Kimberley, including a bed-based component and a comprehensive day program to respond to the complex needs of young people and their families.

\$2.3 million for four low medical withdrawal beds in the Kimberley.

- (b) The nearest residential alcohol and drug treatment services to the Northwest Central region are located at Port Hedland and Geraldton. As of 17 October 2019, the Turner River facility (a commonwealth funded service, provided by Yaandina Community Services) in Port Hedland has a three month waiting list. There is currently no waiting list for the Hope Community Services facility (a state funded service, provided by Hope Community Services) in Geraldton.

#### POLICE — PROSECUTORS

#### 5687. Mr P.A. Katsambanis to the Minister for Police; Road Safety:

I refer to police prosecutors, and ask:

- (a) How many police prosecutors were there, for each year since 2015;
- (b) How many police prosecutors have exited the role, for each year since 2015; and
- (c) On average how many cases is each prosecutor dealing with at any one time, for each year since 2015?

#### Mrs M.H. Roberts replied:

The Western Australian Police Force advise:

- (a) 2015/16: 101  
2016/17: 112  
2017/18: 115  
2018/19: 113
- (b) 2015/16: 16  
2016/17: 14  
2017/18: 21  
2018/19: 31, including 9 who participated in the VTSS. These positions have been advertised and filled.
- (c) The WA Police Force does not specifically count the number of cases that individual prosecutors deal with. The number varies every day and depends on the court and duties allocated to the prosecutor.

#### ROTTNEST ISLAND AUTHORITY — 2018–19 ANNUAL REPORT

#### 5689. Mrs A.K. Hayden to the Minister for Tourism; Racing and Gaming; Small Business; Defence Issues; Citizenship and Multicultural Interests:

- (1) I refer to the Rottneest Island Authority 2018–19 Annual Report, and I ask:
- (a) What was the expense incurred in commissioning KPMG to undertake an inquiry into the collapse of the Army Jetty in October 2018; and
- (b) Where is that expense reflected in the Rottneest Island Authority's 2018–19 Annual Report?
- (2) I refer to page 51 of the Rottneest Island Authority 2018–19 Annual Report, and I ask:
- (a) Why was the income from the State Government reduced from \$8,714m in 2018 to \$4,897m in 2019?
- (3) I refer to the infrastructure upgrade and maintenance works discussed on page 35 of the Rottneest Island Authority 2018–19 Annual Report, and I ask:
- (a) Will the Minister provide a list, timeline and update of the proposed infrastructure upgrade and maintenance works on Rottneest Island, following the joint State and Federal Governments funding announcement of \$33m in April 2019;
- (b) Will the Minister provide a breakdown of each of the individual proposed works, including the cost and whether works have gone out to tender; and

- (c) How many of these proposed works have commenced?
- (4) I refer to the competitive pressure discussed on page 35 of the Rottnest Island Authority 2018–19 Annual Report, and I ask:
- (a) What impact has the opening of the Discovery-Rottnest eco-tent accommodation at Pinky’s Beach in March this year had on Rottnest Island Authority operated visitor accommodation;
- (b) What is the value of the 20-year lease agreement with Discovery-Rottnest in providing this new accommodation service; and
- (c) How does the Rottnest Island Authority plan to deal with the additional availability of privately operated accommodation such as Pinky’s Beach and the upcoming Hotel Rottnest upgrade?
- (5) I refer to the online booking system discussed on page 35 of the Rottnest Island Authority 2018–19 Annual Report and I ask:
- (a) What is the plan to ensure the reliability and capability of the Rottnest Island online booking system;
- (b) Can you please advise the number of times the system has crashed and include dates and duration of the system being off line; and
- (c) Has a quote been obtained to rectify this situation and if so can you please provide the detail, cost and provider?
- (6) I refer to the target average cost per visitor on page 81 of the Rottnest Island Authority 2018–19 Annual Report, and I ask:
- (a) Why was the actual cost \$14 per person higher than the target;
- (b) Why was the methodology changed to only reflect visitors by ferry instead of including an estimate of private boating figures and plane arrivals as previously measured; and
- (c) Will the Minister please provide detail around the new methodology?

**Mr P. Papalia replied:**

- (1) (a) \$260 289.23
- (b) The expense is part of the Supplies and Services cost in the Statement of Comprehensive Income on page 40.
- (2) (a) As noted in the Annual Report 2018–19 on page 70, the key reduction in Service Appropriation from 2017–18 relates to funding for the Roofing Project, which ceased in 2017–18. The Roofing Project is described on page 22 of the Annual Report 2018–19.
- (3) (a)–(b) State Funded Projects

Project	Delivery Dates	Status	Tender	Estimated Value (\$M)
Fuel Jetty Upgrade	Dec 2021	Preliminary Design	Not Yet	\$3.00
Barge Landing and Cargo Facilities	Jun 2022	Concept Design	Not Yet	\$9.15
Main Jetty Upgrade	Jun 2023	Planning	Not Yet	\$4.00
<b>Total</b>				<b>\$16.15</b>

The State funded projects will be delivered within overall allocated budget and specific project funding to be determined during the design phase.

Commonwealth Funded Projects

The projects that will be the beneficiary of Commonwealth funding are still subject to agreement and execution of a funding agreement.

- (c) Nil.
- (4) (a) While new private developments are expected to increase competitive pressure on RIA-operated visitor accommodation, it is not reflected in the occupancy rates for the first six months of operation of Discovery – Rottnest Island, as the following table demonstrates.

Date Range	RIA Occupancy Rate
March–August 2018	64.4 per cent
March–August 2019	64.8 per cent

- (b) The base rental income for the lease period (19 June 2018 – 30 June 2038), based on current rates, is \$1 186 820.76. The rent due under the lease will, however, be subject to annual CPI increases. In addition, the lease provides for a Market Rent Review on 1 July 2028. A turnover rent will apply from year two of the lease, based on agreed percentages of gross receipts from various tenant trading activities.
- (c) The style of accommodation provided at Discovery – Rottneest Island and Hotel Rottneest Resort is unique and not comparable to RIA accommodation. Ongoing upgrades to RIA accommodation ensure that the standard provided meets the expectations of Rottneest guests. Promotional rates are utilised during periods of lower demand and marketing activities continue to attract new markets and support regular visitation.
- (5) (a) Ongoing improvements are being made to focus on the stability of the online booking system and a project to create a new digital platform for bookings across all RIA products and third party sales has commenced with implementation scheduled for July 2020.
- (b) The following table shows the outages of the online booking system during 2018–19. At all times customers were able to book accommodation over the phone and in person.

Outage Start	Outage End	Duration
2/7/18	10/9/18	70 days
13/11/18	13/11/18	~ 5 hours
21/11/18	21/11/18	~ 23 minutes
22/12/18	27/12/18	5 days
9/1/19	10/1/19	~ 23 hours
20/1/19	20/1/19	~ 15 hours
21/2/19	21/2/19	~ 1 hour
22/2/19	22/2/19	~ 1 hour
29/3/19	29/3/19	~ 2 hours
18/4/19	18/4/19	~ 9 hours
25/4/19	25/4/19	~ 7 hours

- (c) The move to a new digital platform has commenced and is currently in scoping stage.
- (6) (a) The target average cost per visitor of \$66 was determined using previous methodology of estimating the number of visitors arriving by ferry, by private boat based on the extrapolation of boating survey results and by plane. The target figure was published in the 2018–19 Budget papers. The RIA changed the methodology for calculating average cost per visitor during the 2018–19 reporting period by including only the number of visitors arriving by ferry. This has led to a higher cost result.
- (b) The methodology was changed following Office of the Auditor General advice that using the extrapolation of boating survey results to determine visitor numbers who arrived at the Island by private boat and the estimated number of passengers per plane landing was not accurate enough for the purposes of KPI reporting.
- (c) The new methodology for measuring the average cost per visitor to Rottneest Island is now the total number of visitors arriving by ferry divided by the cost of providing the Island's recreational and holiday services.

DEPARTMENT OF PLANNING, LANDS AND HERITAGE — ANNUAL REPORT 2018–19

**5690. Mrs A.K. Hayden to the Minister for Transport; Planning:**

I refer to the Department of Planning, Lands and Heritage 2018–19 Annual Report, and I ask:

- (a) Why is there no reporting on the Pickering Brook and Surrounds Sustainability and Tourism Strategy;
- (b) When does the Government intend to advertise the draft strategy following public consultation;
- (c) Will the Minister provide an update on the Pickering Brook and Surrounds Sustainability and Tourism Strategy;
- (d) Will the Minister provide the timeline that is guiding the working group and expected completion date; and
- (e) Can the Minister provide the names on the working group and advise if there has been any changes and if so provide detail and dates in relation to these changes?

**Ms R. Saffioti replied:**

- (a) The project was in the establishment and investigation stage at the time of the 2018–19 Annual Report.
- (b)–(d) Consultation with stakeholders and the community has taken place to inform the development of a draft strategy. The draft strategy is expected to be released in mid to late 2020 for public comment, and it is anticipated that a final strategy will be available by the end of 2020.
- (e) The Working Group is chaired by the Member for Kalamunda and includes representatives from the Department of Planning, Lands and Heritage, Department of Water and Environmental Regulation, Department of Primary Industries and Regional Development, Department of Fire and Emergency Services, Department of Jobs, Tourism, Science and Innovation, City of Kalamunda and City of Armadale. There has been no change to the agencies represented on the Working Group.

## WESTPORT TASKFORCE — FREMANTLE PORT CAPACITY

**5692. Dr D.J. Honey to the Minister for Transport; Planning:**

I refer to answers provided to Question on Notice No. 7838, and I ask:

- (a) Have any scoping-level or better economic assessments been completed for the options identified by the Taskforce, including the option of maintaining the existing inner harbour in its existing role;
- (b) What financial measures were used in the economic assessments; and
- (c) What were the results of the economic assessments for each identified option, including the option of maintaining the existing inner harbour in its existing role?

**Ms R. Saffioti replied:**

Legislative Assembly Question on Notice No. 7838 does not appear to exist.

## TRANSPORT — CLIMBING LANE — BODDINGTON

**5694. Ms M.J. Davies to the Minister for Transport; Planning:**

- (1) Can the Minister please advise when plans for constructing a westbound climbing lane approximately 20km from Boddington (SLK 55) will be finalised?
- (2) When will funding be allocated for this upgrade?
- (3) How much is the upgrade anticipated to cost?

**Ms R. Saffioti replied:**

- (1) Main Roads will begin design for a westbound climbing lane on Pinjarra Williams Road in the upcoming financial year.
- (2) Funding is subject to standard budgetary processes.
- (3) The estimated cost is \$3 million.

## MINING ACT — LAND EXPLORATION

**5696. Mr K.M. O'Donnell to the Minister for Mines and Petroleum:**

I refer to the requirements of the Mining Act 1978 (WA), that tenement holders must explore the land they hold, and I ask:

- (a) Does the Minister support the use it or lose it principle which is a widely accepted tenet of the resources sector from prospectors to mining giants;
- (b) As minimum expenditure obligations are designed to ensure tenement holders are genuine in their efforts to explore their ground, is the Minister aware of any 'landbanking' that is occurring and if so what is the estimated loss of revenue to the State as a result of this landbanking;
- (c) As there is currently no legislative provision preventing an applicant for a mining tenement from withdrawing the application and immediately lodging another application over the same ground, can the Minister advise if this has occurred over the past five years:
  - (i) If yes to (c) how many times has this occurred and at which tenements; and
- (d) Over the past five years how many complaints have been lodged over a tenement in the Warden's Court alleging the holder has not met its minimum expenditure obligations, requesting that the tenement be forfeited?

**Mr W.J. Johnston replied:**

- (a) Yes.
- (b) No.
- (c) The Department of Mines, Industry Regulation and Safety is not aware of an application for an exploration licence being withdrawn and immediately replaced over exactly the same land by the same applicant.
  - (i) Not Applicable.

- (d) In the last five calendar years 1486 Applications For Forfeiture (Form 35A) have been lodged:
- 2019 – 207
  - 2018 – 310
  - 2017 – 283
  - 2016 – 475
  - 2015 – 211

#### HOUSING — SENIORS

**5697. Mr S.K. L'Estrange to the Minister for Housing; Veterans Issues; Youth; Asian Engagement:**

I refer to page 4 of the Department of Communities' report titled *Ageing with Choice: Future directions for seniors housing 2019–2024*, regarding senior public housing tenants, and I ask:

- (a) How many seniors, aged 65 years or older, were on the public housing waitlist in each region, as of 1 October 2019;
- (b) How many seniors were tenants in public housing, as of:
- (i) 1 October 2019;
  - (ii) 1 October 2018; and
  - (iii) 1 October 2017;
- (c) What percentage of main public housing tenants were seniors, as of:
- (i) 1 October 2019;
  - (ii) 1 October 2018; and
  - (iii) 1 October 2017;
- (d) How many Seniors 1-bedroom and Seniors 2-bedroom properties did the Housing Authority own in each region, as of:
- (i) 1 October 2019;
  - (ii) 1 October 2018; and
  - (iii) 1 October 2017; and
- (e) How many Seniors 1-bedroom and Seniors 2-bedroom properties were vacant in each region, as of 1 October 2019?

**Mr P.C. Tinley replied:**

The Department of Communities defines a 'senior' as anyone over the age of 55 years or above or who is the spouse of such a person. The information below is based on the Department's definition of a senior.

(a)

Region	Applicants
North Metro	760
South Metro	519
South East Metro	445
Great Southern	124
Southwest	255
Goldfields	39
Midwest/Gascoyne	145
Pilbara	97
West Kimberley	81
Wheatbelt	66
East Kimberley	46
<b>Total</b>	<b>2,577</b>

(b)–(c)

Age Group	2017		2018		2019	
	Tenants	% of Tenants	Tenants	% of Tenants	Tenants	% of Tenants
55 and Older	16,855	52.49%	16,851	53.12%	16,899	53.91%

(d) (i)–(iii)

Region	2017		2018		2019	
	1 Bed	2 Bed	1 Bed	2 Bed	1 Bed	2 Bed
North Metro	2,385	2,003	2,367	2,004	2,362	2,005
South Metro	1,177	1,092	1,196	1,092	1,193	1,093
South East Metro	1,106	878	1,096	878	1,096	878
Great Southern	113	116	114	115	115	114
Southwest	280	372	262	372	262	372
Goldfields	81	67	81	67	81	67
Midwest/ Gascoyne	191	115	190	115	190	115
Pilbara	40	4	37	4	45	10
West Kimberley	75	24	75	24	75	24
Wheatbelt	63	101	60	101	60	101
East Kimberley	20	13	20	13	20	13
<b>Total</b>	<b>5,531</b>	<b>4,785</b>	<b>5,498</b>	<b>4,785</b>	<b>5,499</b>	<b>4,792</b>

(e)

Region	Senior 1 Bedroom		Senior 2 Bedroom		Total
	Returning Voids	Non-Returning Voids	Returning Voids	Non-Returning Voids	
North Metro	27	17	19	1	64
South Metro	16	7	17	–	40
South East Metro	23	43	11	19	96
Great Southern	8	5	1	–	14
Southwest	5	4	1	1	11
Goldfields	5	–	1	–	6
Midwest/Gascoyne	6	17	3	–	26
Pilbara	2	–	1	–	3
West Kimberley	3	1	1	–	5
Wheatbelt	6	–	1	–	7
East Kimberley	1	–	1	–	2
<b>Total</b>	<b>102</b>	<b>94</b>	<b>57</b>	<b>21</b>	<b>274</b>

As at 1 October 2019, there were a total of 274 vacant (void) Seniors 1 and 2-bedroom properties. 159 (58%) were undergoing maintenance and expected to be re-let within 14 days (minor/major maintenance) or up to 28 days (extensive maintenance) from the date the tenant vacated. 115 (42%) were identified for demolition, redevelopment, sale or asset transfer to a Community Housing provider.

#### HOUSING AUTHORITY — PUBLIC AND COMMUNITY PROPERTIES

##### 5698. Mr S.K. L'Estrange to the Minister for Housing; Veterans Issues; Youth; Asian Engagement:

I refer to the Housing Authority 2018–19 Annual Report, pages 65–66, regarding rental and community housing property assets, and I ask:

- (a) How many public housing properties did the Housing Authority own in each region, as at:
  - (i) 30 June 2019; and
  - (ii) 30 June 2018; and
- (b) How many community housing properties did the Housing Authority own in each region, as at:
  - (i) 30 June 2019; and
  - (ii) 30 June 2018?

**Mr P.C. Tinley replied:**

- (a) (i)–(ii) The table below shows, by region, the public housing properties owned by the Housing Authority as at 30 June 2018 and 30 June 2019.

<b>Region</b>	<b>30 June 2018</b>	<b>30 June 2019</b>
North Metro	11,803	11,735
South Metro	6,957	6,963
South East Metro	6,930	6,875
Great Southern	1,169	1,149
Southwest	2,560	2,494
Goldfields	1,083	1,065
Midwest/Gascoyne	1,688	1,664
Pilbara	1,432	1,408
West Kimberley	1,278	1,294
Wheatbelt	1,059	1,031
East Kimberley	628	619
<b>Total</b>	<b>36,587</b>	<b>36,297</b>

- (b) (i)–(ii) The table below shows, by region, the community housing properties owned by the Housing Authority as at 30 June 2018 and 30 June 2019.

<b>Region</b>	<b>30 June 2018</b>	<b>30 June 2019</b>
North Metro	2233	2255
South Metro	1803	1816
South East Metro	1155	1145
Great Southern	356	355
Southwest	609	620
Goldfields	144	144
Midwest/Gascoyne	266	280
Pilbara	71	70
West Kimberley	138	137
Wheatbelt	439	425
East Kimberley	62	71
<b>Total</b>	<b>7276</b>	<b>7318</b>

## HOUSING AUTHORITY — ASSET DISPOSAL

**5699. Mr S.K. L'Estrange to the Minister for Housing; Veterans Issues; Youth; Asian Engagement:**

I refer to the Housing Authority 2018–19 Annual Report, page 51, the table titled 'Net loss on disposal of non-current assets,' and I ask:

- (a) By region, how many rental properties were sold and how much revenue was generated by these sales during:
- (i) 2018–19; and
  - (ii) 2017–18;
- (b) By region, how many community housing properties were sold and how much revenue was generated by these sales during:
- (i) 2018–19; and
  - (ii) 2017–18; and
- (c) How many properties were demolished in each region, during:
- (i) 2018–19; and
  - (ii) 2017–18?

**Mr P.C. Tinley replied:**

(a) (i)

<b>Region</b>	<b>Sale Revenue (\$)</b>	<b>Number of Properties</b>
Metro North	\$13,761,530	44
Metro Fremantle	\$11,950,322	36
Metro Southeast	\$12,262,667	41
Southern	\$4,139,700	20
Southwest	\$2,843,000	19
Goldfields	\$3,494,267	29
Mid West / Gascoyne	\$3,722,788	38
Pilbara	\$12,214,717	81
West Kimberley	\$4,066,030	15
Wheatbelt	\$3,956,262	32
East Kimberley	\$2,001,391	8
<b>Total</b>	<b>\$74,412,674</b>	<b>363</b>

(ii)

<b>Region</b>	<b>Sale Revenue (\$)</b>	<b>Number of Properties</b>
Metro North	\$31,634,090	61
Metro Fremantle	\$7,605,500	22
Metro Southeast	\$33,290,166	74
Southern	\$6,702,000	30
Southwest	\$5,920,500	34
Goldfields	\$2,206,000	15
Mid West / Gascoyne	\$4,945,600	42
Pilbara	\$19,856,501	138
West Kimberley	\$2,528,000	16
Wheatbelt	\$5,179,717	44
East Kimberley	\$2,475,817	11
<b>Total</b>	<b>\$122,343,891</b>	<b>487</b>

The main revenue variances between 2017–18 and 2018–19 rental property sales can be attributed to:

an overall decrease of \$15.1 million in Government Regional Officer Housing (GROH) sales in the Pilbara as a result of a lesser demand for housing stock in this region which is predominantly from a reduction in mining activity; and

a \$23.7 million decrease in Social Housing Investment Package (SHIP) sales as result of the completion of the SHIP renew and redevelopment program.

(b) (i)

<b>Region</b>	<b>Sale Revenue (\$)</b>	<b>Number of Properties</b>
Metro North	\$4,836,642	10
Metro Southeast	\$783,300	3
Goldfields	\$336,993	2
Mid West / Gascoyne	\$1,534,445	20
Pilbara	\$230,000	1
West Kimberley	\$339,579	1
<b>Total</b>	<b>\$8,060,959</b>	<b>37</b>

(ii)

Region	Sale Revenue (\$)	Number of Properties
Metro Southeast	\$182,000	1
Pilbara	\$249,000	2
East Kimberley	\$200,000	1
<b>Total</b>	<b>\$631,000</b>	<b>4</b>

The main revenue variances between 2017–18 and 2018–19 community housing property sales can be attributed to:

revenue received from Community Housing Organisation Gascoyne Memorial Foundation for 15 units in August 2018; and

the disposal of community housing properties in the north metropolitan region due to surplus requirements between August 2018 and April 2019.

(c) (i)

Region	Number of Properties
Metro North	65
Metro Fremantle	32
Metro Southeast	58
Southern	4
Southwest	20
Goldfields	2
Mid West / Gascoyne	6
Pilbara	8
West Kimberley	13
Wheatbelt	2
East Kimberley	19
<b>Total</b>	<b>229</b>

(ii)

Region	Number of Properties
Metro North	41
Metro Fremantle	24
Metro Southeast	25
Southern	2
Southwest	5
Goldfields	2
Mid West / Gascoyne	11
Pilbara	3
West Kimberley	11
Wheatbelt	2
East Kimberley	3
<b>Total</b>	<b>129</b>

#### HOUSING AUTHORITY — PROPERTY PURCHASES AND CONSTRUCTION

##### 5700. Mr S.K. L'Estrange to the Minister for Housing; Veterans Issues; Youth; Asian Engagement:

I refer to the Housing Authority 2018–19 Annual Report, page 77, point 44, titled “Purchase of non-current physical assets,” and I ask:

(a) How many properties in each region did the Housing Authority purchase during:

(i) 2018–19; and

(ii) 2017–18;

- (b) How many of the purchased properties in (a) were for public housing purposes;
- (c) How many buildings did the Housing Authority construct in each region during:
- (i) 2018–19; and
- (ii) 2017–18;
- (d) How many of the constructed buildings in (c) were for public housing purposes;
- (e) How many buildings have been constructed in each region, in 2019–20 to date;
- (f) How many buildings are currently under construction in each region, as at 24 October 2019;
- (g) How many buildings per region will be constructed during 2019–20 (planned, but no construction commenced); and
- (h) How many of the properties constructed or planned for construction in 2019–20 are intended for public housing purposes, rental properties and community housing?

**Mr P.C. Tinley replied:**

- (a) (i)–(ii)

Region	2017/18	2018/19	Total
Metro North	5	8	13
Metro Fremantle	16	8	24
Metro Southeast	5	1	6
Southern	–	1	1
Southwest	1	3	4
Wheatbelt	–	1	1
Goldfields	1	–	1
Mid West / Gascoyne	2	–	2
Pilbara	1	–	1
West Kimberley	1	–	1
East Kimberley	–	–	0
<b>Total</b>	<b>32</b>	<b>22</b>	<b>54</b>

- (b)

Region	2017/18	2018/19	Total
Metro North	4	8	12
Metro Fremantle	16	7	23
Metro Southeast	4	–	4
Southern	–	–	0
Southwest	1	–	1
Wheatbelt	–	–	0
Goldfields	1	–	1
Mid West / Gascoyne	2	–	2
Pilbara	1	–	1
West Kimberley	1	–	1
East Kimberley	–	–	0
<b>Total</b>	<b>30</b>	<b>15</b>	<b>45</b>

- (c) (i)–(ii)

Region	2017/18	2018/19	Total
Metro North	17	12	29
Metro Fremantle	23	4	27
Metro Southeast	7	1	8
Southern	–	2	2

Southwest	–	1	1
Wheatbelt	4	1	5
Goldfields	3	2	5
Mid West / Gascoyne	24	5	29
Pilbara	2	–	2
West Kimberley	10	4	14
East Kimberley	7	2	9
<b>Total</b>	<b>97</b>	<b>34</b>	<b>131</b>

(d)

<b>Region</b>	<b>2017/18</b>	<b>2018/19</b>	<b>Total</b>
Metro North	17	12	29
Metro Fremantle	23	4	27
Metro Southeast	6	1	7
Southern	–	–	–
Southwest	–	1	1
Wheatbelt	–	–	–
Goldfields	–	–	–
Mid West / Gascoyne	3	2	5
Pilbara	2	–	2
West Kimberley	–	–	–
East Kimberley	–	–	–
<b>Total</b>	<b>51</b>	<b>20</b>	<b>71</b>

(e)–(g)

<b>Region</b>	<b>2019/20*</b>	<b>Under Construction*</b>	<b>Planned to Commence 2019/20</b>	<b>Total</b>
Metro North	2	27	35	64
Metro Fremantle	9	8	27	44
Metro Southeast	–	28	35	63
Southern	–	–	–	0
Southwest	–	1	7	8
Wheatbelt	–	–	2	2
Goldfields	–	2	2	4
Mid West / Gascoyne	2	–	6	8
Pilbara	–	–	1	1
West Kimberley	–	5	5	10
East Kimberley	–	–	2	2
<b>Total</b>	<b>13</b>	<b>71</b>	<b>122</b>	<b>206</b>

\* Figures provided as at 24 October 2019

(h)

<b>Program</b>	<b>2019/20</b>	<b>Under Construction</b>	<b>Planned to Commence 2019/20</b>	<b>Total</b>
Public Housing	13	64	90	167
Community Housing	–	–	16	16
Government Region Officers Housing	–	7	16	23
<b>Total</b>	<b>13</b>	<b>71</b>	<b>122</b>	<b>206</b>

## TREASURY AND FINANCE — FOREIGN BUYERS DUTY

**5701. Mr S.K. L'Estrange to the Treasurer; Minister for Finance; Aboriginal Affairs; Lands:**

I refer to the foreign buyers duty introduced on 1 January 2019, and I ask:

- (a) How much revenue has the duty raised in each month since its introduction; and
- (b) How many land/property sales correlate to the revenue raised in (a)?

**Mr B.S. Wyatt replied:**

The data provided is a count of taxable transactions extracted on 28 October 2019.

<b>Foreign Buyers Duty</b>		
<b>2019</b>	<b>(a) \$</b>	<b>(b) Sales</b>
January	151,515	4
February	407,620.50	21
March	1,427,436.50	50
April	1,119,749.05	42
May	1,092,372.75	39
June	896,640.50	44
July	1,592,997	48
August	1,558,649.25	49
September	1,404,723.35	51
October	1,959,695.85	73

## CORRECTIVE SERVICES — CASUARINA PRISON UPGRADE

**5702. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:**

I refer to the 344-bed addition to be completed at Casuarina Prison, and I ask:

- (a) At what stage of construction is the upgrade currently;
- (b) When will works be complete; and
- (c) When will the beds be available for use?

**Mr F.M. Logan replied:**

- (a) The project is currently at Project Definition Stage (to be considered by Government in early 2020).
- (b) Dates will be confirmed following approval of the Project Delivery Plan, delivery is planned in two stages targeting late 2022 and late 2023.
- (c) At a date to be determined closer to completion of the project.

## CORRECTIVE SERVICES — OUT-OF-CELL HOURS

**5703. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:**

I refer to the Department of Justice Annual Report 2018–19, page 182, the key performance indicator of “Average out of cell hours – Adult,” and I ask:

- (a) What was the average of adult out of cell hours during 2018–19 at the following facilities:
  - (i) Acacia Prison;
  - (ii) Albany Regional Prison;
  - (iii) Bandyup Women's Prison;
  - (iv) Broome Regional Prison;
  - (v) Bunbury Regional Prison;
  - (vi) Casuarina Prison;
  - (vii) Eastern Goldfields Regional Prison;
  - (viii) Greenough Regional Prison;
  - (ix) Hakea Prison;

- (x) Karnet Prison Farm;
  - (xi) Melaleuca Remand and Reintegration Facility;
  - (xii) Pardelup Prison Farm;
  - (xiii) Roebourne Regional Prison;
  - (xiv) West Kimberley Regional Prison; and
  - (xv) Wooroloo Regional Prison;
- (b) What was the average of adult out of cell hours during 2017–18 at the facilities listed in (a);
- (c) How many lock downs occurred at the facilities listed in (a), during:
- (i) 2018–19; and
  - (ii) 2017–18; and
- (d) In relation to (c), how much time did lock downs total for each facility, during:
- (i) 2018–19; and
  - (ii) 2017–18?

**Mr F.M. Logan replied:**

(a)–(b)

	<b>Question (a) 2018–19 Average out of cell hours per prisoner per day</b>	<b>Question (b) 2017–18 Average out of cell hours per prisoner per day</b>
(i) Acacia	11.17	12.41
(ii) Albany	9.49	9.94
(iii) Bandyup	9.00	10.33
(iv) Broome	13.08	13.67
(v) Bunbury	12.56	12.55
(vi) Casuarina	9.83	11.23
(vii) Eastern Goldfields	10.35	10.64
(viii) Greenough	10.38	10.91
(ix) Hakea	10.04	10.22
(x) Karnet	17.00	17.00
(xi) Melaleuca	10.14	10.43
(xii) Pardelup	17.00	17.00
(xiii) Roebourne	11.83	11.83
(xiv) West Kimberley	10.16	11.34
(xv) Wooroloo	15.57	15.57

- (c) (i)–(ii) The number of lockdowns is the total number of lockdowns within all units or locations for each facility during the respective period.

Please note lockdowns are recorded when prisoners are confined to their cell/unit/cottage/wing during meal times, staff development activities, staff meetings, or to restore good order. The number of lockdowns in 2018–2019 has increased due to implementation of improved recording of lockdowns during normal hours.

	<b>Question (c)(i) 2018–19 Number of lockdowns</b>	<b>Question (c)(ii) 2017–18 Number of lockdowns</b>
(i) Acacia	9,113	328
(ii) Albany	1,458	834
(iii) Bandyup	3,797	1,603

(iv) Broome	668	272
(v) Bunbury	402	400
(vi) Casuarina	6,176	2,133
(vii) Eastern Goldfields	2,408	1,988
(viii) Greenough	1,650	2,541
(ix) Hakea	3,834	3,170
(x) Karnet	0	0
(xi) Melaleuca	464	72
(xii) Pardelup	0	0
(xiii) Roebourne	61	97
(xiv) West Kimberley	1,616	383
(xv) Wooroloo	0	0

- (d) (i)–(ii) Please note this includes all lockdowns and associated hours except for the regular overnight lockdown of prisoners. The figures refer to the total prisoner lockdown hours which is calculated by multiplying the number of prisoners in the location by the duration of the lockdown (in hours) and summing the respective figures for each facility.

	<b>Question (d)(i) 2018–19 Total prisoner lockdown hours</b>	<b>Question (d)(ii) 2017–18 Total prisoner lockdown hours</b>
(i) Acacia	717,578.88	23,213.58
(ii) Albany	206,943.50	135,834.50
(iii) Bandyup	208,968.22	66,047.00
(iv) Broome	12,119.20	5,196.88
(v) Bunbury	40,119.55	37,440.67
(vi) Casuarina	484,303.45	150,181.40
(vii) Eastern Goldfields	161,594.20	126,190.67
(viii) Greenough	119,235.60	118,966.82
(ix) Hakea	509,253.85	393,598.25
(x) Karnet	0.00	0.00
(xi) Melaleuca	30,671.40	5,788.20
(xii) Pardelup	0.00	0.00
(xiii) Roebourne	2,051.68	1,888.53
(xiv) West Kimberley	118,674.15	28,126.52
(xv) Wooroloo	0.00	0.00

