



Parliamentary Debates

(HANSARD)

FORTIETH PARLIAMENT
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LEGISLATIVE ASSEMBLY

Thursday, 16 August 2018

Legislative Assembly

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

DIANELLA INDUSTRIAL PRECINCT — CITY OF STIRLING LOCAL PLANNING SCHEME 3

Petition

MR S.A. MILLMAN (Mount Lawley) [9.02 am]: I have a petition that has been signed by 119 petitioners and certified as correct by the Clerk of the Legislative Assembly. It says —

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

We, the undersigned, say

The Dianella Industrial Precinct (“the Precinct”) is a significant area within the suburb of Dianella and the surrounding suburbs.

The Precinct’s size and significance means that a proper and thorough planning exercise needs to be undertaken as part of the rezoning process to ensure that it is redeveloped in a way that addresses the needs of all stakeholders. The City of Stirling has an outstanding track record of undertaking urban intensification projects through community engagement, and this is demonstrated through the award-winning process for community engagement for the Beaufort Street Activity Corridor. This is one of many significant planning projects that the City has undertaken in partnership with its communities.

A planning exercise for the Dianella Industrial Precinct is on the City’s agenda for 2018/19.

The City of Stirling Council has acknowledged the above by way of a unanimous resolution that a community engagement process is needed before the Dianella Industrial Precinct is rezoned.

Now we ask the Legislative Assembly

The undersigned call on the Legislative Assembly to support the City of Stirling Council’s unanimous resolution on this matter to — NOT SUPPORT Amendment No.80 to Local Planning Scheme No.3 and to allow a new plan to be developed that the community can support.

[See petition 98.]

PAPER TABLED

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

SUSTAINABLE HEALTH REVIEW — EVENTS

Statement by Minister for Health

MR R.H. COOK (Kwinana — Minister for Health) [9.03 am]: Over the last several months, the Sustainable Health Review panel has hosted a number of exciting engagement events, including a primary care roundtable, a climate and sustainability forum, a workforce and training roundtable, and the Art of the Possible — Digital Health Expo. The primary care roundtable was held at the University of Western Australia with 60 leaders from the state’s primary health care and hospital sectors. Discussion and strategies focused on ways to improve integration between the primary sector and hospital services, with a focus on person-centred services. The climate and sustainability forum saw some of our brightest minds from across the climate change and health sectors brought together to brainstorm innovative practices and approaches to minimise the adverse health effects of climate change on Western Australians. While the focus of the Sustainable Health Review is on ensuring we can deliver high-quality, cost-effective health care for the state, in doing so we would be remiss to not look at our energy use, waste management and contribution to carbon pollution.

The workforce and training roundtable provided the opportunity for key leaders within the workforce, education and training sectors to contribute to a targeted discussion on the future of our workforce and training programs in the context of sustainability. Our people are our greatest asset and one of our roles as leaders is to earn and maintain their respect. We are under no illusion that managing the changes to come demands a sustained commitment to employee engagement. These are challenges we must tackle and the culture of health will benefit if we share these goals.

The Art of the Possible — Digital Health Expo was held in July with more than 100 consumers, clinicians, innovators and influencers attending the event, showcasing examples of WA’s technology industry and its potential to impact health care delivery. Submissions to the Sustainable Health Review suggested new

technological initiatives, such as patient navigation apps, health robotics, telehealth, independent living and virtual reality. The Art of the Possible — Digital Health Expo forum showcased some of these advancements firsthand, from stroke detection through to gaming, immersive virtual technology and 3D holograms of GPs. The future of health care was right there in one room and it was an exciting place to be.

Our next event will be a stakeholder forum in Peel, and I look forward to all the local members joining me to discuss the future healthcare needs of the Peel region.

LOCAL GOVERNMENT CONVENTION AND TRADE EXHIBITION 2018

Statement by Minister for Local Government

MR D.A. TEMPLEMAN (Mandurah — Minister for Local Government) [9.06 am]: Between 1 and 3 August, the Western Australian Local Government Association held its annual WA Local Government Convention and Trade Exhibition at the Perth Convention and Exhibition Centre. This year's theme was "Ready and Relevant", which encouraged delegates to reflect on where local government is as a sector and plan for the challenges ahead. The convention attracted elected members, chief executive officers and deputies from regional and metropolitan local governments across the state. The state government, through the Department of Local Government, Sport and Cultural Industries, supported the event and also had a department booth in the convention exhibition area.

A stop puppy farming survey, which was conducted to address a key election commitment, attracted a further 140 submissions from the convention alone. I addressed the annual general meeting and the State and Local Government Forum and also presented at the beneficial enterprises breakfast and the local government children's health and wellbeing awards and breakfast. I thanked WALGA, Local Government Professionals Australia WA and local governments for the opportunities to work collaboratively over the past year and their continued support for the Local Government Act 1995 review. There is a new spirit of collaboration between local and state government, which is exemplified by the signing of the "Western Australian State Local Government Agreement". It is my observation that we see better outcomes in the community when local governments are empowered to determine local services for local needs and the best model for delivery, which may be at a regional level. As members know, a key focus for the McGowan government is restoring the relationship between state and local government. The State and Local Government Forum was an opportunity for a number of my cabinet colleagues to share our vision for Western Australia and to speak directly to local government elected members. It was an opportunity for state and local government leaders to come together and discuss matters that deliver beneficial outcomes for WA's local communities. This year's State and Local Government Forum and, more broadly, the WALGA convention, was a great testament to this.

In addition, I opened the local government children's health and wellbeing awards—the Children's Environmental and Health Local Government Policy Awards—and breakfast. The awards were established by the Public Health Advocacy Institute of Western Australia to illustrate the important role that local government plays in promoting healthy children and young people and the positive impact that healthy environments have for young people and the broader community. I acknowledge the efforts of all the award recipients, in particular the Shire of Waroona for the regional award, the City of Cockburn for being the overall winner and the City of Mandurah for receiving the most accessible regional city award. As the Minister for Local Government, there are few rewards greater than seeing Western Australian local governments coming together for young people in their communities. The role that local government can and does play in developing the social capital of their communities and giving young people the best chance to find their voice and tell their own stories is pivotal.

MINISTER FOR TOURISM — INDIA VISIT — DIRECT FLIGHTS

Statement by Minister for Tourism

MR P. PAPALIA (Warnbro — Minister for Tourism) [9.10 am]: I wish to inform the house that last week I took representatives from Perth Airport, Tourism Australia and Tourism WA—now known as Team WA—to New Delhi and Mumbai to pursue the opportunity of a direct flight between Perth and India.

During this visit, we met with key Indian airlines and distribution partners and other Australian and Indian business representatives, and the CEOs of Delhi and Mumbai airports, as well as state and federal ministers, including the federal Minister of State for Civil Aviation, the Honourable Jayant Sinha; the Honourable Governor of Maharashtra state, Shri Chennamaneni Vidyasagar Rao; the Honourable Chief Minister for Maharashtra state, Shri Devendra Fadnavis; and the Minister of Tourism for Maharashtra state, Mr Jaykumar Rawal. I also met with Australia's High Commissioner to India, Ms Harinder Sidhu, and I thank her and her team for their support.

India's economic and demographic indicators point to it being a market of huge potential. It is estimated that by 2025 there will be 13.9 million international leisure departures from India, generating 19.4 million Indian visitor arrivals overseas. International holiday travel will be driven by a predominantly younger, online-savvy generation of travellers seeking to discover iconic destinations, create new adventures and travel more independently than their families have ever done, and their travels will be fuelled by rising incomes.

The Perth to India market is currently 145 000 two-way passengers, and this has grown on average by 12 per cent over the past five years. The traffic is well balanced between Australian residents, 60 per cent, and Indian visitors, 40 per cent. However, Indian visitors are growing at a faster pace, with an 11.7 per cent increase from last year. This year to date, Indian visitors arriving to visit friends and relatives increased nine percentage points to 50 per cent of visitor traffic as the Indian diaspora in Perth continues to grow. Tourists from India currently make up 12 per cent of the visitor traffic.

The key enabler of further activating the Indian tourist market is direct air access. With traffic volumes between Perth and India now reaching a certain threshold, new aircraft technology and no other direct airline competition, Perth is emerging as an important new destination on the map of Indian airlines. The meetings held with airlines were positive regarding this opportunity; however, there is work to be done. We are playing catch-up after nearly a decade of no action in this market. Following similar experiences in China and Japan, where we are also seeking to secure direct flights, I understand that I was the first WA Minister for Tourism to lead discussions with the Indian aviation industry. The level of awareness about our fantastic state and our wonderful attractions is therefore limited. Aside from the cricket match between Australia and India to be played at Optus Stadium this December, the challenge exists to position WA as a key tourism destination for Indian travellers. This will not be an easy task, but the Team WA approach gives us the best opportunity to secure a direct flight and increase our market share.

Team WA will now prepare detailed business cases for the airlines and progress these discussions alongside the development of a destination awareness campaign.

HOMELESSNESS STRATEGY

Statement by Minister for Child Protection

MS S.F. McGURK (Fremantle — Minister for Child Protection) [9.13 am]: Last week was Homelessness Week, which is an important time to pause and reflect on how we can better support those in our community who are struggling. On census night in 2016, it is estimated that over 9 000 people were experiencing homelessness in WA, and 1 083 of those were sleeping rough. Our most vulnerable populations, such as women and children experiencing family and domestic violence, represented 42 per cent of all clients seeking assistance from specialist homelessness services in this state in 2016–17.

I have asked the Department of Communities to commence developing a 10-year homelessness strategy that articulates a whole-of-government plan to identify and create linkages across the service delivery system. Current projects, reforms, policy development, and shifts occurring across government and within the homelessness sector, including the work of the End Homelessness WA alliance, provide a strong base to build upon over the next 12 months.

The new strategy, developed in line with the supporting communities election commitment, will improve communication, collaboration and coordination and, most importantly, identify evidence-based services that will best support those who are experiencing homelessness. I am also pleased that the development of the strategy will focus on the lived experiences of people who have experienced homelessness. This work is underway in partnership with the community services sector through a co-design process involving the supporting communities forum.

As I said very publicly across Homelessness Prevention Week, I am confident that if we work together—the community, individuals, government, the business sector and service providers—we will have a significant impact on ending homelessness. I believe this strategy is an important step in that process, and I thank all involved in its development.

FAMILY AND DOMESTIC VIOLENCE — ONE-STOP HUBS

Statement by Minister for Prevention of Family and Domestic Violence

MS S.F. McGURK (Fremantle — Minister for Prevention of Family and Domestic Violence) [9.15 am]: I rise now to speak about the government's election commitment to establish two new one-stop hubs for victims of family and domestic violence. The McGowan government is taking the issue of family and domestic violence seriously. Our stopping family and domestic violence policy is based around four key pillars: victim safety; perpetrator accountability; a responsive justice system; and prevention and early intervention.

Family and domestic violence-focused hub models are being established in other jurisdictions. With our government's commitment, Western Australia is getting on the front foot to test this concept. Many women and children experiencing family and domestic violence can find themselves bouncing between services and continually having to repeat their story. This is not ideal, particularly when people are in crisis. A key principle of a hub-based model is that access to services and support is streamlined for the end user. Another critical consideration is safety. The set-up and service focus of a hub model needs to be risk informed, and information sharing is key. The Department of Communities engaged Curtin University to assist with reviewing existing models and scoping options. Curtin University has run a number of consultations. I am pleased that we have been able to extend the time frame for this process to ensure that a range of stakeholders, including refuges and safe houses, and other experts have had the opportunity to discuss how a hub model could work in the real world.

I am encouraged by the engagement and interest in the hub concept and keen that the options presented to government are well informed. The hub model is about giving victims of family and domestic violence other ways of getting safe and, in time, back on their feet. This is the main game.

PREMIER'S SCIENCE AWARDS

Statement by Minister for Science

MR D.J. KELLY (Bassendean — Minister for Science) [9.17 am]: I rise today to advise the house of the winners of the Premier's Science Awards, which were held last night. The Premier's Science Awards recognise and celebrate the achievements of the Western Australian science community. Award recipients exemplify the outstanding scientific research and engagement taking place in this state. The awards cover all areas of science, including natural, medical, applied and technological science, engineering and mathematics.

I am pleased to advise the house that Emeritus Professor David Blair was inducted into the WA Science Hall of Fame in recognition of his extensive achievements in experimental physics. Professor Blair is renowned for pioneering a number of precision measurement techniques used for ultrasensitive displacement measurements, exceptionally low noise clocks and oscillators, and gravitational wave research. Professor Blair's work contributed to the detection of gravity waves in 2015—a discovery that has resulted in a Nobel Prize for fellow scientists in the field and was described as a discovery that shook the world.

Professor Peter Newman, AO, was recognised as the WA Scientist of the Year. Professor Newman is a Professor of Sustainability at Curtin University with decades of globally significant research and public advocacy on the science of cities and their sustainability. He has impacted public policy through government representation in local, state and federal government bodies, and was awarded Officer of the Order of Australia in 2014 for his contribution to urban design and transport sustainability, particularly in relation to Perth's rail system.

Dr Melissa O'Donnell was the winner of the Woodside Early Career Scientist of the Year Award for her work in the area of child abuse and neglect, and the ExxonMobil Student Scientist of the Year award was shared between Mr Arman Siahvashi from the University of WA and Mr Ryan Urquhart from Curtin University.

The Rio Tinto Naturescape at Kings Park was awarded the Chevron Science Engagement Initiative of the Year Award. What a wonderful facility we have in our state's own iconic Kings Park to foster a love for exploration and science among our kids, many of whom will one day go on to take on jobs of the future that are underpinned by science and innovation.

The Premier's Science Awards are now in their seventeenth year and are a fantastic way to showcase and applaud the outstanding scientists who work to improve the lives and environment and wellbeing of Western Australians. As Minister for Science, I am delighted to acknowledge these talented individuals and thank them for their remarkable achievements. I acknowledge all the winners and the exceptional finalists who were recognised last night.

WESTERN POWER — OUTAGES — GENERATOR PROGRAM

Grievance

DR M.D. NAHAN (Riverton — Leader of the Opposition) [9.20 am]: My grievance is to the Minister for Energy, Hon Ben Wyatt, MLA, and is on behalf of some small business owners in my electorate who have recently been financially impacted because of work completed by Western Power.

The Pollocks own and run both McDonald's Riverton and McDonald's Willetton. Earlier this year, they received notification from Western Power that there would be a scheduled power outage on 7 March affecting McDonald's Riverton, with the power supposedly out from 8.30 pm until 6.00 am the following day. The reality was that the electricity supply did not return until 11.45 am, apparently because a pole was damaged during work, which delayed electricity being restored. The work I refer to in this grievance was not carried out specifically for McDonald's Riverton; it was for the system more widely. The cost of hiring a generator for the duration of the outage was \$4 350 and an additional \$430 was spent on extra fuel due to the delay in restoring power. The financial assistance provided to the Pollocks by Western Power equalled a reimbursement of \$1 000, which took 30 days to process. Although I understand their claim was not originally accepted, after much appealing, the Pollocks were able to subsequently secure a reimbursement of \$430 for the fuel. A few weeks later on 26 March, McDonald's Riverton lost about another \$1 000 in sales when the electricity unexpectedly went out from approximately 3.40 pm until 4.30 pm. In addition to the loss of business, it put at risk the stock and I understand that they had to dispose of some product.

It did not end there for the Pollocks. Unfortunately, their business operations were further interrupted on 19 April when there was yet another planned outage between 10.00 pm and 4.00 am so that Western Power could replace another pole. Once again, a generator was needed. However, this time the Pollocks were informed that their business, which uses more than 160 megawatts of electricity per annum, was now ineligible to receive assistance under the generator contribution scheme. I do not know why they would have received it two months before, but they were now ineligible. They therefore would not be able to receive any financial assistance from Western Power. Consequently, the Pollocks decided to close the store as it did not make economic sense to stay open, which denied them the business of thousands of dollars in sales. In addition, staff were put off during the period.

As a former Minister for Energy, I understand the amount of work that Western Power employees put into maintaining the state's vast network with minimal disruption to businesses and residents. Every year, a significant amount of maintenance work is done, particularly on poles. The impact of power outages, however, especially on businesses, is something that needs to be reconsidered, specifically the assistance provided to help businesses contend with power outages. McDonald's may be a large, global business and it is often used to symbolise multinationals, but the Pollocks are small business owners. They own two McDonald's franchises in which they have invested considerable money and they employ a large number of people and provide a valuable service to our community. Indeed, they have recently invested over \$1 million in refurbishing the Riverton McDonald's. Just because their stores require a lot of electricity does not necessarily translate to being a profitable business that does not require assistance from Western Power. The notion that high power usage means no assistance will be provided is an illogical premise for Western Power. Their need for a relatively high amount of electricity means they have the most to lose when there is a power outage.

I recognise that the Minister for Energy has responded to me previously in a letter outlining that although it is unlikely that a business that consumes more than 160 megawatts of electricity per annum will receive assistance, each business is considered on a case-by-case basis. This was contrary to advice the Pollocks received and means that they may still have been considered for funding. In his letter, the minister also highlighted Western Power's advice that businesses that are highly dependent on a continual supply of electricity should consider their own contingency plans in readiness for outages. With respect, this is a strange commitment, and I had to read it twice to make sure that I read it correctly. How many businesses in today's world are not highly dependent on a continual supply of electricity? Energy security is vital for business—just ask people who live in South Australia. Most small business owners cannot afford to have backup generators sitting there, ready to kick in if they lose power supply.

This grievance is to highlight the real impact that two scheduled power outages and one unscheduled outage within a six-week period had on the Pollocks and their Riverton store. Cash flow is vitally important to their business, so members can imagine the effect it had, having to fork out \$5 000 due to one scheduled power outage and then having to wait 30 days for a partial reimbursement of \$1 000. The Pollocks then had to go through a further appeal process to gain a reimbursement for the \$430 spent on additional fuel. To then go through two more outages within a short period further hit their cashflow. The Pollocks would like Western Power to consider providing a generator to small businesses to assist during scheduled power outages. These outages have cost them thousands of dollars and employees have lost work. Although I recognise that there are scenarios in which too many businesses would be impacted and therefore would restrict Western Power's ability to provide generators, a scheme should be considered to provide that assistance. Small businesses are the backbone of our economy and business owners such as the Pollocks take a significant risk and invest their money and the efforts of their family to see their dreams realised. If we are able to remove impediments such as those I have mentioned, then we should do so without hesitation. I would appreciate it if the Minister for Energy could take up this issue up to make sure small businesses do not have a similar experience in the future to what the Pollocks have encountered.

I thank the house for its indulgence.

MR B.S. WYATT (Victoria Park — Minister for Energy) [9.26 am]: I thank the Leader of the Opposition for his grievance. I will go through the information that I have, but feel free to interject if what I say is incorrect in some of the detail. This is obviously about Western Power's generator hire or purchase contribution program. I will put most of this stuff on the record but the member will know, as a former Minister for Energy, that Western Power builds, maintains and operates a very large electricity network. All up, over the course of a 12-month period, Western Power schedules some 9 000 planned outages that impact customers everywhere—not just small businesses, but residential customers as well. I assume the McDonald's is open 24 hours?

Dr M.D. Nahan: Yes, the Riverton one is open 24 hours.

Mr B.S. WYATT: So, of course, at no point—particularly for small businesses—is it ever convenient. Western Power obviously has a process for planned outages to work to minimise the customer impact of these outages. However, it is never easy and the impact of those outages can never be completely eliminated, particularly in this scenario in which the business is open 24 hours a day and uses, I suspect, a fair amount of energy.

The generator hire or purchase contribution program was implemented by Western Power to assist small business customers to manage the inconvenience of planned outages as part of its commitment to customer services. Eligible small businesses can receive a reimbursement of up to \$1 000 to put towards the hire or purchase of a generator. This is intended as a good faith contribution rather than a means of complete cost recovery and it has never been, from my understanding, a cost recovery policy. It is about making a good faith contribution. I think this might answer one of the questions the Leader of the Opposition's constituent has: the program is available only to small-use business customers, which is defined as those businesses that use less than 160 megawatts of electricity a year.

Coming to the McDonald's store referred to by the member, there were two planned outages on 7 March and 19 April, but another one occurred later in March —

Dr M.D. Nahan: There was one unplanned outage.

Mr B.S. WYATT: One was unplanned. There were planned outages on 7 March and 19 April and the Leader of the Opposition said there was an unplanned outage on 26 March. The planned outage on 7 March was to replace four high-voltage power poles. This outage impacted about 200 customers. It was conducted at night, as the member said, from 8.30 pm to 6.00 am to try to minimise its impact. Similarly on 19 April, the outage was to replace a dual high voltage–low voltage power pole. It impacted 126 customers and was conducted at night, as the member indicated, from 10.00 pm to 4.00 am. Again, that was obviously to try to reduce the broader impact.

Despite not technically being eligible for the program as the local McDonald's store consumes more than 160 megawatts of electricity a year, I understand that Western Power provided \$1 000 towards generator hire or purchase for both power outages on 7 March on 19 April. I will check this because it was raised by the Leader of the Opposition.

Dr M.D. Nahan: My understanding was they did provide one —

Mr B.S. WYATT: On 7 March but not 19 April, yes.

Dr M.D. Nahan: Yes.

Mr B.S. WYATT: Okay, I will get that checked. The advice I had was that the \$1 000 was provided for both 7 March and 19 April, but I will check that point.

Dr M.D. Nahan: You did provide two reimbursements. Both of them were for the first outage. One was \$1 000 for the generator and then \$430 for the fuel.

Mr B.S. WYATT: Yes. The advice I have is that the \$1 000 was for both. Even though they were not entitled to it under the policy, it was provided in any event. Further, as the 7 March outage ran over time due to the onsite challenge, which I suspect is the power pole issue to which the Leader of the Opposition referred, an additional payment of \$467.11 was claimed by McDonald's to cover generator fuel and it was also provided. I will check on whether there were two separate claims on 7 March and 19 April and whether the payment was for both; and, if not, why 19 April was not covered. There is no question that it impacted the local store but I make the point that I have not changed this policy. It has been around for many, many years, including, as the member knows, his time as the energy minister. It is a policy that gets some general disaffection and when something like this happens, I receive letters around this. I will check on those points.

I will make one final point. I will never commit to cost recovery because ultimately that would be a very large burden on the taxpayer when it is effectively the taxpayer trying to improve the efficiency of the network through Western Power's planned outages. However, I understand that for small business in particular, especially those sorts of businesses that operate 27/4, perhaps the impact is greater than for residential users at home, who are probably asleep during that time and not using much power. I note that I am critiqued in this place for bringing in revenue sources that were not committed to during the election campaign, yet I am asked to make spending that I did not commit to during the campaign. This is something that has been on my desk for a while. Of course, I cannot do these sorts of things and review the support for businesses. The member is asking me to consider providing, without a funding source, a generator to small businesses when these incidents happen. I was going to look at this area ultimately if my foreign buyer surcharge made it through the Parliament. That is now probably not going to happen because of the intransigence of the Liberal and National parties. If it makes it through, I give the Leader of the Opposition a commitment that I will look at that; if it does not, I will not. That will be the Leader of the Opposition's decision. If he does not give me a funding source to ensure that I can look at providing small businesses with the opportunity —

Dr M.D. Nahan: This is not a general government issue. This comes out of the regulated asset base of Western Power. You know that you are being tricky.

Mr B.S. WYATT: They do not. The Economic Regulation Authority does not allow this, so we cannot get it. It is not part of the regulated asset base, so I have to fund it. As the former energy minister knows, if my foreign buyer surcharge makes it through Parliament, I undertake to look at this to provide small businesses with a better source and a better recovery when these planned outages occur. When the Leader of the Opposition had rivers of revenue when he was Treasurer, he did nothing to change this. This policy has not changed in years, including when he was the energy minister. However, if I come up with a new revenue source through the foreign buyer surcharge, I can get foreign investors in property to help me support local businesses.

PETROL PRICES — BUNBURY

Grievance

MR D.T. PUNCH (Bunbury) [9.33 am]: My grievance about the price of petrol in Bunbury is to the Minister for Commerce and Industrial Relations. Before I go into that, I refer the minister to a previous grievance I raised last year concerning Mr and Mrs Weymes and a problem with a faulty caravan. At the time, Mr Weymes was terminally ill and they were facing an immense amount of stress in dealing with a commercial dispute with

a caravan supplier in the eastern states. Sadly, Mr Weymes has since passed away, but his wife has asked me to pass on her deep gratitude to the minister and to the department for the enormous amount of work and support that they provided.

I return to the matter of petrol pricing in Bunbury. I have been contacted by a constituent, Mrs Bernadette Butler, who raised concerns about consistently high fuel prices in Bunbury. Mrs Butler is not the first, and I am sure will not be the last, to raise this issue with me, but she does stand apart from many others in that she first tried to get an answer to the question of why prices are consistently higher in Bunbury. She rang retailers, franchisees and suppliers, and then in desperation called Coles and Woolworths seeking an answer. In every instance the person she spoke to pointed the finger at someone else being responsible for setting prices and would not come up with a reasonable explanation about why prices were consistently higher in Bunbury than down the road where they could be up to 5c a litre cheaper. Exasperated, Mrs Butler contacted my office. She would like cheaper fuel prices in Bunbury, but what she really wants is an answer as to why my community pays more for fuel than many other communities.

I have looked into this concern locally and was surprised to find that on that day, petrol was cheaper in Kalgoorlie, Manjimup, Busselton and Albany than it was in Bunbury, which is considerably closer to Kwinana. Just in the south west it was also cheaper in Harvey, Margaret River and Augusta. On Wednesday, 16 May, FuelWatch showed that the cheapest unleaded prices in the area were Bunbury, 147.9c a litre; Manjimup, 144.9c; Busselton, 143.9c—definitely the place to buy fuel; Albany, 143.9; and Kalgoorlie, 145c. On 15 August, Bunbury fuel was 146.9c and Busselton remained at 143.9c, so it is a consistent trend. When I looked at FuelWatch, I found that that was something that repeated itself consistently, with a few exceptions over the past three months.

The review that we undertook demonstrated that the cheapest petrol in Busselton is generally consistently between 3c and 5c cheaper than that available in Bunbury and that prices in Harvey, Margaret River and Augusta are also consistently cheaper than in Bunbury. A number of the large petrol retailers are also consistently offering cheaper prices in other regional towns besides Bunbury.

The people of Bunbury deserve an explanation for this price discrepancy. One would think it could not be transport costs, given that Bunbury is our second city and it is close to the main refinery at Kwinana.

Mr Z.R.F. Kirkup: There's Mandurah.

Mr D.T. PUNCH: It is the second city. Mandurah is part of the peri-urban network of Mandurah to Perth, and Bunbury stands alone, but we pay a high price for it with fuel prices. It is easier to transport to Bunbury than to Busselton or Albany. There would not be less demand as Bunbury has a bigger population base and a bigger industrial base, so demand is consistently high. Why, then, are Bunbury people paying more? How do those petrol retailers charging more for fuel in my electorate than they do in smaller centres further away justify this cost impost on my community? If there are valid reasons for the price discrepancy, so be it, but the people of Bunbury deserve an explanation and this price gouging has to stop.

Mrs Butler told my office that for her this is an issue of fairness. She believes that those charging more for fuel in Bunbury should be able to substantiate the higher prices, and I totally agree with her. Five cents a litre in an average 60-litre tank is \$3 more for a tank of fuel in Bunbury compared with the price in Busselton. It does not sound like much, but across the year that is an extra \$156 a year. For a person who is unemployed, dependent on their car to look for work, or an elderly person needing their car to get to medical appointments, this is money they cannot afford. These are people on fixed low incomes living in a regional area with limited public transport options. Average weekly incomes in Bunbury are \$285 a week below the state average. My electorate has the tenth highest social disadvantage score in Western Australia, yet it is being slugged far more for fuel than those in electorates with far more capacity to pay, with no understandable reason why. In the Australian Automobile Association transport affordability index of March 2018, Bunbury claimed the dubious title of the most expensive regional centre in Australia for transport costs, with an average cost of \$15 300 a year—more than Townsville, Launceston and even Alice Springs. The report states that Bunbury overtook Geelong as the most expensive region in Australia. This was largely due to fuel costs increasing significantly in Bunbury compared with those in Geelong. Bunbury households paid an average of \$294 a week for transport, and the cost of fuel increased in all jurisdictions examined in that report, but it rose by more in Bunbury. Over the course of one year to March 2018, fuel costs in Bunbury rose by \$7.52 per week. Bunbury people are paying almost \$11 per week more for fuel than people living in Alice Springs. Fuel prices are driving up costs in Bunbury. Nobody will tell the people of my electorate why they are paying more for fuel than many others in the south west. The report indicates that Bunbury households now pay 12.67 per cent of their weekly income on transport costs. FuelWatch is a great asset to inform people of the cheapest options, but there seems to be a market problem in terms of fuel pricing in Bunbury. We would very much appreciate the advice of the minister on how to best get an explanation of why.

MR W.J. JOHNSTON (Cannington — Minister for Commerce and Industrial Relations) [9.40 am]: I thank the member for Bunbury very much for this grievance. Everybody knows that the member for Bunbury is a passionate advocate for his community, and this is another example of that. I am sorry to hear about the member's

constituent, Mr Weymes, passing away. Please pass on my condolences to his wife and family. I am sorry to hear of his passing. I will let David Hillyard, the Commissioner for Consumer Protection, know of the member's kind words on behalf of his family about the work of Consumer Protection, which tried to assist the family with the problems with that van. I am very pleased that that work was helpful to the family.

FuelWatch is run by the Commissioner for Consumer Protection and is an important part of Western Australia's market dynamic. It is a unique operation. Every retailer is required to notify FuelWatch by two o'clock each day of what their fuel price will be for the next day, and they have to sell it at that fixed price for the 24 hours from 6.00 am that day to 6.00 am the following day. That information is then available on the website so that people can keep track of fuel prices. It is important to emphasise that the state government does not set the fuel price; it is a market-determined price. The member talked about the issue in regional communities, which was interesting. Over the weekend my brother visited us from New South Wales, where he lives in a regional community. He said that the community had an established service station and then a new service station was set up. The established service station was a 24-hour operation, while the new one had only limited hours. The established one would drop its price below the new station's price while it was open, but the moment it closed, it would put up its price again. We can see the opportunities for rorting the system without FuelWatch.

I do not know why there is a price differential between Bunbury and surrounding communities. It was certainly very interesting to hear the issues that the member raised. It is actually the opposite of what one would expect; one would expect a regional city like Bunbury to have significant commercial pressure on the operators and that there would be more competition, which might have a bit of a price response, but the member outlined that surrounding communities, where freight costs would be arguably higher, have lower fuel prices, which would seem to indicate that the market is not working properly in Bunbury. The government of Western Australia does not administer the market rules. I apologise to the member's constituent, but this is another occasion on which I need to refer to other people. I have to make it clear that it is not the state government that regulates the market and the competition between one retailer and another; that is done by the commonwealth government through the Australian Competition and Consumer Commission. I think the ACCC should examine the reason that Bunbury has higher prices than surrounding communities. I know the ACCC has looked at questions of fuel pricing in many parts of Australia on a number of occasions and has always said that it is for this competition reason or that competition reason. Clearly, that cannot be the case when we have a larger city with arguably more competition and in closer proximity to the fuel source in Kwinana having higher fuel prices than surrounding communities that have less competition and greater transport costs. The ACCC needs to explain to people how this has occurred. I am happy to talk to the member offline about how the member and I can contact the ACCC. I am very happy to assist the member and his constituent with that to make sure that we can get the attention of the ACCC to explain why fuel prices are higher in Bunbury. As I said, the state government does not regulate the market or fuel prices; all it does is make sure that prices are publicly available, and competition is encouraged in that way.

As members would imagine, FuelWatch provides extensive reporting on the pattern of pricing. In Western Australia we have quite a dramatic weekly fuel price cycle, which is much shorter than in other states and lasts only a week; it can be longer in the other states. The reason that is important is that most people fill up only once a week. If people can take advantage of the price cycle once a week—in the metropolitan area the cheapest day is Monday but it can be a different day in some other communities—people can save quite a bit of money by buying petrol on just that one day. I have now taken up that practice myself; I buy petrol on Mondays because it is the cheapest day. People can also save themselves 4c a litre. I am paying for my own petrol.

Several members interjected.

Mr W.J. JOHNSTON: Obviously where there are fewer service stations, less competition means that there is a smaller cycle. If there is only one retailer, like in Kununurra or a remote community, there are not those market forces.

I am happy to talk to the member for Bunbury about the price cycle for Bunbury. The other thing is that we monitor the price differentials between the different towns and cities across Western Australia and we can find the difference. I can tell the member that the price gap between the metropolitan area and Bunbury in June was 6c a litre, whereas in Busselton the gap was only 3.5c and in Geraldton it was 5c. Mandurah, the other regional city, had a gap of 0.2c. Clearly, the fact that both Geraldton and Busselton, which are further away from Perth than Bunbury, have a smaller price gap shows that something needs to be looked at.

POINT PERON CAMP SCHOOL

Grievance

MR J.E. McGRATH (South Perth) [9.47 am]: My grievance this morning is to the minister representing the Minister for Education and Training. Members might recall an online petition a number of months ago—there was probably more than one—that called on the state government to save Point Peron Camp School from closure. A mother in my electorate, whose children go to Como Secondary College, was promoting one of the petitions. This was in addition to a number of emails that I also received from parents who had children at Como Secondary

College. That was back in March. I also made some inquiries and obtained information that Como Secondary College has been sending students to Point Peron Camp School for about 10 years, or maybe a little longer. Usually, it sends between 150 and 180 students so that they can engage in a wide range of activities in their first year of high school. We all remember that it was a big leap when we transferred from primary school to high school. The school sees this as an opportunity for these kids to meet other students and make friendships, which might last for the duration of their secondary education and sometimes longer. The college has about 850 students. Sending the students to the Point Peron Camp School is about making new relationships. It is a new experience for students coming straight out of primary school.

As members know, Point Peron Camp School is one of seven Department of Education camps schools that are located throughout Western Australia. It has been operating since the 1960s and was set up to enable government school students to extend their educational opportunities outside the regular school setting. There were no camp schools when I went to school. I think we were lucky to get a trip up to Northam, where we were billeted out on farms and things like that.

Also, the camp school is now available to all government and non-government schools, catering to both primary and secondary students.

Mr D.A. Templeman: My mum and dad knocked you back?

Mr J.E. McGRATH: I actually drove down to Point Peron near the minister's electorate the other day. I have been to Point Peron many times, so I am not unfamiliar —

Mr P. Papalia: The Premier's electorate.

Mr J.E. McGRATH: Yes, I know that. I drove past the Premier's office. I did not drop in, but I drove past. I understand it is very close to the Minister for Local Government's electorate. It is a beautiful spot. It is a great location. What a great place for kids to go and have an experience. It offers access to a really unique marine setting. It offers these exciting programs that motivate children of all ages and help develop their self-esteem, teamwork and cooperation skills. Obviously I got that from the Department of Education website, so the department believes that there is a good case for these schools to operate. Additionally, I believe this camp school, in its location and set-up, offers the rare and valuable opportunity nowadays for young people to learn and get a hands-on understanding or experience of the natural sciences, because of the great environment with the beachfront land and the water on both sides.

The McGowan government's decision to close Point Peron Camp School will obviously have an impact on many families, including the ones I am talking about at Como Secondary College. For a Labor government that champions supporting the people—the battlers—doing it tougher in our society, we need to look at this, so I stand today on behalf of these families whose kids go to Como Secondary College, who are not from privileged or wealthy backgrounds. Although it is in the electorate of South Perth, the school's immediate catchment area has a large amount of public housing. Evidence shows that the kids who attend Como Secondary College come from a wide variety of backgrounds. Some are from Aboriginal families that are struggling, some are the children of sole parents and others are members of refugee families. We have a lot of refugee families in that part of my electorate. These children cannot afford to take for granted these opportunities to go to the camp school because the cost has to be carried by the parents.

I am also aware that a few months ago the Premier said that the state government was establishing —

... an expression-of-interest process to seek alternative providers of education opportunities at that facility, in particular opportunities for children to go and stay there, ...

The Premier is not saying that the government is shutting it down, but I believe the Department of Education, in seeking to reduce costs on the department, suggested that maybe it could be put out for private tender.

The worry among my school community is that the plan to tender out the running of the camp school could potentially lead to higher charges that will impact on some of these struggling families. These parents are seeking assurances that if the plan goes ahead and the camp school is privately operated, it will not become too expensive and unaffordable to those families.

I raise this grievance today to ask a few questions about where we are at with this process. Firstly, how can people access information on what is happening with the process? Secondly, where is the process at, and is there a time line for this to eventuate? The Premier also said in his statement that alternatives are available, so what are those alternatives? Finally, minister, will the affected children and young people still have the ability to experience Point Peron Camp School in an affordable way?

MR P. PAPALIA (Warnbro — Minister for Tourism) [9.54 am]: I thank the member for his grievance and raising this matter, and also for giving me the opportunity to correct some perhaps intentional or unintentional falsehoods around this entire discussion. Probably some of them have contributed to the member's constituent being concerned about what is happening with the camp sites.

At the outset I say that I think I, probably more than anyone in this chamber, have more personal experience of Point Peron Camp School. I know what it does, what it did, and what the intended outcomes of this process are. I have done this before, but I will repeat it and put it on the record again, because it has been consistently called a school. I know people do that because it is called a camp school on the website. It is not a school. It never has been, never was and never will be a school. It is a misnomer to call the site a school. Because of the bureaucracy of the Department of Education staffing these sites, it had to be called a school to get a certain level of funding or allocation of support for the site through the department's system. It has never been a school. It does not provide curriculum development or any educational service delivery; it provides a camp. The school books the camp and brings its own teachers and supervisors to conduct activities there. That is exactly what occurred 42 years ago when I went there from the then Burekup Primary School. In those days it was not for city kids; it was for country kids to get up to the city because we did not do that sort of thing. I know the member's background, and he had a very similar childhood to my own, with very limited opportunities for experiencing things outside the education system. In those days, we were very appreciative of the opportunity to go there and encounter the different environment, for starters. It was a camp to get away to and be in that environment. The member is right; it is in a magnificent location with a fantastic natural environment. It gives access to some pretty fun activities for young people, given its proximity to places such as Penguin Island and Seal Island, looking out over the water to Garden Island and HMAS *Stirling*.

Mr J.E. McGrath: They would learn something from the experience, wouldn't they?

Mr P. PAPALIA: Of course they would. The first thing is that it is not a school.

Mr J.E. McGrath: No.

Mr P. PAPALIA: No-one is shutting any schools.

The second thing is that no-one is shutting anything in Point Peron. I understand that in Point Peron there is a process underway to find an alternative operator. That is occurring because we inherited \$40 billion worth of debt from the appalling mismanagement of the state's finances under the previous government. Part of what we have had to do is make difficult decisions. Of course we would prefer not to have to do this; it is just one of the things the Treasurer is confronted with every day. One of the things we have to do to tidy up the mess is look for opportunities to find savings for the taxpayer. In this case, we could transfer the site operation to a private operator, deliver the same sort of service through the private enterprise and therefore remove the obligation on the taxpayer to support it, and that is happening.

Mr J.E. McGrath: Will the cost go up?

Mr P. PAPALIA: I have some notes, so I want to respond more specifically to what the member said.

The only change will be that it will not be operated by the Department of Education. The site will remain operational, with the management handed over to those in the best position to provide these services. A process is currently underway to identify alternative operators to lease and operate the Point Peron site. A requirement of the process is that public school students will have priority of access at an affordable cost. That is a direct response to the concerns of the member's constituent. The conditions of use also stipulate that the operators are required to retain an educational focus and use, so it is about providing the same access for the kids from the same demographic. The new operators will continue to provide a similar camping experience for public school students. The department does not expect any significant changes to the current services provided at each site. The department has also ensured that operators with significant experience in running camps for school-age students will be considered. An announcement regarding the final decision about the alternative operator is expected later this month. I think that might have covered all those points.

One other question the member raised was how people can find out about it. I will check, but I think, noting that observation from the minister, that something is about to be announced. All will be made clear later this month. The member's specific concerns regarding access, costs and the nature of the service—all those things—have, I think, been addressed. That is part of the process that is underway. It sounds like it is very close to resolution and at that time I am sure there will be a lot of attention given to how things have been resolved and information will be conveyed —

Mr J.E. McGrath: I gather from what you said—thank you for that information—that maybe the new provider will be asked to give a certain price for the public schools, but other users might have to pay a higher level?

Mr P. PAPALIA: I am sure the minister will make that clear, but the public school system was always given preference in this system anyway to date, so it is primarily about the public system.

The member asked what alternatives there are around the place. The Department of Local Government, Sport and Cultural Industries has similar comparable recreation facilities and programs for students located at Bickley, Hillarys, Point Walter, Quaranup and Woodman Point. I know about them because my own son has utilised those facilities. They are out there and are used by both private and public schools, so there are alternatives. Later this month the minister will make an announcement; that is probably the biggest thing that the member needs to convey to his constituents.

STREETLIGHTS — ALEXANDER HEIGHTS AND BALLAJURA*Grievance*

MS J.M. FREEMAN (Mirrabooka) [10.01 am]: Mr Acting Speaker, can I seek leave to go to the table to make my grievance?

Leave granted.

Mr B.S. Wyatt: You're staring me down!

Ms J.M. FREEMAN: Yes, speaking to the back of the minister's head is just not a good thing!

My grievance is about streetlight outages, primarily in Alexander Heights and Ballajura. We all know the importance of streetlights in our neighbourhoods. Commonsense tells us that street lighting promotes increased activity after the sun goes down, and increased activity in our suburbs reduces the incidence of crime. Street lighting improves safety for drivers, riders and pedestrians. Although it is not clear whether street lighting reduces crime, studies from Chicago have demonstrated that a lack of street lighting after outages certainly results in increases in crime, but the jury is out on that. However, we can imagine, from the point of view of the community, that that is why there is so much concern about streetlight outages, particularly when the outages continue for months. This is not me complaining about streetlights that were out for a week or two weeks; this is months. The concern is shared by residents of the Mirrabooka electorate because there have been lengthy lighting outages in Ballajura and Alexander Heights over the last year.

The minister will be aware of an article by Kent Acott that appeared in *The West Australian* of 7 July 2018, which documented the long wait for street lighting on Terrace Road, and other articles about outages across Perth. This is a broad concern in our communities. Frustration with delays and the lack of information has been a similar experience for the residents of Alexander Heights and Ballajura. I will take the minister through the concerns of the residents who have contacted my Mirrabooka electorate office. I will use only their first names because I have not sought their permission to use their whole names.

In December 2017, Margaret made my office aware that the lights on Karel Court, Adora Street, Azelia Street, Ariel Court and Aloha Court in Alexander Heights were not working. This 87-year-old resident was told by Western Power that the outage would not be rectified until February 2018. So this was December 2017, and it would not be fixed until February 2018. However, in February the area still remained in darkness. Following a call from my Mirrabooka electorate office, the lights went back on only on 5 March. One can imagine the distress that would cause an 87-year-old woman.

In January 2018, Anthony, another Alexander Heights resident, reported to Western Power that a section of Marangaroo Drive between Alexander Drive and The Avenue had no working streetlights. He followed that up on 15 February and was told by Western Power that there was an underground power fault that would take longer to fix and was given an estimated restoration date of 10 April. After following up twice more on 15 and 25 April, he was told the then estimated restoration date was 8 June. Clearly, he was frustrated and contacted our office. After my office became involved on 27 April, we were told by Western Power that work to restore the lighting was scheduled to begin on 28 May for completion by 11 June. When we questioned the excessively long delay between the issue first being reported in January and work being scheduled to begin at the end of May, we received no explanation. The lights were finally fixed on 19 June 2018, six months after the issue was first raised.

In March 2018, Sandra of Ballajura contacted our office after repeated representations to Western Power about street lighting across from her house having been broken since November 2017. Sandra reported that Western Power repeatedly said that it was fixing it, but nothing had occurred. She has not contacted us again; we think it has been fixed.

On 8 May, Peter of Ballajura contacted my office to inform me that since late April streetlights had been off in a large part of the suburb. The areas without lights included Redgum Drive and its side streets, Bramble Way and part of Parkview Drive. Peter said that the issue was first reported to Western Power on 1 May and explained that he was worried about the potential for criminal activity to be encouraged by the lack of light in those areas. My office contacted Western Power on 9 May and was subsequently told on 15 May that it was aware of the outage, which was caused by a cable fault, and that it was having the work quoted, as it is required to do because of the size of the job. After a further inquiry from my office on 7 June, Western Power apologised for the delay and admitted that the repairs were still a few weeks away from beginning, after the job had been given to a new contractor. It is my understanding that the first contractor could not do the job and Western Power had to re-tender. My question is: if something like that happens, why can it not be done by directly employed labour? I also contacted Western Power to ask whether it could install temporary lights in the area, and I was told that there was no capacity to install temporary lighting in an area where there are streetlights. That seems completely illogical, given that there have been outages for periods of up to months. On 14 August, Peter reported that although his streetlights were operating, many other streets remained in darkness.

On 21 May, John informed my office that the streetlights on Marangaroo Drive had been out since March and that Western Power had advised him that it would be fixed by 14 April. That then changed to 11 June.

On 14 June, Shaun of Alexander Heights phoned the office to report a streetlight outage along Marangaroo Drive between Alexander Drive and The Avenue. He was concerned about the traffic hazard, especially for pedestrians navigating the area in the dark because there are shops across the road. He contacted Western Power a number of times and was told that it would be fixed, but Western Power kept changing the date—first 6 April and then 6 June. The lights were eventually fixed on 19 June, after he had contacted our office.

Mavis of Ballajura contacted my electorate office on 31 July about streetlights being out on Redgum Drive, which was similar to the concern that had been raised by Peter in April.

One Western Power worker I have spoken to has questioned why it would take so long, as there are Western Power workers with the skills to do the work in a timely manner. It would be a concern if such delays were due to Western Power's preference for using contractors instead of directly employed labour who, if used, would ensure more timely action. As the minister is aware, during the term of the previous Liberal government, the Western Power workforce was considerably reduced to make it lean for privatisation. In fact, there were massive cuts to Western Power staff over the last two years of the Barnett government, which reduced the numbers of maintenance crew. I quote a media release from the Electrical Trades Union —

“The Barnett Government has stripped hundreds of staff from Western Power's maintenance section and halved the number of after hours faults and repairs crews, as it has tried to make Western Power look as “profitable as possible prior to privatisation ...

There is that joke: how many Liberals does it take to change a lightbulb? Do not rely on them; they will go out completely if you do!

I know the McGowan Labor government is committed to Western Power and has rejected privatisation of this vital and essential asset. Can the minister outline to the house the work being done to assure the community of this government's support for Western Power and re-establishing it as an iconic service for the community? How is WA Labor going to keep the lights on?

MR B.S. WYATT (Victoria Park — Minister for Energy) [10.08 am]: I thank the member for Mirrabooka for that very well-articulated grievance. I will also begin by thanking her constituents Peter, Mavis, Sandra, Anthony and, in particular, Margaret—87 years old. Streetlights are one of the great issues of frustration for Western Australians when they go out and there does not appear to be a response to the darkness. I can only imagine Margaret's feelings, at 87 years of age, about that issue. I thank the member and her constituents.

I will quickly set a background. As the member pointed out, streetlights are inherently connected to people's comfort in their community. Whether or not there is a link to crime, people feel safer when lights are on at night up and down their street. It is an important part of people feeling as though they can move around their community, particularly in urban areas. Currently, Western Power manages about 250 000 streetlights on the south west interconnected system. That does not include all of them, but they are the ones that Western Power manages. On average, every year Western Power receives about 30 000 requests from the community to replace faulty streetlight globes. They are actually faulty globes, but the Economic Regulation Authority keeps Western Power to account on its response time, which is, on average, three to four days. The member has indicated that cable faults have resulted in some issues. I agree with the member that the time taken to respond to the residents of Ballajura and Alexander Heights, particularly elderly residents like Margaret, do not meet community expectations. I was keen to understand why the response time was so long, so I will put on the record some of the feedback I have received from Western Power.

The member will be aware that much of the streetlight infrastructure in her electorate affected by cable faults is more than 25 years old—so it is older infrastructure—and some was found not to meet current standards. To ensure that Western Power complies with the requisite standards, the infrastructure must be updated. Western Power is redesigning the network so that any future cable faults will be localised to single lights rather than to multiple streets. That is one of the great problems with older infrastructure—cable faults tend to have an impact on a large number of lights; whereas modern suburbs do not have that problem because modern standards apply, so if there is a cable fault, it tends to be isolated to individual lights as opposed to the entire street.

That has fundamentally been the issue around the delay for Western Power. I am going to pursue the matter of the change to contractors because I am interested in that. I do not have any advice on that yet, but I am interested in finding out. The member is correct in asking what is the point of those contractors if they cannot do what seems to be basic infrastructure maintenance work. I will run that matter to ground.

It is my understanding that a lot of those lights are back on but that, as the member has pointed out, some are not. That is something that, again, after knowing about it for more than six months, is simply not acceptable, but Western Power is changing its approach to fixing those cable faults. In a first step to improve that process, Western Power conducted a streetlight process review workshop in July 2018 with key subject matter experts from

across its business. During that workshop, the review team walked through the end-to-end process of responding to streetlight cable faults and conducted a gap analysis. That occurred as a result of a range of complaints from not only the member for Mirrabooka's office in particular, but also a number of other members. I think the member for Joondalup has raised similar issues. Western Power identified 18 opportunities for process improvement. Some have been implemented and some are being considered to deal with customer communication. What really frustrates people is that when they lodge a complaint to say that they do not have lights, they either get no answer or get a very short answer and then no follow-up. We are keen to resolve this—not just the quicker repairs, but also communication with our customers.

I also understand that Western Power is working with other utilities because they are facing similar issues of balancing ageing infrastructure. Ultimately, these sorts of utilities are essential services. The Water Corporation is a classic example. It is doing work all over metropolitan Perth at the moment—I see it in my own suburb—while trying to maintain service standards. The cable issues that have had an impact on Ballajura and Alexander Heights clearly fell through the cracks because of poor communication. Hence, I apologise to the constituents the member has mentioned here this morning. I will pursue the matters that have not yet been completed, because I want to understand why that is the case and, of course, hopefully, the communication issue is being resolved.

Ms J.M. Freeman: Can the minister investigate the issue of looking at the maintenance teams? I understand they were reduced from around eight teams to four in the lead-up to the previous Liberal government's privatisation.

Mr B.S. WYATT: I will. I want to get a better understanding of the maintenance capacity of Western Power's direct employees; suffice to say, over a long time now the number of direct Western Power employees has been shrinking.

Ms J.M. Freeman: But massively over the last year.

Mr B.S. WYATT: That is correct, and some of that is driven by the move to contractors. If it is using contractors and the contractor is unable to do the job, what is the point? Ultimately, we end up with more costs and delay, as we have seen in the member for Mirrabooka's electorate. That is something we will look into; suffice to say, an ongoing conversation has been occurring with Western Power on its capacity to directly respond to issues. Indeed, it is a conversation we are having with Synergy too, because Synergy recently brought back some in-house maintenance staff for some generation fleet simply because it found it was more reliable and, interestingly, more cost-effective to do so.

Ms J.M. Freeman: It makes sense, really, doesn't it?

Mr B.S. WYATT: To be honest, it had nothing to do with me; it was simply a commercial decision that Synergy made, which suggests to me that a political directive is not needed—it just makes commercial sense.

I thank the member for raising these issues. I apologise to her constituents and, hopefully, I will have the matter resolved and be able to provide further information shortly.

DUTIES AMENDMENT (ADDITIONAL DUTY FOR FOREIGN PERSONS) BILL 2018

Second Reading

Resumed from 15 August.

MR P. PAPALIA (Warnbro — Minister for Tourism) [10.16 am]: I have a contribution to make on the Duties Amendment (Additional Duty for Foreign Persons) Bill 2018. At the outset I make an observation about the extraordinary position the Liberal and National Party scallywags are taking on another revenue-raising opportunity that I thought everyone in Western Australia would support—that is, the opportunity to ensure that foreign property speculators contribute to education outcomes for Western Australians. What a wonderful policy and incredible opportunity. As I understand it, the opposition's objections lie somewhere around the suggestion that mirroring the same rate of additional levy on foreign investors as every other jurisdiction in the country is somehow perverse and wrong—it is an extraordinary suggestion; a ridiculous idea—and that somehow we will drive foreign investors away and that will have a terrible impact on the Western Australian housing construction market. I think that is where the opposition is going. Is it housing construction or just the general property market? I am not really sure, shadow Treasurer.

Mr D.C. Nalder: The general property market.

Mr P. PAPALIA: It is the general property market. Based on the 2016–17 figures and as the Treasurer indicated the other day, the shadow Treasurer is saying that 1 000 foreign investors of the 50 000 overall investors in the property market in that year would be deterred in some way because they would have had to meet the same levy that was applied everywhere else in the country, and that that would have a massive detrimental impact on the property market, destroy the world and then cause the sky to fall in! I am pretty certain that is the extent of the rigour behind the argument conveyed by the shadow Treasurer. The suggestion is that somehow investors from around the world, particularly the large number of investors who have been coming from China in recent years, and right across the country will be deterred because they will have to meet the same obligations that are imposed everywhere else in the country. That is the opposition's argument.

Let us consider the wider discussion. What drives a property investor? What is their motivation? They are looking for a return on their investment. If a person is looking for a return on an investment in the property sector in Australia at the moment, I recommend they look to Western Australia. Just look at the other places. Look at the overall environment in New South Wales and Victoria; they are on the way down. Those states have had a property boom that is now ending. There has been overinvestment by foreign speculators and others in Sydney in particular and in Melbourne, and, as a consequence, as is always the case with the property market, there is a cycle. In this case, prices are going down. If a person is looking for growth, where would they go? They would go to the state that has finally got a good government, which is resulting in lower unemployment statistics, which I understand were released today, Treasurer. That is another outstanding return from the change in government in March last year.

There is confidence in the Western Australian market. The economy of Western Australia is responding to good leadership. Finally, just about every sector is returning to growth. One of the last to respond will be the housing and construction sector because it responds to demand. Obviously, demand will be driven by recovery in the other sectors of the economy, which are all growing, with the exception of retail, and that is a different matter because that is suffering everywhere around the world. The bricks-and-mortar retailers are suffering. Business will be difficult for them. Growth in every other sector is increasing. If we look at any other category of measurement, Western Australia is in a good place and responding to good leadership by a good state government finally coming to office in March last year. Every economic measurement indicates that we are growing. Fortunately, we are not seeing the steep, unsustainable incline of the boom that was squandered by the Barnett government. It is not that sort of growth. We are seeing steady, consistent and sustainable growth. That will benefit everyone, including the property sector and the housing industry.

As people recognise that there is opportunity in Western Australia, there will be a growing demand for housing of all types. The demand for rental and freehold property will grow. There will be growth because that is how it works. I think the shadow Treasurer understands that it is about supply and demand. At the moment we have excess supply. The demand has been low because the former government trashed the economy. As a consequence, there was no confidence anywhere. People fled the state. We were dropped by the working holiday-makers, and that has contributed to the tourism outcomes. Everything that the former government did to damage the economy resulted in bad outcomes, which we had to try to repair, and we repairing. One of the biggest things we have done is re-imbue the state with a sense of optimism. The state is optimistic, as indicated by the participation rates in the employment statistics. Shane Wright carried out a very good analysis suggesting that if some of the other states had our participation rates, we would have the best unemployment statistics in the country due to the optimism imbued by the great state government that came to office in March last year. As a consequence of that leadership and the change in the psyche of the state, people had the motivation to get out there and have a go. They have a chance now because a good government is driving good outcomes in the state, which has shifted optimism. As a consequence, things are going well.

With respect to the issue we are debating, it is extraordinary that the National Party is leading the Liberal Party in opposing Western Australia having the same levy on foreign speculators as every other jurisdiction, which will therefore return a benefit to the education sector of Western Australia. That is extraordinary. It is not that surprising really. We have seen the Nationals WA drag the Liberal Party around by the nose for some time now. They did that during the last eight and a half years while they were in government. They are continuing to do it in opposition.

Mr D.T. Redman: Give it a rest.

Mr P. PAPALIA: It is nice that one of them is in the chamber now. It is a sad indictment on the state of opposition politics in Western Australia but it is not really that surprising.

MR B.S. WYATT (Victoria Park — Minister for Finance) [10.23 am] — in reply: I rise to respond to some of the issues raised. I thank all members for their contribution to the Duties Amendment (Additional Duty for Foreign Persons) Bill 2018. I want to go through the range of issues that were raised by members of the opposition. Yesterday I expressed my disappointment in the Liberal and National Parties' opposition to this bill and their attempts to block this important policy that we took to the state election, which was overwhelmingly endorsed at the state election. They are now seeking to block its passage through the Parliament. Ultimately, if it does not get through the Parliament, so be it. That just means that rather than revenue paid by foreign investors in property, that will be picked up by Western Australian families. I think that is an unfair and unreasonable outcome for this Parliament to put to Western Australian families. It highlights a common theme of the Liberal Party in this state of spiralling into wreckage; that is, every time I have tried to find a revenue source that does not impact on Western Australian families, it has sought to block that, whether it be an increase in the gold royalty or a foreign buyers surcharge. Indeed, members of the Liberal Party in the upper house opposed these measures and pushed out their own savings measures contained in their own budget. This Liberal Party is now in a spiral of wreckage. I hope it emerges from it in due course.

I want to deal with a few issues and also deal with the arguments raised by the opposition in seeking to block this legislation. That highlights the fact that because the economic analysis lacks rigour, it is more political than

economic. Going back to when we announced the surcharge, the deputy president of the Real Estate Institute of Western Australia wrote —

“While there could be a slight impact from this, foreign investment only represents a small proportion of the WA property market,” Mr Collins said.

Damian Collins made that comment. The article continues —

“Instead, the billions of dollars’ worth of key transport infrastructure spending will put the property market in a strong position to continue its steady recovery.”

Generally, the property sector is not embracing the extra cost of a small section of people who buy property in Western Australia and is not going to support it, but even that sector recognises that the impact was frankly going to be too inconsequential simply because of the size of the foreign investment market in residential property, particularly those sought to be captured by this bill, which is very limited compared with the situation in most other states in the nation. I want to make this point early. Every other state, whether headed by a Labor or Liberal government, has done this already. Places around the world have done this already. In fact, on a global basis, WA is a very late mover around the concept of foreign investors paying a higher tax of some form when buying residential property in a jurisdiction, therefore contributing to decades of investment by the taxpayers of the home country. That is not unreasonable to request, which is why Labor and Liberal governments all over Australia have already done it. In fact, most introduced it at four per cent. Now it will move to seven per cent. New South Wales will move to eight per cent. I have conversations with those Treasurers on a regular basis; we talk regularly. It has not had any direct impact on their surcharge. Fundamentally, the Australian Prudential Regulation Authority changes have absolutely had a much bigger impact on the investor market. Every state Treasurer will confirm that, and they have confirmed that by their public commentary. I wanted to deal with that issue straight up. The surcharge introduced by other states has not had an impact on their investor market; the APRA regulations have had an impact.

An argument was raised by the opposition that we did not take this change to an election, and therefore we have no mandate.

Mr F.M. Logan: Can’t govern.

Mr B.S. WYATT: Correct. I recall taking it to the election. I recall the Leader of the Opposition, then Treasurer, critiquing it. He did critique it; he opposed it. I remember that. Yes, we changed the rate from four to seven per cent. Ultimately, that was for what we all seek at a Treasurer level—effectively, national consistency to remove any distortion. That is all that is about. The shadow Treasurer can laugh. Ultimately, one day when he wears the big shoes, he will work this out. That is what we need to do.

Mr W.R. Marmion: Let’s have a competitive advantage.

Mr B.S. WYATT: We will come to that, because that is a clumsy argument.

I am interested in this. I had a grievance during which the Leader of the Opposition, whilst opposing any revenue measures we did not take to the election, demands I have spending measures that I did not take to the election. Do they understand the madness of the Leader of the Opposition’s position? I find this absurd. The Leader of the Opposition—as a former energy minister, he should know this—says that the Economic Regulation Authority is not going to allow that sort of spend and smear it across the network. That has to come through the consolidated account. The Leader of the Opposition wants to spend what we did not take to the election, but when I look for a revenue source to perhaps do those sorts of things, he opposes them.

Dr M.D. Nahan: That has nothing to do with it.

Mr B.S. WYATT: It has everything to do with it. I suspect that is why the Leader of the Opposition left the finances in such disarray. I suspect that is exactly what happened. He left the finances in such a mess and we are trying to fix them.

It also takes me back, and I want to deal with this early as well, to the three land tax increases introduced by the now Leader of the Opposition, the member for Bateman and the member for Nedlands—they all introduced them as finance ministers.

Dr M.D. Nahan interjected.

The ACTING SPEAKER: Leader of the Opposition!

Mr B.S. WYATT: They talk about impact on the property market. Let me take members through what the Liberal Party did when in government. At the time of that first land tax increase in 2013 by Mike Nahan, the then Treasurer, private dwelling building approvals were growing at a healthy pace of 49 per cent; it was roaring along. Along came the member for Riverton in his ugg boots and confusion and introduced his first land tax increase. What happened after that? Growth moderated from 49 per cent down to 15 per cent within the next 12 months. What did the Treasurer do? He had another go in 2014 and immediately investment fell 10 per cent. That is what

the Leader of the Opposition did when he was Treasurer. Then, not happy with that catastrophic fall in private dwelling building approvals, he had another crack, and it was a big one, the one supported so strongly by the member for Bateman—the \$1 billion increase in land tax. That was the third of the three and it was in 2015. This time it smashed the investor market, there is no question; it never recovered. The market plummeted a whopping 24 per cent in just nine months, with a total decline of 50 per cent. That is what the Liberal Party did. I want to remind everybody here about the arguments given by the now Leader of the Opposition and the member for Bateman about why they did that, because the position they take now is quite striking. This is what the Leader of the Opposition, the member for Riverton, said when confronted with the fact that some people were getting land tax increases in excess of 100 per cent from year to year due to the impact of his changes to those rates. I quote the member for Riverton —

What are we supposed to do? We are running the largest deficit in this state's history. We are forecasting a \$2.7 billion deficit this year; it was \$400 million last year, and there will be another deficit next year. We are in the red; we are borrowing to pay recurrent expenses.

So what do we do? The state can only raise revenue in three ways. The first is payroll tax, which we have raised; then land tax, for which we have the lowest rates in Australia, apart from the Northern Territory. The reason the Northern Territory does not levy a land tax is that it is a territory, and a lot of the land is not fee simple, but more importantly, we subsidise it. Western Australia still has the lowest land tax rates in the nation. So what do we do? Faced with a precipitous drop in revenue, a large deficit and the need to provide services ... we raise land tax.

It is interesting, is it not? This is after the Liberal Party went to the election specifically committing not to raise land tax. The position the former Treasurer, who should know better, now takes as we try to find another source of revenue, which will not hit Western Australians, to try to increase that revenue source, is quite interesting. That is something that every other state in the nation has done. Interestingly, the member for Bateman had the pleasure of bringing in the Revenue Laws Amendment Bill that introduced the land tax. The member for Bateman was a strong supporter of these increases in land tax, despite the fact that the Liberal Party specifically committed not to do it at the 2013 election. This is what the member for Bateman said —

Western Australia's land taxes are some of the lowest in Australia. In trying to work out what we should be considering for a budget and making sure we remain in surplus, it was foreseen that this was an opportunity to assist in balancing our budget. We are quite comfortable that the rates we are charging are still relatively generous compared to those in other states.

That is interesting; it is a very different view. He then went on to say —

I think all governments consider everything that is at their disposal to ensure that they continue to remain in surplus. We will consider all options at the appropriate time. We cannot give any commitment that land tax or any other tax in this state will or will not be increased in the future. It is just not something ... we ... do. Again, I am trying to deal with what we have before us today, which is the impact from the recent budget announcements. That is what we are trying to get through. I ... cannot speculate ... what may ... be ... the future.

This is the blatant hypocrisy from a party that genuinely smashed the investor market through three increases in land tax in two and half years—making the case that it was in deficit and it had to do these things. Yet, when the Liberal Party moves to the other side of the chamber, it has the gall to attempt to block something that we took to the election. It is something that looks specifically to foreign investors to pick up a small part of the tab of the large deficit left to us by the member for Riverton, the Leader of the Opposition. The Liberal Party now seeks to say that Western Australian families can deal with it; that is the position it has taken. I find that quite stunning to be honest.

I was curious, because at no point during the contributions from the opposition did anyone mention the Foreign Investment Review Board, which suggests to me that no work or research has been done—not one bit.

Mr W.R. Marmion: I did.

Mr B.S. WYATT: The member for Nedlands did, did he? I must have tuned out.

Mr P.A. Katsambanis interjected.

Mr B.S. WYATT: Member for Nedlands, I apologise. Clearly, he gave a better speech than most, because neither the Leader of the Opposition nor the shadow Treasurer mentioned the key source of data on foreign investment in this country—the Foreign Investment Review Board. I was surprised that last night in a twitter exchange the shadow Treasurer disclosed his source, which was the website Domain.

Mr D.C. Nalder interjected.

Mr B.S. WYATT: I did not interject on you at all, big fella! Sit there and listen.

Mr D.C. Nalder interjected.

Mr B.S. WYATT: The member for Bateman can get up and respond.

At no point did the shadow Treasurer refer to the FIRB. He said that Domain stated that 12 per cent of investment in the residential market in Western Australia is by foreign nationals. Think about that for a minute. Does the shadow Treasurer really believe that? Just think about 12 per cent. Even standing still that does not pass the test. When the shadow Treasurer contradicted the FIRB data last night, which highlighted that in 2016–17 about 1.2 per cent of residential property was sold to foreign nationals, the response of the shadow Treasurer was that Domain said that it was 12 per cent. I decided I wanted to run this to ground, so I looked at Domain to see where the shadow Treasurer got his figure of 12 per cent from, and I want to get on the record that the source of the Domain data is the ANZ/Property Council of Australia survey of the March 2018 quarter, published on 11 January 2018. That is the source of the figure—research done by ANZ and the Property Council of Australia—upon which the shadow Treasurer based his decision to oppose this legislation. Let us get this right: this is the basis upon which the shadow Treasurer is saying that if we do this, the property market will be negatively impacted. This is what the shadow Treasurer and the Liberal Party of Western Australia based their decision on to say to Western Australian families to pick up more burden as opposed to foreign investors in residential properties, because otherwise the broader property market will decline. He has based that on this figure on Domain, the source of which is the ANZ/Property Council of Australia survey. I asked my office to call the ANZ. I wanted to get to the bottom of this 12 per cent figure that the shadow Treasurer talked about. I want to thank the head of Australian economics at ANZ and the Property Council of Australia for taking us through their survey. This is the survey upon which the Liberal Party based its decision and it was of Property Council members only. The survey was very, very limited. What do its members consist of? The main source of revenues consist of developers and valuers. Hopefully, the Liberal Party would know that in any economic debate, we do not want a subset of the total market but the total market. I again draw the house's attention to the basis of the Liberal Party statement that this will have a dramatic impact on the property sector, which is a survey of 114 companies—33 of them were consultants, 30 were developers and 19 were either corporate real estate companies, asset managers and leasing agents. The survey question is interesting: "Over the past three months, what proportion of property sales in your business have been to foreign buyers?" For a start, the subset surveyed is tiny and not representative. Secondly, people are not captured by the surcharge. This would capture all of those properties, including large developments in those construction buildings, which are exempt and will not be paying for that. I even looked at the ANZ Australian economic insight website, and interestingly it specifically references the ANZ/Property Council of Australia survey. This is what it said —

Similar estimates are also found in the ANZ–Property Council survey. Survey respondents from the residential property sector

This is the key point. Listen —

(who are primarily developers and focused on newly constructed dwellings)

The shadow Treasurer is ignoring any foreign investment in established homes—none. His 12 per cent figure, upon which he says, "Well, the entire property market of Western Australia is going to be smashed by this", is just wrong. He did not go to the Foreign Investment Review Board to look at the actual data that highlights that just over one per cent of foreign investors in residential property would be captured by this in the 2016–17 financial year; he captured them all but eliminated established homes. Honestly, Liberal Party—that is a lazy approach to the important issues around trying to resolve the budget matters. It is also good policy, as every other state in the nation has found.

I want to make another point, because, again, the ham-fisted attack by the opposition is, "It's xenophobia; that's what's going on here", in its petulant response to the fact that it has been highlighting exactly what happened. Every state in the nation has these surcharges. But, as I have said, most of the nations that those foreigners who purchase residential property in Western Australia come from have had similar infrastructure taxes, or whatever you like to call them, for years, and in many cases they do not even allow foreigners to invest. I want to highlight this. China does not even allow foreign investment; it does not even allow us to buy residential property—full stop. The tax rate in Hong Kong is 15 per cent, and Hong Kong property rates are much higher than ours. India and Indonesia do not allow it. The rate in Singapore is 15 per cent. The rate in Ontario, Canada, which is a part of Canada with which we are often compared, is 15 per cent, and the rate in British Columbia, which is another province with which we are often compared, is 20 per cent. Everywhere around the world these sorts of taxes have been in place for decades. Indeed, some go further than just taxes; they just do not allow foreign investment—full stop. Any suggestion of xenophobia highlights, I think, the paucity of the opposition's economic argument. It is a very bad argument, as I have just outlined, that referred to Domain.com referencing a survey that was small and irrelevant to the bill. Honestly! What do we have to do to have decent dialogue? I suspect the whole fake news narrative coming out of the United States has affected politics in Australia, and is now affecting Western Australia. The opposition just says whatever it needs to say because it does not want to contribute to the broader repair of Western Australia's finances.

Mr W.J. Johnston: No wonder journalists do not want to talk to him.

Mr B.S. WYATT: No wonder the mainstream media is irrelevant, perhaps, to the Leader of the Opposition.

I make that point and I hope that opposition members have all been listening, because the economic data that their shadow Treasurer is running is incorrect, and the impact —

Mr W.J. Johnston interjected.

Mr B.S. WYATT: It is a lazy analysis.

The property sector itself says that the impact will be limited, even though it does not support it—I get that. But I would have thought that the Liberal Party would know better, or at least support the policy principle of ensuring that foreign investors in the Western Australian residential property market that is captured by our bill pay a contribution to the infrastructure from which they will benefit, as most of the nations that invest in that space in Western Australia demand should we do the same. It is not unreasonable. I think it is a disappointing and very economically clumsy position for the opposition to take. So be it. If the bill does not make it through the upper house, that is another \$100-plus million of debt that will fall to Western Australians to pick up. That is how it works. The arguments raised at every point by the Liberal opposition are wrong and contradictory of everything it said when it was on this side of the house and generally smashing the property investment market with its three land tax increases.

Mr D.C. Nalder: What were you saying about revenue when you were on this side of the house?

Mr B.S. WYATT: It was true. Everyone knows that. Langoulant highlighted that. Everybody highlighted that—Langoulant, the Service Priority Review and the federal Liberal government. Wherever I go, people talk about that. The problem is that since the Liberal Party has moved to that side of the house, it has forgotten to stand for anything, and that is why I will continue to highlight that.

I am actually fairly relaxed about taking this policy to the next election. It is a good policy. We got a strong endorsement last night. If it does not make it through, no doubt we will take it to the next election, and I will articulate this strongly up hill and down dale.

The final contradiction of the Liberal Party is this: households are hurting because of negative mortgage equity. The shadow Treasurer talks about this a lot, but in the same breath—in fact, I wrote it down in the same sentence in his contribution—he said that we have to increase the first home buyers grant and stimulate construction activity at a time when he is critiquing me for the decline in property prices. This is the madness of the Liberal Party. It does not understand whether it is Arthur or Martha. Apparently, it is my fault that property prices have declined, but at the same time the government should pump-prime the construction sector.

Mr D.J. Kelly: Economics 101!

Mr B.S. WYATT: Economics 101—supply and demand. It is not a particularly complicated issue. I suspect, now that the vacancy rates are returning to normal after members opposite smashed them with their land tax increases, we will probably start seeing better increases in housing prices.

I have one final point. Most members on the other side talked about housing or dwelling approvals. I do not understand why they ignored apartments. I do not get this sort of anger or hatred by the Liberal Party towards apartments, because if we focus on total dwellings as opposed to standalone houses, for the first time in a long time it is growing. The market is actually growing for the first time in a long time. The trend rate for total dwellings is now growing again, with 1.7 per cent growth in June. The shadow Treasurer has taken out apartments from all its data. It is kind of like how he got his 12 per cent. I do not know why. He should have known that. Twelve per cent—seriously? I agree; it is ludicrous to suggest that. Hon Peter Collier should know better; he is tweeting ludicrous stuff as well. The point is that total dwellings are increasing again after huge falls during the previous government and big falls over the last 12 months. I get that, because that is what three land tax increases will do. Thankfully, they appear to have been absorbed, and hopefully we are coming through the Nahan–Nalder-led attack on the property sector through those land tax increases. We should simply say, as every other state in the nation and many other countries have done for many, many years, “If you want to invest in WA, awesome, but you have to pay a small contribution to the infrastructure from which you benefit.” There is only one outcome if members opposite say no to that: the people of Western Australia will have to pick up the tab. That is the reality.

Mr D.C. Nalder: That is not right.

Mr B.S. WYATT: I get that the shadow Treasurer does not like the reality, but that is the reality, because ultimately that means that I will have to borrow another \$120 million, and who does he think will pay for that? It will not be the foreign investors; the people of Western Australia will pay for that. I get that in the shadow Treasurer’s clumsy, confused little world he does not understand that, but that is the reality. That is all it is.

Mr D.C. Nalder interjected.

The ACTING SPEAKER: Member for Bateman!

Mr B.S. WYATT: Dean, it is not complicated. I think the member for Bateman would support this, but he has been hijacked by the fellow to his left, who is the wrecker. His job is to wreck things while he is there until the member for Bateman or Peter Katsambanis knock him off. I suspect that that will be the outcome. But he should know better.

I am looking forward to taking this policy to the next election should it not go through Parliament. I will talk about this a lot because it is a very good policy—one that, as I said, nations around the world apply to us when we invest, if we are allowed to, in those nations, and one that would ease the burden on Western Australian families. I thank all members for their contribution and look forward to consideration in detail.

Division

Question put and a division taken, the Acting Speaker (Mr S.J. Price) casting his vote with the ayes, with the following result —

Ayes (34)

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

Noes (15)

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

Pairs

Mr P.C. Tinley	Mr R.S. Love
Ms R. Saffioti	Mr K. O'Donnell

Question thus passed.

Bill read a second time.

Leave denied to proceed forthwith to third reading.

Consideration in Detail

Clauses 1 to 4 put and passed.

Clause 5: Section 147A amended —

Dr M.D. NAHAN: Apparently this clause deals with changing the definition of residential property and subsequently the definition of property in general to “residential property”. Can the minister explain why it is in the bill and what definitional changes have been made to the existing Duties Act?

Mr B.S. WYATT: The current definition of “residential property” deals with the residential exemptions that currently exist. This is obviously a new tax so we need to replace the term “residential property” with “residential land”. It does not change the meaning but it allows us to capture the new tax that the bill seeks to introduce.

Dr M.D. NAHAN: In subsequent sections, we will get into the definition of “residential property” in more detail. Because this legislation focuses on a different definition of “residential property” for the purpose of this bill, is that why we have to redefine it?

Mr B.S. Wyatt: Yes, that's correct.

Dr M.D. NAHAN: Is a new definition of “property” also being created for the purpose of the act where “property” is being deleted and “residential property” is being inserted?

Mr B.S. Wyatt: Correct.

Clause put and passed.

Clauses 6 and 7 put and passed.

Clause 8: Chapter 3A inserted —

Mr D.C. NALDER: This clause is about the definition of foreign individuals. I am trying to clarify this. Obviously, an Australian citizen is defined by the Australian Citizenship Act. That is all standard and straightforward, as is the definition of a permanent visa holder. I would not mind some clarity on the holder of a special category visa as defined in the Migration Act. What does that entail; whom does it entail; and why would they have an exemption?

Mr B.S. WYATT: An individual is a foreign person if they are not an Australian citizen, within the meaning of the Australian Citizenship Act 2007; the holder of a permanent visa within the meaning of section 30(1) of the commonwealth Migration Act 1958; or—which I think is the member's question—a New Zealand citizen who is the holder of a special category visa within the meaning of section 32(1) of the Migration Act 1958. I have a bit more information on the issue around the special category visa. To be eligible for a special category visa, the person—I suspect the member already knows this, in light of his question—must be a New Zealand citizen who does not hold another visa; present a New Zealand passport that is in force; not be a behaviour concern non-citizen—for example, someone who has previously been removed from Australia—or not be a health concern non-citizen, such as a person who has tuberculosis; present a completed incoming passenger card; and, meet specific health and character requirements that are presumably set under that special category visa. The visa allows New Zealand citizens to work and study in Australia as long as they remain New Zealand citizens. The treatment of New Zealand citizens on special category visas as non-foreign persons is consistent with other jurisdictions that impose the surcharge, except for New South Wales. New South Wales also requires the New Zealand citizen to have been ordinarily resident in Australia for 200 days or more before the transaction, or to occupy the property as their principal place of residence for a continuous period of 200 days within 12 months after the contract date. I say by way of an aside that I suspect that is because there is a very large New Zealand expat community in New South Wales.

Dr M.D. Nahan: It's actually larger in Queensland.

Mr B.S. WYATT: Queensland, is it? Either way, it is only New South Wales that has introduced that.

It is also consistent with the first home owner grant scheme, which allows New Zealand citizens with a special category visa to apply for the grant.

Mr D.C. NALDER: I find that fascinating about New South Wales, given that New Zealand used to be a part of New South Wales.

Mr B.S. Wyatt: And now it is the most hostile state, it appears.

Mr D.C. NALDER: A bit like East Fremantle and South Fremantle!

Just coming back onto the definition of foreign persons. I am looking at the process by which they are picked up. Under clause 8 on page 42, it looks like the process relies on a foreign landholder duty declaration to be lodged. They must lodge it —

... on or before the day on which the acquisition statement is required to be lodged under section 200(3), 201(6) or 202(2) in respect of the acquisition.

A failure to lodge could result in a fine of up to \$5 000. I have a couple of questions about the process. What is Treasury or the Department of Finance relying on to ensure compliance? Where will they get their data around the acquisition or transfer of any property? How will they make the link to prove that someone is foreign, and how will we know about people being noncompliant? If I had a million-dollar property, or even five, six or seven million-dollar properties, a seven per cent fee would be several hundred thousand dollars. With a penalty of \$5 000, how do we know that these foreign people purchasing property might say, "I'll risk a \$5 000 fine to save half a million dollars in liabilities." How will compliance be policed?

Mr B.S. WYATT: That is a good point. I think the nature of our state's revenue base, they are all the sort of taxes that people like to try not to pay.

Mr D.C. Nalder: Avoid.

Mr B.S. WYATT: There will of course be audit activity by the Office of State Revenue. I will give a bit of that information. Taxpayers will be requested—in this case the foreign landowner—to complete a declaration for all transactions involving land, whether they are self-assessed, using Revenue Online, or lodged with the commissioner for assessment to identify foreign purchase and to inform whether there is a surcharge liability. The information provided will assist with any subsequent audit activity. Compliance investigations will be targeted at transactions when the information provided results in there being no surcharge liability in the first instance—for example, when it is declared that the purchaser is not foreign. State Revenue will then look at entering into data-matching arrangements to verify a person's residency or citizenship status with federal government agencies such as the Australian Border Force and the Australian Taxation Office, with which, as the member knows, the commissioner currently has the power to share information, and of course they do. Information collected from the

ATO's property reporting online system, led by Landgate in WA and supported by State Revenue, will also assist with verifying whether a person is foreign. Data collected from this system includes the buyer's nationality or citizenship, Foreign Investment Review Board application number, and passport and visa details. Although the legislation to mandate the collection of this data has not been passed yet, Landgate is engaging with the conveyancing industry to begin collecting this information in advance of the legislation. Obviously the third process makes it fairly easy as well. Usefully, there is also—I guess this deals with the member's question about the penalty of \$5 000 but \$700 000 of duties—a penalty tax of up to 100 per cent of the tax payable if false information is provided to the commissioner.

Dr M.D. Nahan: Is false information no information?

Mr B.S. WYATT: It will be, because they have to make a declaration.

Mr W.R. MARMION: Section 8 covers 40 pages and has nine divisions. We could go all over the place. I am still on the definition of a foreign individual. I note —

Mr B.S. Wyatt: By way of interjection: as normal, I am quite happy to answer the questions as they come.

Mr W.R. MARMION: Yes. I am suggesting that it might be that we go through some sort of sequential —

Mr B.S. Wyatt: As is ever the case, page 5 might be linked to page 30.

Mr W.R. MARMION: Yes.

I am on page 4 and the definition of a foreign individual. We had a good explanation of special category; we understand that. For clarity, can the Treasurer give me some examples of who holds a permanent visa? Which categories of people have a permanent visa?

Mr B.S. WYATT: I think it is just a permanent resident who has a permanent visa.

Mr W.R. Marmion: Yes. But can the Treasurer explain who qualifies to be a permanent resident, where they are from overseas, and what they have to do?

Mr B.S. WYATT: I do not know. I suspect they have to live in the country for four years or something?

Dr M.D. Nahan: There's all sorts of requirements, then you get a specific permanent resident visa and then that is clear-cut. There are very few variations other than that as permanency.

Mr D.C. NALDER: I did not realise the member for Nedlands was jumping back. I would like to stay on this process for a tick for clarification. I picked up—I am trying to make sure I interpreted it correctly—that other acts still need to be amended to either access information or enforce activities. The Treasurer was talking about the process. The Treasurer just read something out that said there was another act that needed to be amended. I did not understand that, and I would like further clarity on that.

Mr B.S. WYATT: All states are currently working together to facilitate the passing of data on to the ATO. I assume this happened at a meeting of the Council of Australian Governments. All states are currently developing legislation to pass data on to ATO's property reporting. That is now being developed all around the country. Whether any states have passed it yet, I do not know. That will also add to the process of auditing, once it is through.

Mr D.C. NALDER: I return to the definition of a foreign person. How confident are we that the loopholes will be closed off for people who are working their way around the system to avoid the classification of being a foreign person? The Treasurer has clear definitions, but it is really the adherence to that. What level of confidence can we have that we have a good handle on how many foreign persons there are under the current definitions, given that changes to the act are required?

Mr B.S. WYATT: That is a good question. Ultimately, the process of foreign investment is pretty rigorous and the Foreign Acquisitions and Takeovers Act is quite punitive as well, if people seek to avoid the requirements under the Foreign Investment Review Board legislation. Other states have not had particular issues with this. There will always be some form of tax avoidance but we are not expecting this to be particularly dramatic because there are a lot of hurdles in any event under commonwealth legislation. It actually makes data sharing easier.

Dr M.D. NAHAN: I might go on a little bit—maybe someone can extend my time—to give a little history here. Back in about 2013 the commonwealth government of the day decided that there were too many foreigners buying existing residential properties; it was Joe Hockey. He was worried about those expensive —

Mr B.S. Wyatt: The big ones in Sydney.

Dr M.D. NAHAN: The big ones in Sydney. We had a Treasurers' meeting and we discussed whether we knew who they were; we had no idea because we did not collect that data. That was not so much dealing with new purchases as existing ones. We agreed to go back to our respective states and find out if we had the data, how we would collect it and how much it would cost. Landgate simply did not have that information. This is different; maybe the Treasurer can confirm that. This is only new transactions beyond the starting date of the legislation—

1 January 2019; they wanted to go back. But it was clear to everybody that there was extensive sorting of the FIRB, particularly with regard to the restriction that foreigners had to buy existing properties.

Mr B.S. Wyatt: Sorry to interrupt, but from memory he went out and some were forced to sell.

Dr M.D. NAHAN: Yes, he did. It was in Sydney, his electorate, where they had bought very expensive properties and he forced them to sell. But the general consensus was that we had very poor data and that there were many ways around this, particularly regarding buying existing properties, because FIRB has a ban and a great restriction on them buying existing properties. They have to buy off the plan; they can buy residential properties, but they have to redevelop them, essentially. One of the arguments we will get to later is that we focused on new properties, particularly apartments, because that is where most of the purchases have taken place, particularly in Sydney and Melbourne. That was the real heat in the market. Triguboff, the largest apartment builder in Australia, sells only to Chinese, he says. That is an exaggeration, but he does. This is a real data issue. We are starting from scratch because we do not have it. We are going to put a new system in. I am not going to tell any of my constituents, but I can tell members that foreign ownership of existing residential property is rife out there, all over the place. I will not go into personal issues, but I can guarantee that that is the case, and they have been getting around the FIRB requirements for years. I cannot verify this, but as a result of that I think we have underestimated the amount of foreign ownership or purchases of existing properties and, indeed, apartments.

Mr B.S. WYATT: That is an interesting point. I read about it in the media, because Joe Hockey was particularly vocal on that issue. The rigour of the FIRB process is obviously beyond the remit of this chamber, but clearly that will always be an issue. I hope that the estimation of the number is lower, because I would prefer to have upside risk in any revenue assessment, as the Leader of the Opposition would know, as opposed to downside risk. The data is pretty solid. It is as solid as it probably is for any other area of revenue collection. The reliance on those FIRB and visa hurdles makes data sharing and data matching a lot easier, but I suspect the Leader of the Opposition is probably right in his comments about those who are getting around the FIRB requirements. The federal Treasurer has also made the point at Council of Australian Governments meetings—Joe Hockey appears to have, as well—that the government is doing a lot of work around the rigour of the FIRB processes.

Mr D.C. NALDER: Just picking up on that point, earlier we talked about the punitive measures and so forth. We are relying on Australian Taxation Office or FIRB information that comes to us. Are we building processes in which there is a two-way flow of information between us and the federal government? If its mechanisms or processes are deficient—we suspect they currently are, and it is trying to tighten them up—will we be feeding information back to the federal government while relying on its information to help us formulate that? I am worried that the data is not satisfactory and that a number of people are jumping through these hurdles. Although the Australian Taxation Office might have punitive measures, such as doubling the fine, if it is not good information and our penalty is only \$5 000, there will still be an incentive for people to try to bypass that and not have to pay this additional duty.

Mr B.S. WYATT: Just to clarify: that penalty of up to 100 per cent of the tax payable is our penalty, not the FIRB penalty. FIRB has its own range of penalties. With regard to the data, in my view it is just as rigorous as any other data set around payroll, which of course is another issue. Payers of payroll can avoid it through different things, and it is the job of the Office of State Revenue to manage that. The data for this is just as rigorous as any of those, in my view. It might be of assistance to just read this in about the FIRB requirements. The commonwealth government is responsible for determining and controlling the types of property that foreign persons are allowed to purchase. This is really the point that the Leader of the Opposition was making. Non-resident foreign persons are generally prohibited from purchasing established dwellings in Australia, but there are of course exceptions to that around the place. Ultimately, if as a result of FIRB activity more people are captured over time, I suspect it would be good in a revenue sense and for the commonwealth government to know who is investing in what in this country. I also want to emphasise that the FIRB legislation has criminal penalties, so it is not just fines, it is also jail time.

Mr P.A. KATSAMBANIS: Because we are discussing the issue of FIRB and the breadth of FIRB's curbs and limits on foreign residents buying property in Australia, there is one group of foreign nationals that has a blanket exemption for buying a principal place of residence in Australia, and that is people holding temporary residence visas, whether they be students, people on 457 visas or any of the range of temporary visas that enable people to have residence in Australia. It has been well established that they can buy an existing dwelling —

Mr B.S. Wyatt: One, yes.

Mr P.A. KATSAMBANIS: One. They must buy it solely as a principal place of residence; they cannot rent it out or sublet it or rent individual rooms. If they cease using it as their principal place of residence, either because their visa has expired or they have left the country, then they must sell it within a period of time. Clearly, those people are not captured by the exemptions in the way that “foreign person” has been defined under section 8. They are the people who are primarily driving some of the purchases made by people deemed to be foreigners. There are dozens and dozens of examples in my own electorate and across the northern suburbs. People might come to

Australia originally on a 457 visa or some other form of temporary work visa, love it here, bring their family over, and purchase a home. Eventually—some of them very quickly—they get permanent residence and become wonderful citizens of this country. A large part of my electorate comprises people who fit that profile, but they bought their property while they were still on a temporary visa. It is the same with students. Students come here and often buy their own residential property, perhaps assisted by their parents, in the same way that young Australians are assisted by their parents—absolutely no different—to make a stake in Australia. Will the duty that is being introduced apply to these instances of temporary residence? I will let the minister answer. I see that he is nodding. If so, has any modelling or calculation been done on the impact that that will have on housing activities, especially in the northern suburbs?

Mr B.S. WYATT: The member is quite correct. I confirm that the surcharge will capture temporary residents who, of course, as the member pointed out, can apply to purchase one established dwelling to use as a residence while they live in Australia, which would normally be conditional on the foreign person selling the property when they leave Australia. As the member said, they cannot rent it out et cetera.

Mr P.A. Katsambanis: They get three months after they leave.

Mr B.S. WYATT: Yes. The impact on the property market will be small. The Foreign Investment Review Board annual report, released recently for the 2016–17 financial year, reveals that the total approvals for temporary residents was around 2 000 nationwide. There are always a lot more approvals than there are purchases. Let us say that all 2 000 went off and purchased a property. Let us do the assumptions. We have five per cent of foreign students. What is that? Is it 100 of them?

Mr P.A. Katsambanis: We have a bigger percentage of 457 visa holders and temporary residents.

Mr B.S. WYATT: The temporary residents are not a big purchasing component, according to the FIRB annual report.

Mr P.A. KATSAMBANIS: I accept the minister's explanation. It is going to impact on a cohort that clearly wants to make Australia their home. Will those people have the opportunity to seek a refund if they establish roots in Australia, convert their temporary visa into a permanent visa and become Australian citizens, as so many of them have done over the years and who have proven to be wonderful, great Australian citizens?

Mr B.S. WYATT: If they become an Australian citizen by the time the transaction is completed, then, yes, there will be a refund. The conversation we have had over the past 24 hours has been about the impact on the market. The numbers are not significant over the whole residential market, which is why the impact is expected to be small. It is smaller in Western Australia than in any other state because of the percentage of foreign investors in residential real estate who will be captured. In other states the exemption does not kick in on large-scale apartment complexes until you get over 50 units, for example; ours is only 10, which is quite low. My view on this is that the demand is fairly inelastic, so other issues will be much more at play. The exchange rate will have a much bigger impact on a decision to invest in any event than will any fees or charges—because all states do it, except us. Similarly, I suspect prospective capital growth will have a much bigger impact.

Mr P.A. KATSAMBANIS: I hear what the minister is saying, but the sad fact is that the temporary resident exemption under FIRB is well understood by people moving to Australia, and many of them are coming here, first on a temporary visa, and then converting. It is a well-worn path. The minister should come up to the northern suburbs one day and I will drag out a delegation of dozens of people whom I know personally who have done it and used it as a stepping stone to making this nation their home. It is totally and completely different from foreign investor speculation, either as a safe harbour or as a chase for capital growth.

Mr B.S. Wyatt: You're right; both groups will be captured.

Mr P.A. KATSAMBANIS: Both groups will be captured. For those foreign speculators, I can understand the logic. I think in this market it does not make a lot of sense, but I can understand the logic. Other members have spoken about the deemed necessity to do that in the eastern states. But that group is different from the group I am talking about; I refer to the ones who already have an exemption under FIRB and can freely purchase residential property, including existing dwellings, because it is their family home. They are moving to Australia to become Australians and to have a home. In introducing any such regime, using that very clear and very well understood and longstanding FIRB exemption would have been a good delineation. I seek the minister's assistance on this. I do not know whether it was considered for people on temporary resident visas who are living in Australia as their permanent place of residence, with strong rules around that. The minister knows that there are very clear rules in tax and foreign investment laws as to what constitutes a principle place of residence. It is a well-understood term. If the minister does not understand that, I am happy to give him a briefing at any time.

Was it considered to exempt those people from this regime? Would the minister take it on board to consider in the future so that we are not sending wrong signals to people who are keen to come to Western Australia to put down roots and become long-term permanent Australian residents and citizens?

Mr B.S. WYATT: I again emphasise the point: in 2016–17, it was nationwide, so we would have captured five per cent of those—about 100 people. The numbers are small. The reason we did not do that is that we made it consistent with the case in every other state in the nation.

Mr P.A. Katsambanis: That's because they don't to apply for them.

Mr B.S. WYATT: We are not touching the FIRB process—we cannot—but the process by which the surcharge applies is exactly the same, whether temporary or not.

Mr P.A. Katsambanis: They don't need to get an exemption; they don't need to apply to FIRB.

Mr B.S. WYATT: I am answering the member's question. There is no difference between what we are proposing and what exists in the member's home state of Victoria, and New South Wales.

Mr P.A. Katsambanis: Western Australia is my home state.

Mr B.S. WYATT: I refer to the member's adopted state of Western Australia. What we are proposing here is no different from what is occurring in Victoria, New South Wales, South Australia and Queensland. It is a consistent theme and process. The number of people the member is talking about is not large. I suspect that if, indeed, the member is right—that it will have an impact, which I suspect if it does, it will be at the margins because the exchange rate is a bigger driver of these things, or prospects of capital growth—they will rent longer or until they become a citizen, and then they will buy. I suspect that will be the reaction to it.

Mr P.A. KATSAMBANIS: The minister says the numbers are not large, but given the figures that the member for Nedlands quite accurately pointed out yesterday in the second reading debate, the actual amounts and the impact on those individual families is huge. We are told consistently that Perth and the rest of Western Australia are suffering an exodus of people. Even today, the government announced a plan to assist knowledge-based people—graduates and people with high skills—to come here. We want to encourage them here. It would be cold comfort to a mining engineer or to someone involved in the lithium industry who might want to come here from another nation to establish roots and bring their family here. Rather than pay rent, they may want to establish roots with a clear pathway. They have the temporary visa and then if the employer likes them, after that period, the employer sponsors them to get a permanent visa. This is a well-worn Western Australian pathway—a wonderful success story for our state. I am talking about those people who want to do that but are confronted with such a payment. If they buy an \$800 000 property, which is an average price for a property in some suburbs, such as Sorrento and Hillarys that I represent—we are not talking about an exorbitant property; just a family home—they will have to pay a duty of \$56 000 on top of the \$32 000 that every other person pays for transfer duty. When the transfer duty is combined with the foreign transfer duty, it is more than 10 per cent of the purchase price for additional duties. I submit to the minister that that is a massive imposition. It would be a huge disincentive for people to actually purchase a property. Some advisers would say that they would be mad to purchase property because in three, four or five years' time, they would be able to avoid it when they become permanent residents. It will just cause them stress and bother. They are not property speculators. They are not buying property in Riverton, East Victoria Park, Sorrento, Padbury or anywhere in the state for that matter—they could be buying it in Kalgoorlie or Geraldton—primarily for capital growth. They might hope to get capital growth over time, like every other Australian home purchaser. Their primary purpose is to buy a residence for their family and to put down roots here.

I say to the Treasurer that this sort of penal duty regime he is introducing for this class of people will be a huge disincentive to choosing to come to Western Australia. It will exacerbate the skill shortages that we are being told are coming. When people have choices, perhaps to go to the United States or somewhere else or come to Western Australia to work in the oil and gas fields or other fields in particular, this penal regime of a transfer duty would stop them from treating Perth as the best place to buy. Obviously, people who do not have many choices of employment find it retributive and difficult, and it is hard for them and their families.

I urge the Treasurer to reconsider the application of this terrible regime to those people who are temporary residents, especially those who are looking to convert their temporary residency into a permanent form of residency in this nation.

Mr B.S. WYATT: That is just not correct. For example, the current first home buyers scheme and duties concession does not apply to that class of people. Will the Liberal Party go to the next election promising to apply the concession to them? He can do that. Those people do not get that access as is. The duties concession only applies to permanent residents, citizens and New Zealanders. It does not apply to that class of people. The Liberal Party can take that to the election and extend that out. I will get that costed for the member because that is the reality. It does not apply to those people. The shadow Treasurer knows that. They do not get that already. The scheme is the same.

The member for Hillarys made the point that we are somehow disrupting a clear pathway to citizenship. I wrote that down. We cannot amend the Australian Citizenship Act in this house. We are not obstructing the pathway to citizenship because we cannot, even if we wanted to. There is a process that the commonwealth Parliament deals with

on that, and it will deal with that. The member raised the same argument. The member for Warren–Blackwood, and I think the Leader of the Opposition—it was raised by the member for Hillarys—had this idea that people already are, and will continue to, going east as a result of this. They are right: people are going east, where they already pay this levy. We do not have it. This is not a distorting impact because people are willing, at numbers much higher than per capita figures would suggest, to go to Victoria, South Australia and New South Wales, where they do have to pay this levy. We do not yet have it. It is clearly not having that distorting impact. The argument the member put does not make sense because those states are already applying that levy.

I make this point again. The system that we are bringing in is exactly the same as what occurs in every other state in the nation. It is the same reason since the first home buyers grant has been around that it has never been extended to temporary residents. The duties concessions for first home buyers have never extended to temporary citizens. This system is consistent with that. I think the first home buyers scheme might have been a Howard initiative; I cannot remember. That has always been the case. It survived Labor and Liberal governments at state and federal levels for a long period. It is a consistent process. Again, I finalise this point. The numbers that we are talking about are small. The exchange rate and the prospects of capital growth will have a much more dramatic impact than this levy will ever have. If it does have an impact on anyone, if it is that dramatic, I suspect they will wait until they are permanent citizens before they purchase property.

Mr W.R. MARMION: I want to raise a particular example. It is probably out of the box. This person is not an investor because they are very wealthy. In my electorate of Nedlands, the Sultan Ibrahim Iskandar paid \$8.5 million for a block of land on the site of the former Sunset hospital. I know that that is substantially higher —

Mr B.S. Wyatt: Is that where they are building a house now?

Mr W.R. MARMION: Yes, it is the lot at the front. That land was sold off by the state government to fund the development of Sunset.

His figure of \$8.5 million was substantially higher than the other figure that was offered at the time. I understand—the Treasurer may be able to confirm this—that the transfer duty for \$8.5 million is about \$428 000.

Mr B.S. Wyatt: Suffice to say, I have not bought too many \$8.5 million properties, so I do not really know.

Mr W.R. MARMION: This particular person has bought —

Mr B.S. Wyatt: Let us assume the member is correct for the purposes of this scenario.

Mr W.R. MARMION: I am building up to a number of follow-up questions.

Mr B.S. Wyatt: Next week I'll purchase mine.

Mr W.R. MARMION: Yes. This question does not relate to the Treasurer.

Was there scope in such a large transaction to attract that particular person with immense wealth and what that might bring to WA for the Department of Finance to negotiate that transfer duty in that instance? I move on to the current situation.

Mr B.S. Wyatt: Just to clarify that, what you mean by “negotiate that transfer duty”?

Mr W.R. MARMION: I will ask a straight-out question. Did the sultan pay the proper transfer duty of \$428 000 or thereabouts?

Mr B.S. Wyatt: I do not know because, even if I wanted to, I suspect I could not get access to the information, and that has been confirmed. I will assume that the stamp duty would have been as per the act. I do not think there is any capacity for a government of the day to influence that.

Mr W.R. MARMION: It is government land. It is because the government owns the land, I would assume.

Mr B.S. Wyatt: No; it is still a transfer.

Mr W.R. MARMION: Let us move forward to the present day. Suppose that transaction took place now. The additional foreign transfer duty, on top of the \$428 000, is nearly \$600 000. The purchase price will go from \$8.5 million to \$9.5 million if we add both duties onto the purchase price. That may have been enough for the sultan to not buy the property and then the state government would have received only \$7.5 million, and less duty anyway. That is a substantial amount of money. We want to encourage these people to our state.

One of the flow-on benefits of the sultan moving to Nedlands is a donation of \$150 000. That is light compared with what he would have to pay by way of a foreign transfer duty of \$600 000. It is significant. The sultan may not be in Nedlands or another sultan might come to Nedlands in the future and he will not be able to be there.

Mr B.S. WYATT: I suspect, without knowing the sultan, that he is probably not too concerned about fees and charges along the way as he no doubt purchases things around the world. I suspect with that house—I went wandering and saw it being built—that he was willing to pay whatever he needed to pay to get the spot. That is more a location, location, location issue for him. I assume the sultan is a wealthy man and is able to purchase these things. I suspect

he is fairly ambivalent around the sorts of fees and charges that he would have to pay. As for the amount of tax that he did pay, I can never find that even if I wanted to. The sums sound about correct but I suspect it was probably not a motivating source around his desire to get that particular block of land looking out over the Swan.

Dr M.D. NAHAN: One of our critiques of this, and I go back to the issue of foreign students and temporary visas, is the timing. The Treasurer said that the major objective to go from four per cent to seven per cent is uniformity. That is an objective of tax offices to lift things up together, but we have a real problem in this state, and we will debate it later today, that foreign student numbers are struggling. International education is the third largest industry in Australia after the export of iron ore and coal. It is really doing well in Sydney, Melbourne and Brisbane. Melbourne is now the most vibrant city in Australia, with one of the lowest unemployment rates and the highest growth rate. CommSec says it is leading the nation. Its largest industry is international education. RMIT—Curtin University used to be alongside it—leads Australia in drawing in students. The Foreign Investment Review Board looked at this and to promote this industry, as the Treasurer indicated, it gave exemptions to temporary visa holders to allow them to buy existing residential properties, particularly foreign students who want to come here, and, as we described yesterday, it is not just one student, but often brothers and sisters. It is a great lead-in. That is why FIRB did it. It has been debated for a long time and it is a big incentive. That was done consciously. Now the Treasurer and other states have come in and put on a surcharge. I think they started at four per cent and have been boosted to seven per cent and eight per cent. But the cities in question had a grossly overheated market. They destroyed their housing affordability. Sydney's housing affordability is among the worst in the world. In fact, if we divide median income by median house price, we find that prices are 12 times a typical household income, which is the highest figure in the world other than in Hong Kong. Over the last 10 years the ratio in Western Australia, and therefore housing affordability, has improved. Houses have become more affordable, which is good. Those cities had a crisis. We do not have a crisis, except that no-one is buying properties. I think the Labor government has to realise this and put all the rhetoric aside. Maybe not in Nedlands and maybe not in suburbs related to the mining sector, but outside those places, particularly in the new suburbs, the housing market is as flat as a tack and declining. One of the sources of demand is international students. We do not want them only because of their demand for houses; we want them as students, and we will debate this later. International student numbers are tanking in the state; that is the reality. They are going down. We will go through the data later today. Overall, the growth in international students is from mainland China, but they are not coming here, and they will not come here if they have the choice of going to Hobart or here. I do not think Hobart has this tax, or does it? They see a vibrant market in Hobart and a tanking market here, with no visible recovery going on, so they go to Hobart, especially when we bring in the visa requirements and immigration weightings. Perth previously had regional city status, but the government has changed it to capital city status; therefore, immigrants have fewer points to come here.

Mr P.A. Katsambanis: Hobart is still regional.

Dr M.D. NAHAN: Hobart is still regional. We are hearing evidence from the universities, the TAFEs and StudyPerth that people are getting up and leaving for Adelaide and Hobart. The data is clear. The government had a chance to do what FIRB did and keep that exemption, but it chose to hit international students with this levy and it will lead to less demand for residential properties. I think the government has grossly underestimated this. The figure of 2 000 from FIRB is a creation, because they do not have to report. The government is going to impose another penalty on people coming here as students. It is a serious error.

Mr B.S. WYATT: I think the Leader of the Opposition answered his own question. He made the point—I wrote these down—that people are getting up and leaving for Adelaide and Hobart.

Dr M.D. Nahan: Students.

Mr B.S. WYATT: Yes; and he said that the international student market is doing really well in Sydney, Melbourne and Brisbane. They are all areas that have this levy. Every single one of those areas has had it for some time in some cases. We do not, so clearly the levy is not a factor in people making decisions about where they go to study. There are other issues and no doubt, as the Leader of the Opposition said, we will debate those later today. The levy is not a driver one way or the other, because if that were the case, the only logical way that the Leader of the Opposition's argument could have worked out is that as a result of us not having a levy, students would be flooding from places that do have a levy—Sydney, Melbourne, Brisbane, Hobart and Adelaide—to Perth. That has not been the case. The point I make, and that I keep making, is that the levy is not a driver one way or the other. Clearly it is not; otherwise, the argument would be the complete reverse, and it is not. There are other issues at play. I have quoted a few things over the last little while, but I will now quote the deputy head of the Real Estate Institute of Western Australia, Damian Collins, as reported in *The Sunday Times* in September last year. This is what he said about the surcharge —

“While there could be a slight impact from this, foreign investment only represents a small proportion of the WA property market, instead, the billions of dollars' worth of key transport infrastructure spending will put the property market in a strong position to continue its steady recovery,” ...

I think that is right. I am not going to speculate. I successfully buy property at the peak of the market—that is my record in this space! But I suspect that shortly, and we are seeing it now as total dwelling approvals are increasing again for the first time in a long time, there might be room for capital growth as our population gets back to more long-term levels. There might be an opportunity for capital growth, which might drive more foreign investment in Western Australia, but clearly what is not having an impact on those decisions, particularly for those students, is the fact that a levy is in place in other states and not in place here. As the Leader of the Opposition said, those places that have levies are doing really well. People are getting up and leaving for Adelaide and Hobart, which are places that have this levy.

Dr M.D. NAHAN: One of the exemptions from this is for people who develop properties to target international students. Is that right?

Mr B.S. Wyatt: No, it is above 10 dwellings, which might target international students.

Dr M.D. NAHAN: No.

Mr W.R. Marmion: No, it is university residential accommodation.

Dr M.D. NAHAN: University residential accommodation is exempt. Why is the government doing that? Why is the government exempting university residential accommodation, which I think is bought by foreign purchasers, even if there are fewer than 10 dwellings, if it thinks that this levy on personal purchases of property by foreign students will have no impact at all?

Mr B.S. WYATT: I think the question is about the carve-outs. The carve-outs are those that constitute commercial residential premises. That is a definition we picked out of the A New Tax System (Goods and Services Tax) Act 1999. Commercial residential premises are defined in section 195-1 of that act to include —

- (a) a hotel, motel, inn, hostel or boarding house; or
- (b) premises used to provide accommodation in connection with a *school; or
- (c) a *ship that is mainly let out on hire in the ordinary course of a *business of letting ships out on hire; or
- (d) a ship that is mainly used for *entertainment or transport in the ordinary course of a *business of providing ships for entertainment or transport; or
- (da) a marina at which one or more of the berths are occupied, or are to be occupied, by *ships used as residences; or
- (e) a caravan park or a camping ground; or
- (f) anything similar to *residential premises described in paragraphs (a) to (e).

Dr M.D. NAHAN: I want to clarify whether university apartments, or otherwise, that are built targeting university students are not carved out?

Mr B.S. WYATT: I suspect they would not be because they are generally built by the universities.

Dr M.D. Nahan: Not necessarily.

Mr B.S. WYATT: For example, Curtin University is building its own apartments—of course, that will not be captured—and then it will rent them out. Let us just say that a private sector investor wanted to build accommodation for university students, once the number is above 10, it does not apply in any event.

Mr D.C. NALDER: I want clarify something. The Treasurer referred earlier to a national number of 2 000 and therefore 100 here because it is five per cent.

Mr B.S. Wyatt: I just assumed the 100 at five per cent.

Mr D.C. NALDER: Yes, of international students.

Mr B.S. WYATT: The 2 000 to which I referred was the number of temporary residents buying established properties and students were captured in the conversation that I was having with the member for Hillarys. I will clarify what I was trying to say—hopefully, I can clarify it. In 2016–17, there were 2 000 applications to buy established properties through the Foreign Investment Review Board. The conversation I was having with the member for Hillarys was around students. I said, “Let’s do an assumption around student accommodation, five per cent of current international students here”. That is how I came to 100. There was not a lot of rigour and science to it; I was trying to participate in that debate to make the point that the number is quite small. Hopefully, that clarifies it.

Mr D.C. NALDER: That includes those with 457 visas and those coming in under other visa schemes, I would imagine, such as student visas. I am surprised and therefore I question the validity or the rigour of the Treasurer’s data given the briefing that the Liberal Party received from both Curtin University and the University of Western Australia.

For example, Curtin University has 56 000 students, of which 26 per cent are international students. I forget the absolute number at UWA, but we were told that 30 per cent of its student base is international students.

Dr M.D. Nahan: No, 20 per cent.

Mr D.C. NALDER: No, it was 30 per cent. I forget the absolute number, but it was 30 per cent for UWA and 26 per cent for Curtin University. I am surprised. They might not all be residential; they might be going through whatever overseas process. I question the Treasurer's confidence in this data when anecdotally I have heard from other areas about the size of the international student base in Australia, and five per cent in Western Australia is a lot bigger than those numbers. I am very surprised. I know the Treasurer is referring to FIRB and residential data but we earlier questioned the quality of the FIRB data for various reasons. When I add on 457s and we look at what we experienced between 2006 and 2012 particularly, we would have had a disproportionate share of 457 visa holders in Western Australia relative to the rest of the country. I suggest that the quantity of 100—I get the math process that the Treasurer used to determine that number—would be way, way out of the ballpark of the reality of international people in Western Australia on temporary visas.

Mr B.S. WYATT: I suspect a part answer to that is that the students themselves are not buying properties.

Mr D.C. Nalder: The parents are.

Mr B.S. WYATT: The parents are—correct—and the parents may not be temporary residents. I suspect they are not. They may still be living in Hong Kong or Singapore or wherever and when they buy property, they are not captured by the temporary residence provision. When I was student, I certainly did not buy my property; I was still bludging off the folks. Chances are they are either renting or living in property that they rent off family members who may not be temporary residents. I can only guess the answer to that. The data we have is the data we get from FIRB.

Dr M.D. NAHAN: I guarantee the Treasurer that a large number of parents of foreign students who come to Australia, including Western Australia, buy a house or property through their children if the child is a registered international student at a university. I guarantee that—they do. I know of hundreds. The point is that the Treasurer is underestimating the impact of this. The reason that it is only 2 000 is that if the FIRB gave a blanket exemption on this issue, the government would not have the report. The data is bad.

I go back to the issue of exemptions and carve-outs. It says “provide accommodation in connection with a school”. Does that include universities?

Mr B.S. WYATT: No is the view here, but I suspect a judge will eventually make those decisions.

Dr M.D. NAHAN: What is the difference between a school, a TAFE and a university, particularly a school that has links with a university? There used to be one at Murdoch.

Mr B.S. WYATT: That has moved into the city.

Dr M.D. Nahan: I think so; yes, that is right.

Mr B.S. WYATT: The advice I have is that a school would not include a university and, as I made the point, I suspect that will be subject to debate. But in any event, the levy would not apply to a university building of student accommodation. Looking at the carve-outs from paragraphs (a) to (f), as a lawyer there are a couple of arguments one could make about where it potentially could be attracted to a university. The Goods and Services Tax Ruling on schools might provide some assistance. It says —

Boarding facilities provided by schools, or by another organisation on behalf of, or in connection with, a school or schools, are commercial residential premises.

That is boarding houses, I guess. The view is probably not, but I suspect it is arguable.

Dr M.D. NAHAN: Just to clarify, in Melbourne at least there are a number of accommodation places with over 10 units. They are basically boarding houses for university students funded by private capital. A lot of it focuses on international students; sometimes they retain ownership of the property and sometimes they sell it to individual people. But it is very common, which is what Curtin is doing now, we were informed. It is competing with the private sector. The Treasurer's view is that private developments above 10 that are targeted specifically for international students will not be covered by this.

Mr B.S. WYATT: No. I have another bit of helpful advice from the GST tax ruling, which I suspect, in any event, a court would look to for guidance; hence, my reference to it. The definition of “commercial residential premises” excludes premises —

... to the extent that they are used to provide accommodation to students in connection with an education institution that is not a school.

So probably not. If it is under 10 and a foreign investor is building whatever it may be, it would be captured unless it is specifically linked to a school, not a university—something that is not a school.

Mr W.R. MARMION: I will move on to mixed-use developments. My understanding from the bill is that a mixed-use property is exempt when the land is not used or intended to be used solely or dominantly for residential purposes. That raises the issue of the definition of “solely or dominantly”. I immediately look to how a person might avoid paying foreign duty. Stirling Highway might be a good area to look at as an example where residential development has been going on but it has been decided to put in some commercial development so the tax does not have to be paid. If I were a developer in the current system in which a fair bit of infill is going in, what are the barriers? Using Stirling Highway as a good example, can the minister give me a bit of a guideline about if commercial or retail development is put in down the bottom and there is some residential development at the top? What percentage of residential development would mean it is excluded from the tax?

Mr B.S. WYATT: It is a good question. The test is whether it is “solely or dominantly” residential. Mixed-use properties where the land is not solely or dominantly for residential purposes, or intended to be used solely or dominantly for residential purposes, is not subject to the surcharge. Of course, the question then becomes: what is “solely or dominantly”? The words are not defined in the Duties Act and take their ordinary meaning. Land is capable of being or is intended to be used “solely” for residential purposes if it is capable of being, or intended to be used exclusively; “solely” is obviously the easy one for these purposes. Land is capable of being or is intended to be used “dominantly” for residential purposes if the main, chief or paramount use of the land is, or is intended to be, for those purposes. I guess the relevant factors would be part of a commissioner’s ruling and then, in due course, if it is rejected, a judge’s ruling. In determining the sole or dominant use of land, relevant factors may include but are not limited to: the nature and use or intended use of the land, including any buildings; the extent of the various uses of the land and buildings; the proportion of the area that the land and buildings that is capable of being used or intended to be used for residential purposes bears to the total area of the land and buildings; and the proportion of the construction costs attributed to the land and any buildings that are or will be used for residential purposes compared with the total costs. The relevance and weight given to each factor will depend on the facts and circumstances of each case. There is obviously flexibility in there for a determination, which I think is a good thing for everybody. Ultimately, member for South Perth, because the big developments down near Mends Street are way more than 10 dwellings, they are not captured in any event. There is a string of commercial developments along the bottom, but I think there are about 30 floors.

Mr J.E. McGrath interjected.

Mr B.S. WYATT: Does the member support that one? Sorry; I will not get into that, member for South Perth. That is not captured because it is too big, but they will look at it and say the dominant purpose is residential even though there might be two or three shops along the bottom, which is becoming more and more common. I do not think anyone, hopefully, would want to define it so specifically because we would end up locking down what people will end up building. We want a bit more creativity.

Mr W.R. MARMION: I think that is sensible. The minister will note that a lot of commercial buildings are built with a residential property on the top, which makes a lot of sense. If developers were building a small commercial property, they could make sure from the very beginning a massive great penthouse was built on the top. It would be just one very large penthouse —

Mr B.S. Wyatt: Is this where you live, member for Nedlands?

Mr W.R. MARMION: West Perth is typically where it would be done. It may be two storeys. The developer would make sure there were 10 commercial storeys and the eleventh unit was a massive apartment on the top so it would be covered by having more than 10 units.

Mr B.S. WYATT: I suspect the commissioner would look at the issues around floor space and the cost of each part of it then, in due course, they would make the member for Nedlands pay that cost in his vast residential apartment in West Perth.

Mr D.C. NALDER: I want to consider the number of dwellings that drive the exemption. If I understood the minister correctly from what he said earlier, this is different from the eastern states, which are looking at 50 dwellings whereas we have 10 dwellings here. Why is the number 10? Why is it not nine or eight? What is the basis on which the decision was taken to, firstly, vary the number from that in the other jurisdictions and, secondly, to define the number 10?

Mr B.S. WYATT: It is a good question. It could be “pick a number” to a certain extent.

Mr W.R. Marmion: There are 11 in a cricket team.

Mr B.S. WYATT: It is true there are 11 in a cricket team; we could go to 11 if the member would like.

Beautiful! There is some science behind it. The definition of commercial land for the purposes of the Foreign Investment Review Board generally includes land in Australia in which the number of dwellings that could reasonably be built is 10 or more, so we have captured that. For whatever reason, other states have used bigger numbers and it might be because of the Triguboff scenario, considering the issues raised by the Leader of the

Opposition earlier on. They might have wanted to capture those scenarios and not some of the smaller ones; I do not know their reasoning for having 50.

Mr W.R. MARMION: I have one other thing to clarify. There may be an implication for couples if one person is foreign and the other is not if they have a joint tenancy or a tenancy in common. The partner who is an Australian citizen may manage to talk the other party into buying it in their name but six months or 12 months later, they separate and there will be issues whether they were a de facto couple or married. There may be unintended consequences of someone not getting their fair portion of a sale because they had a foreign partner. What is the minister's comment on that?

Mr B.S. WYATT: It is a good question. The issue is: what is the surcharge treatment if a residence is purchased by a married couple or de facto partners and one is a foreign person? The surcharge is charged on the value of the interest acquired by the foreign spouse or de facto partner. The policy is that if the spouse or de facto partner is foreign on the date of the agreement of purchase, the residential property surcharge will apply to the transaction, which is consistent with all other jurisdictions that impose the surcharge, except for Victoria. I will get to Victoria in a minute so the member knows the difference. If the person is not foreign when the property is transferred to them—for example, as we talked about before, if they obtain permanent residency between the agreement date and the transfer date—they are then entitled to a reassessment and refund of any of that surcharge. If the residential property is purchased solely by the Australian spouse or de facto partner, an exemption from transfer duty can apply if a half share of the property is later transferred to the de facto spouse once they become a permanent resident. Victoria has recently introduced an exemption from the surcharge for foreign purchasers who jointly purchase a principal place of residence with their spouse or domestic partner who is an Australian citizen, permanent resident, or New Zealand citizen.

Dr M.D. NAHAN: I would like to get the minister's explanation on this, which is not just this bill; the other states have done it. If we want to get foreigners to pay their fair share of revenue, why is there a cut-off —

The ACTING SPEAKER (Ms M.M. Quirk): Leader of the Opposition, can I point out that you should know that hand gestures are not reflected in *Hansard*.

Dr M.D. NAHAN: That is very good; thank you very much. I will stand here with my hands in my pockets.

The ACTING SPEAKER: Either that, or you just explain to *Hansard* that you want inverted commas around something.

Dr M.D. NAHAN: Okay; we will leave that to you to explain to them.

I want to ask why there are exemptions. Why is not applied across the board to large and small developments if, in fact the government's objective is to get revenue? Why is there an exemption above 10 dwellings, particularly when many of the large developments, at least interstate, sell their apartments—we expect them to be apartments rather than houses or individual dwelling units—to foreigners? That is the evidence that I understand. Why do we have the exemption at all if the objective is for foreigners to pay their fair share?

Mr B.S. WYATT: If foreigners then buy those apartments, of course, they will then still have to pay that surcharge. Other than that, it is okay. Of course, it is like a first home owner grant applying just to new builds now. I get what the member is saying. If we say we do not want to discourage the construction sector being incentivised to build larger buildings, we are impliedly saying that there is a disincentive here. When those larger projects—housing estates, whatever you call them, and apartment complexes—are built, the margins can be quite thin. I think it is recognising that the Foreign Investment Review Board has a commercial limit. Looking at the other states, they have different ones—some as high as 50. It is really just to strike a balance somewhere in there at around what point the threshold applies.

Dr M.D. NAHAN: I understand that FIRB has slightly different objectives, I suppose. They are really to use its resources to monitor foreign investment in Australia. It has size cut-offs across the board. Fair enough. But this is revenue earning; this is a duty to raise revenue. Here we have a development by a foreigner with fewer than 10 dwellings, and they get hit. Then if they plan to sell their properties to foreigners—it may not be planned, but that is what happens—they pay tax on the development, and then the individual who purchases the property pays the tax of seven per cent, too. That significantly increases, at seven per cent, the disincentive for foreign parties to build properties fewer than 10 in number. That is double taxation. If the other four per cent or otherwise is added, that is a hell of a lot of duty on building small apartment complexes. It could easily get up to aggregate duty pushing 20 per cent. Okay? I do not understand that. Then there is an exemption for the larger ones. I think I know the real reason for the exemption. It is that this duty will have a significant impact on the development of large apartment complexes. That is what it was actually meant to do in Melbourne—to slow down those developments. That is why 50 dwelling units was the limit. It was increased because the Victorian government knew it would really impact the number of medium-sized dwellings, which the government of the day had a policy of promoting. I think the Treasurer has traded off his revenue collection objectives, knowing full well that if the government puts this duty on high-rise developments, they will be killed off. This duty will impact on the demand for and building of dwelling units, and the Treasurer is putting limits in the legislation to recognise and minimise that, but that goes against the rhetoric that this will not have a major impact on the incentive to develop.

Mr B.S. WYATT: I understand the member's argument. I say again that the numbers we are talking about are small. I think the member made the point that it might incentivise people who would otherwise build eight to build 11. Who knows? I suspect in terms of those larger ones—like in Queensland and Victoria, where 50 is the threshold—on that scale of big, big investments, the surcharge is just a tiny part of the total cost of what they are doing. I dare say it has probably had limited impact. Of course, like our proposal, if they sell to a foreign national, the surcharge will apply. So, yes.

Dr M.D. NAHAN: Did the Treasurer collect any data on the proportion of major high-rise developments in the last few years in Perth that have been sold to foreign nationals? My understanding is that in the eastern states—I have never seen this data for Perth—it is a very, very high percentage. My point is not that it is foreign nationals, but that most are sold off the plan in advance. Right now, there are some difficulties selling these off the plan, and therefore a large number of projects in the City of Perth are vacant because the demand is not there. Maybe, as the Treasurer hopes, as the economy picks up more demand will come, but that seven per cent levy will affect them. I remember that for the Frasers project in East Perth—I cannot remember and I will not quote it—a very, very high percentage of the properties bought off the plan were for foreigners. Particularly in this depressed market, if that were put on now, that project would not go ahead.

Mr B.S. WYATT: There is already a limit on how much can be pre-sold to foreigners. I think it is 20 to 25 per cent. That is a FIRB-imposed limit and requirement. No doubt when developers go to their banks, the banks know that. The banks are fully aware of where they are likely to sell their apartments. Interestingly, we obviously took a foreign buyer surcharge to the election—the rate has changed, I accept—and the concept of a levy was very much in play. Since then I guess the best example—I know the member for South Perth has had a keen interest in it—is the progress on the Golden Group's Belmont Park development. They are all apartments; there may be some townhouses, but basically they are apartments. I suspect the Golden Group's ambition will be a significant foreign take-up of those. I make the point that that decision was made after the developer knew there would be a foreign surcharge in play in some form.

Mr J.E. McGrath: But if they are all over 10 —

Mr B.S. WYATT: Yes, but it is who they will be selling them to. With a 100-apartment complex being sold to foreign nationals, they still pay the surcharge.

Mr J.E. McGrath: But they can still only sell 25 per cent.

Mr B.S. WYATT: That is correct; yes. That is right. They can still only pre-sell 20 to 25 per cent.

Dr M.D. NAHAN: For that project, the major driver, I assure the Treasurer, was the beautiful stadium and the train station right across the road. That project has been on the boil for a while, and there is a long way to go. I wish them well. But the point is taken. A number of apartments have been announced, particularly at Elizabeth Quay and others, that will rely on foreigners. The ones in EQ are being very heavily advertised in Hong Kong. I do not think that is for expatriate Australians working in Hong Kong, although there might be a few. Some are very highly priced. I accept that a seven per cent levy for people buying an apartment for over \$2 million is a lot of money, but some of them will be insensitive to that. I accept that the driver is always capital gains, rather than transaction costs. One of the issues is that there will be some restrictions—they have to be residential properties—and some conditions about unintended use. Let us say someone buys a property. Sometimes people do not know what they are doing when they buy property and develop it. It might be designed as a multiuse property, and often the use is changed to business, particularly for the services area. My electorate has a large number of people who use houses for business that were built for residential purposes. It is not overwhelming. What will happen if a determination is made that someone is liable for the seven per cent, and then the use of it, and maybe the status of the person, changes—maybe they get married to a local? Which provisions in the bill will allow for a change of circumstances whilst buying a property?

Mr B.S. WYATT: If a person buys off the plan—they sign a contract—and is not an Australian citizen, but at the point of execution they have become an Australian citizen, that person will be exempt; they will not be captured by the surcharge.

Dr M.D. Nahan: If a person buys off the plan, it might take two years for the property to be built, and in that time they have become a citizen or permanent resident.

Mr B.S. WYATT: If at the point that it is executed and settlement takes place the person is an Australian citizen, it will not apply. The member also asked about the nature of the property. A person may have an intention to run a business out of a residential property, but it will be captured because it is a residential property.

Dr M.D. NAHAN: The Treasurer chose to increase the rate of duty from four per cent to seven per cent. Could the Treasurer explain, firstly, why he did that? Secondly, of the revenue collected, which will be around \$50 million, what will the four per cent and the three per cent be used for? I understand that the four per cent surcharge was targeted to fund TAFE. Is the revenue from the additional three per cent earmarked for any purposes? I am sure Treasury would argue against that, but I would like to get some clarity on it.

Mr B.S. WYATT: No, we have not announced a link to anything in particular. The shift from four per cent to seven per cent is, to be honest, probably my fault. As Treasurer, one enters into dialogue with other Treasurers on a range of different things. We try to be as uniform as possible, to be honest. Although the four per cent surcharge was linked to a particular election commitment, the increase to seven per cent was not.

Mr W.R. MARMION: I will again go along the theme of people trying to cook the system. Let us say that someone builds a block of 12 apartments, but to avoid paying duty, they have designed it in such a way that some of the units can be amalgamated in a couple of years' time when they feel like they want to do that.

Mr B.S. Wyatt: Knock a wall out?

Mr W.R. MARMION: Knock a couple of walls out—that sort of thing. It would be a bit more subtle than that; no-one would pick it up from the floor plan. I worked for a couple of years in the Office of the Auditor General.

Mr B.S. Wyatt: You have a devious mind, member for Nedlands.

Mr W.R. MARMION: Yes, I have. From experience, they will not be picked up. How they are usually picked up is that someone—possibly a former personal friend—will dob them in. This is what happens in life.

Mr B.S. Wyatt: Personal experience?

Mr W.R. MARMION: From having worked there and having had people dobbed in to me! After five years, a couple of walls might be knocked down. They were not very thick. Suddenly, there are only eight units. Does the Department of Finance have the ability to go into that, like the Australian Taxation Office would do, and recover any duty that might be payable?

Mr B.S. WYATT: No. I will make some comments around that. It is a big spend to do that. I will use the member's example. If a person builds 12 apartments, they will not be captured by the surcharge. If a wall is knocked out and two units becomes one, there would still be two certificates of title, unless the person is going to go through a planning scheme or approval process. I do not expect that to be a particular issue because, firstly, the spend is big and, effectively, it would create problems if the person wanted to on-sell. I imagine local governments would have a few things to say around issuing certificates of title or on strata plans—all the things that go with having a larger apartment complex.

Mr W.R. MARMION: I am thinking about the future and people wanting to possibly downsize, or of parents living in this situation. A person might have a one-bedroom apartment, and there is also a two-bedroom apartment with an ensuite for parents. There might be a market for it. They would have to do the sums; they might save \$500 000 in duty.

Mr B.S. Wyatt: But they are still having to build more to get there.

Mr W.R. MARMION: No, it has been set up. The one-bedroom apartment and the two-bedroom apartment next door become a three-bedroom apartment with an ensuite for the parents.

Mr B.S. Wyatt: It is still two certificates of title.

Mr W.R. MARMION: It would basically be amalgamating two titles into one title.

Mr B.S. Wyatt: That is where the effort is—in amalgamating the certificates of title.

Mr W.R. MARMION: Correct. What is the Treasurer's comment on that?

Mr B.S. WYATT: That is it. Ultimately, someone would need to spend a lot of money, time and effort to do this, including building the structure. It is a big spend. I suspect that the commercials would not work on it. I just cannot see how that would work.

Mr W.R. Marmion: You just have to build another door. It would not be very expensive. Then you would just close off the other door or make that a back door.

Mr B.S. WYATT: The member for Nedlands has a post-political career lined up, I suspect.

Mr W.R. Marmion: The point is that if that happened, is there a capacity to go in?

Mr B.S. WYATT: No; there is not that capacity to go in.

Dr M.D. NAHAN: Glenn Stevens was hired by the New South Wales government to put together a review of housing affordability packages. It was an assessment. The surcharge was increased from four per cent to eight per cent in Sydney—I assume it was across the state, but I do not know. That additional money was earmarked to fund a range of housing affordability initiatives that are outlined in his report. As the Treasurer knows, Sydney has a serious problem. I believe the same thing was done in Victoria, but I would need to confirm that—that is, it started at a lower rate and was increased—because Victoria also has a serious affordability problem. Can the minister confirm that about Victoria and New South Wales? Relative to those states, we do not have an affordability problem.

Mr B.S. WYATT: Victoria and New South Wales have been the problematic states of late around affordability. I am probably more familiar with the announcement of the Victorian package. The Victorian government had an affordability policy that pulled a range of levers that it had. New South Wales had a similar policy. I would have to go back. I have not seen that Stevens report. I am intrigued by that report and will have to have a look at it. Glenn Stevens is a significant person, so I would like to read that report. New South Wales also has an ongoing land tax obligation for foreign investors. Even though it is an eight per cent surcharge, there is an ongoing increase in their land tax liability as well. New South Wales has gone for a bigger grab, to be honest, than any other state. The Treasurers made the point to me that they were surprised by how much revenue the foreign buyer surcharge ended up bringing in for them, I guess because of what happened to their property markets. I would have to check, but I would not be surprised if the packages—certainly in Victoria, but I will check on New South Wales as well—were probably larger than just the revenue they were getting from the surcharge. I suspect they were larger spends than that, because the issue became particularly problematic in both those states.

Dr M.D. NAHAN: On another issue, Victoria and New South Wales put in a raft of similar policies, including vacant apartment levies. I cannot remember the details.

Mr B.S. Wyatt: They did—a vacant apartment levy.

Dr M.D. NAHAN: They measured it by the amount of electricity used and a range of crafty ideas, because there was a lot of buying, but people were not using the properties and the apartment complexes could not afford the upkeep and whatnot, so it was a real problem. Many of them were introduced to basically take the heat out of the market. Does the government have any intention of doing that?

Mr B.S. WYATT: No; I confirm we do not. It was an interesting policy announcement by Victoria. I am not sure how much extra they had to give to the Victorian State Revenue Office to implement it.

Dr M.D. Nahan: Not much.

Mr B.S. WYATT: It was not much. We have not looked at that. I have not asked for any work to be done on that. It is not something that I suspect anyone in WA will be looking at any time soon.

Mr W.R. MARMION: I have another scheme. I would like the minister's comment on a possible scheme whereby a company that has, let us say, 90 per cent Australian ownership and 10 per cent foreign ownership but is then owned by a holding company that has type A and type B shares. The capital is tied up in the type B shares and the type A shares run the company. In that respect, the foreign owner has all the type A shares, or the majority of them, so it looks as though the company, the purchaser of the property for all intents and purposes, is only 10 per cent Australian owned, but if we go through the type A shares in the holding company, it is discovered that the company is 90 per cent foreign owned. Is there a mechanism whereby the Department of Finance can go to the ultimate owner? I think the Australian Taxation Office can. If so, can the minister explain how that mechanism might work?

Mr B.S. WYATT: In the specific example the member gave, a company that has 90 per cent Australian ownership but is effectively controlled by the foreign company would be captured; Finance can and does do that. I will make some more comments about that.

Mr W.R. Marmion: It would be 90–10 and then 10–90.

Mr B.S. WYATT: It is not apportioned. I will give more information. A corporation is foreign if the corporation is incorporated outside Australia or if foreign persons hold 50 per cent or more of the issued shares in the corporation or are in a position to control 50 per cent or more of the voting power or potential voting power in the corporation, which I think deals with that.

Dr M.D. NAHAN: When I was Treasurer, I was lobbied very heavily by developers of large buildings. Maybe the minister can clarify whether duty on apartment developments in Melbourne and Sydney is treated significantly differently from duty on apartment developments here?

Mr D.C. Nalder: The initial duties.

Dr M.D. NAHAN: Yes; that is, the duties are on the basis of land only—maybe I am wrong—rather than the total value of the property. That means that for properties of similar values, even if the duty rates are identical on a property of—let us say, \$1 million—the initial purchasers of apartments pay a lot more aggregated duty than on an equivalent apartment in Melbourne. Could the minister confirm that and see how it interacts with the seven per cent surcharge?

Mr B.S. WYATT: I cannot absolutely rule out the Leader of the Opposition's question, but I want to get this right. For the developer buying the land, we do not think there is anything there, but there is not a concession for the buyer coming in. I cannot guarantee the point the member is making exactly, without specifically checking.

Mr D.C. NALDER: I come back to compliance. I understand that a foreign landholder must lodge a duty declaration and so forth. I understand and appreciate that ignorance is not an excuse for breaking the law, but

I want to make sure that people understand. How will they know that they have to complete this form and whether the standard transfer forms specifically requests information about whether a person is or is not a foreign person? I want to close the loophole whereby penalties are applied, but at the same time people claim that they are not aware that they need to lodge a declaration as a foreign person. What process will be adopted when this is implemented to ensure that the appropriate checks and measures are in place to ensure compliance?

Mr B.S. WYATT: Again, that is a good question. All purchasers will have to make that declaration either at settlement, if it is done the old-school way, or online.

Mr D.C. Nalder: It'll be on the standard transfer?

Mr B.S. WYATT: Yes. It occurs at lodgement of the contract.

Mr D.C. Nalder: For every person?

Mr B.S. WYATT: It is everyone.

Dr M.D. NAHAN: I now go to proposed section 205O, "Rate of foreign transfer duty". The Labor Party went to the election on the basis of a four per cent levy, which was vigorously debated by all sides. Despite the Premier saying that there would be no new taxes, or the introduction of new taxes, that is the exemption it sought as part of its campaign. We disagreed with it then and we still disagree with not only the timing, which is atrocious—as we go through we will see the consequences of that—but also the principle. All that revenue was earmarked for certain expenditure for TAFE, and that has been locked into the government's budget. Now the government wants to increase the levy by three per cent to collect another \$50 million over four years on the basis of national uniformity. That is convenient for others, but in our market, for both international students and apartments, it is a different state of affairs. The increase of the levy from four to eight per cent in New South Wales was, according to the Glenn Stevens report, earmarked for programs to specifically address declining affordability. They are all listed. Our view is that the government does not have a mandate and has not given adequate reason for going from four to seven per cent. Therefore, I move —

Page 14, line 11 — To delete "7%" and substitute —

4%

We totally disagree with this tax. We expressed our disagreement during the election campaign when the tax was set at four per cent. That is what the Labor Party promised. We do not think that the government has a mandate or has given us adequate reason for increasing the levy from four per cent to seven per cent. Our view is that it should change the amount to what it promised and what it committed to, and that is four per cent.

Mr B.S. WYATT: I understand the amendment. I do not have a copy of it but I get what it is—to reduce the proposed levy to four per cent. Ultimately, the controversy around this, which is why it was raised during the election campaign, is the policy principle. It is a new revenue source for Western Australia. We took four per cent to the election. My view is that the dispute was over the actual principle of taxing foreign investors purchasing residential property. I think the electorate made a decision around that. When the figure of four per cent was announced, we outlined that it was linked to specific policy announcements that we made at the time. The fundamental difference between New South Wales and Western Australia is that even with the levy set at this amount, we are still running a large operating deficit, and still expect to do so through to 2020–21. It has not been allocated, other than reducing the size of that operating deficit. That is where it is. We are still keen on seven per cent. I made the point earlier around generally uniform consistency across the commonwealth. New South Wales is different because its levy is eight per cent rather than seven per cent. It also has a land tax obligation, which makes it quite different from every other jurisdiction. Seven per cent brings it up to national consistency.

Dr M.D. NAHAN: Just to encapsulate, the reason for the amendment is that we disagree with the tax put forward and the concept for it. First, we disagree with the principle of it and the timing in particular. It is not the right time for this tax. Second, the government initially said that it would be set at four per cent, and it was earmarked. That is how the government justified it. The Treasurer said that the other states have levies of around seven per cent, and some are higher. New South Wales has earmarked in total its increase from four per cent to eight per cent for housing affordability problems. We do not have those problems. I do not think we need to raise money for that. Housing affordability in this state is rapidly improving, unfortunately for the owners of homes. The Labor Party did not seek a mandate for seven per cent. It is not earmarking this. To be honest, national uniformity does not make any sense to me, especially since we have a two-speed economy. Until recently, the housing market in the eastern states has been going gangbusters and New South Wales had to put on the brakes. Our situation is the complete opposite. Without foreign investment in property, it will remain that way for the foreseeable future. In a sense, we are holding the government to account but also recognising that it made a commitment of four per cent and it was an exemption from its blanket policy of ruling out additional taxes. I think it is fair and transparent to do that.

Mr B.S. WYATT: I suspect that if the levy were four per cent, the Liberals would still oppose it and probably move an amendment to reduce it to two per cent. That would be the nature of it. That is the debate we are having. Of course we will oppose this amendment.

Mr V.A. CATANIA: It really does seem that the reasoned amendment that we moved yesterday, saying that the National Party would support the Duties Amendment (Additional Duty for Foreign Persons) Bill 2018 as long as regional education cuts were reversed, seems pretty good. As I said, the National Party supports the bill but we moved an amendment yesterday to ensure that regional education cuts to Moora Residential College, camp schools, Landsdale Farm School and Herdsman Lake Wildlife Centre be restored, along with the 20 per cent raided from the agricultural education farms provision trust. Clearly, the Labor Party did not go to the election saying that it would cut regional education. It went to the election saying that it would impose a levy of four per cent on foreign investors. Now that figure is seven per cent. I think it is only fair and reasonable that the government keep its word and say that it should be four per cent. We are happy to take the seven per cent as long as the cuts relating to regional education are reversed; the Nationals would always be happy to support the seven per cent if that were the case. However, in this case, we will hold the government to its word. It said four per cent during the election and four per cent it should be. The Nationals will support the amendment moved by the Leader of the Opposition.

Division

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

Ayes (14)

Mr V.A. Catania
Ms M.J. Davies
Mrs L.M. Harvey
Mrs A.K. Hayden

Dr D.J. Honey
Mr P. Katsambanis
Mr Z.R.F. Kirkup
Mr A. Krsticevic

Mr S.K. L'Estrange
Mr W.R. Marmion
Mr J.E. McGrath
Dr M.D. Nahan

Mr D.C. Nalder
Ms L. Mettam (Teller)

Noes (35)

Ms L.L. Baker
Dr A.D. Buti
Mr J.N. Carey
Mr R.H. Cook
Ms J. Farrer
Mr M.J. Folkard
Ms J.M. Freeman
Ms E. Hamilton
Mr T.J. Healy

Mr M. Hughes
Mr W.J. Johnston
Mr D.J. Kelly
Mr F.M. Logan
Mr M. McGowan
Ms S.F. McGurk
Mr S.A. Millman
Mr Y. Mubarakai
Mr M.P. Murray

Mrs L.M. O'Malley
Mr P. Papalia
Mr S.J. Price
Mr D.T. Punch
Mr J.R. Quigley
Ms M.M. Quirk
Mrs M.H. Roberts
Ms C.M. Rowe
Ms A. Sanderson

Ms J.J. Shaw
Mrs J.M.C. Stojkovski
Mr C.J. Tallentire
Mr D.A. Templeman
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (Teller)

Pairs

Mr R.S. Love
Mr K. O'Donnell
Mr D.T. Redman
Mr I.C. Blayney

Mr P.C. Tinley
Ms R. Saffioti
Mrs R.M.J. Clarke
Mr K.J.J. Michel

Amendment thus negatived.

The ACTING SPEAKER (Ms J.M. Freeman): I call the member for Armadale for the first time for unparliamentary dress. I note that other members have been kicked out on previous occasions.

Debate interrupted, pursuant to standing orders.

[Continued on page 4803.]

MICHELLE, BELLA AND RUA PETERSEN — TRIBUTE

Statement by Member for Swan Hills

MS J.J. SHAW (Swan Hills) [12.50 pm]: On 22 July, the Ellenbrook community came together to remember Michelle Petersen and her children, Bella and Rua—three people who shone love and warmth into so many lives. I was humbled to be asked to speak on the family's behalf. I would like to thank the police and ambulance first responders who attended the family home, and the state and local government workers and community organisations who gave so much assistance. Thanks also to the friends, sporting, community and church groups who played such an important role in Michelle, Bella and Rua's lives. The teachers, staff and chaplains at Ellenbrook Secondary College and Malvern Springs Primary Schools also provided incredible support and the memorial services held at both schools were very touching. For as long as we have existed, there has been tragedy and pain. For as long as we continue to, there will be grief and loss. But, if nothing else, the way our community came together in response to these tragic events shows us that none of us need face these things alone. When we could so easily have fallen into despair, our community's response shone a light onto the things that draw us together—the things that really matter. Let the legacy of this tragedy be our resolve to show kindness and compassion towards one another and strengthen our community together.

HMAS PERTH — MEMORIAL*Statement by Member for Cottesloe*

DR D.J. HONEY (Cottesloe) [12.52 pm]: On the evening of 20 June, I had the pleasure of attending a meeting organised by a group of people who assembled at TS Perth to discuss the establishment of an appropriate memorial to commemorate the loss of HMAS *Perth* during the Second World War. I know that many members in this house understand the significance of the loss of HMAS *Perth*, but for those unfamiliar, on 1 March 1942, HMAS *Perth* was sunk alongside USS *Houston* during a battle with the vastly superior main Japanese invasion force in the Sunda Strait between the islands of Java and Sumatra. Of the 681 sailors aboard, 353 were killed in battle. All but four of the 328 survivors were captured as prisoners of war; 106 died in captivity, many as forced labour on the notorious Burma–Thai railway, and the surviving 218 returned home to Australia.

A group headed by Commander Jim O'Neill, the state secretary of the Navy League of Australia, and Mr Ian Holthouse, the state president of the Naval Association of Australia, have worked with renowned artists Joan Walsh-Smith and Charles Smith to develop a concept proposal for a new memorial to commemorate the loss of HMAS *Perth* and so many Australian lives. I will share the details of this with members in this house so that perhaps some of them can join them to develop this memorial.

JOANNA TAYLOR — TRIBUTE*Statement by Member for North West Central*

MR V.A. CATANIA (North West Central) [12.53 pm]: Members may have seen this headline on the front page of *The West Australian*—"Killer Driver Appeal". It is always hard to lose a loved one, let alone a 21-year-old-daughter. What has made this more absolutely distressing at this time for the Taylor family is that the driver received only a \$2 500 penalty. That was imposed on a man whose careless driving killed their 21-year-old daughter, Joanna Taylor. To quote Jeanette Taylor, her mother —

"She was full of life, engaged to be married and wanted a family. This got taken away from her and yet the driver got a slap on the wrist like a naughty child."

It is about time that the police appeal against this \$2 500 penalty given to the careless driver. The parents of Joanna, Ken and Jeanette Taylor, have been applying to police to push them to appeal this grossly inadequate penalty. They have been amazing during this difficult time, but with the support of the people from Carnarvon and their friends and family, justice will prevail. I refer members to #justiceforjo.

GENDER EQUALITY*Statement by Member for Southern River*

MR T.J. HEALY (Southern River) [12.54 pm]: I acknowledge the student councillors of Southern River College in the gallery today; Pat Morris, Gosnells' first female mayor; and head girl, Taylah Drazic, who has written this poem, calling for equality and representation. The poem states —

Our Voice
 I want to be heard
 To be acknowledged
 But cast in your shadow,
 I am dominated.
 Controlled
 Abused
 Protests
 Riots
 Strikes
 and many other Fights
 were bravely fought
 for the fairness we now have.
 Fairness
 In 1899 we were humbly granted
 the right to vote.
 But it is not Equality
 Fights have been fought
 by those that walked before.
 Great women like
 Edith Cowan,
 Blackburn and Wake

All paved a way,
 But are overshadowed
 by their male counterparts
 Their struggles bettered our laws
 Our country
 Our people
 They realised we are all equal
 that we deserve a choice and a voice
 Their fights for new laws,
 rights and opportunities
 have shaped our very lives
 and worked for what we deserve.
 But that wasn't enough.
 We still need more.
 We need to stand on **equal** ground.
 To have a voice **just** as loud.
 We need to continue their fight.
 If it takes more Debates,
 Protests
 and Riots
 to continue their legacy,
We will raise our voice
 And develop our stand.
 Your Democracy
 supposed Equality,
 you claim it is here
but you do not hear our voice.
 Only in stoking our cry,
 we will make strides in their footsteps.

Taylah, I agree that women and men should be represented equally and that we need more female members of Parliament. We will be a better Parliament if we actually represent the 50–50 gender balance of our community. I am proud that of the Labor government members in this chamber, 18 of the 40 MPs—45 per cent—are female. I quote former member Sheila McHale, “It is not good enough.” We can and will do better. Taylah, we will fight alongside you.

WA POLICE LEGACY

Statement by Member for Hillarys

MR P.A. KATSAMBANIS (Hillarys) [12.56 pm]: Yesterday—Wednesday, 15 August—Karratha police officer Senior Sergeant Mark Barratt set off as part of two teams of about 30 riders on an 840-kilometre Karratha to Broome bike ride relay to raise funds for WA Police Legacy; a charity established in 1992 to support families of police officers killed in the line of duty. Twelve years ago, Mr Barratt was injured in the line of duty after attending a call-out to a domestic violence situation in Tom Price. Following the incident, he underwent more than a dozen operations and many hours of rehabilitation. He was recently awarded the WA Police Star Medal, a decoration that acknowledges the sacrifices police officers make in serving the community. As a community, caring for police officers who are injured in the line of duty should be a priority of this Parliament. After all, every day police officers go to work they are protecting each and every one of us. Sadly, Western Australia has lagged behind other states when it comes to dealing with and treating medically retired police officers, and police workers' compensation. It is incumbent on us all here to rectify this. I call on the government to bring legislation before this house sooner rather than later. I wish Mr Barratt and those participating in this bike ride the very best. It is a challenging and arduous undertaking. I am positive they will succeed. I thank them for continuing to support WA Police Legacy.

BAYSWATER LACROSSE CLUB

Statement by Member for Maylands

MS L.L. BAKER (Maylands — Deputy Speaker) [12.57 pm]: I take this opportunity to give a very loud shout-out to two Bayswater lacrosse stars. Twenty-five-year-old Bayswater Lacrosse Club player Thomas Graham and coach Glenn Morley have recently returned from Netanya, Israel, where they represented Australia in the 2018 World Lacrosse Championships. As patron of the club for 10 years, I am very proud of our local stars. The Australian men's team narrowly missed out on a podium spot by taking fourth place out of 46 teams. The

United States' team claimed overall victory. Thomas scored five goals over eight games and Bayswater Lacrosse Club life member and senior coach Glenn directed the players as the national side's assistant coach. Thomas said a highlight was playing Native American team Iroquois Nationals. Native Americans were the original creators of lacrosse. The Iroquois Nationals ended up beating Australia in the bronze medal match, 12–14.

The Bayswater Lacrosse Club was established in 1939. It was founded by local residents under the leadership of a chap called Jim Priestman. In a couple of weeks, Bayswater Lacrosse Club will host the state league finals at Halliday Park. I wish the club and those valuable members of my community every success.

Sitting suspended from 12.59 pm to 2.00 pm

QUESTIONS WITHOUT NOTICE

GOVERNMENT CONTRACTS — HUAWEI

539. Mrs L.M. HARVEY to the Premier:

Given this week's announcement by the United States government banning Huawei from US government contracts, will the Premier now immediately seek reassurance from Australia's national security agencies about whether the \$136 million communication contract to Chinese-based company Huawei that his government has signed will not present any national security risks now or into the future?

Mr M. McGOWAN replied:

This is the third day the member has gone on about this. I have been thinking about security threats to Western Australia, and, in thinking about security threats, I thought the biggest security threat to this state is the alternative Premier, who owes a tax bill to a foreign government! I would have thought that that would be a security threat that people want to think about—that someone who wants to be the Premier of the state owes a tax bill to a foreign government. Think about that!

Several members interjected.

The SPEAKER: Members, please! I want to hear.

Mr M. McGOWAN: And then he misled us about it. One day he does not have a foreign passport; the next day he does. One day he has never used it; the next day he did. The Liberal Party launched that assault on foreign citizenship without thinking that thing through. It did not actually think, "Hold on; our leader is one."

Several members interjected.

Mr M. McGOWAN: Maybe they did! Maybe the white ants were behind this. Maybe the three white ants there were behind this, and that was part of the white-anting strategy that the Leader of the Opposition refers to.

I remind the member for Scarborough again. We did seek advice from the commonwealth government. We got the advice on three separate occasions, as I told the member yesterday and the day before, and the commonwealth said there was no security threat. I have told the member that two times running. The Leader of the Opposition's office, on the other hand, is another security threat, because when we provide them with confidential briefings, they go and secretly photocopy documents—photograph documents.

Several members interjected.

The SPEAKER: Members! Member for Darling Range!

Dr M.D. Nahan: Do you have any evidence of that?

Mr M. McGOWAN: Do I have any evidence of that? Yes—in today's *The West Australian*, where the Leader of the Opposition confirmed that. We have got that! He confirmed today —

Several members interjected.

Mr M. McGOWAN: That is true. That is a good point—he does not read *The West*. For his information, it was in today's newspaper, where his office confirmed it.

GOVERNMENT CONTRACTS — HUAWEI

540. Mrs L.M. HARVEY to the Premier:

I ask a supplementary question. In light of the new security risks identified by the US government, and decisions of our own commonwealth government in relation to Huawei, why is the Premier stubbornly refusing to accept that this contract needs revisiting?

Mr M. McGOWAN replied:

US government security threats—if that is the theme, let us talk about the real threat. I refer to the tax bill to the US government of hundreds of thousands of dollars. I do not even know how much it is. How much is it, Leader of the Opposition? How much is his tax bill to a foreign power? How much is that?

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: The member for Scarborough asked me about US government security threats. It is very relevant in my view.

As I confirmed to the house, members opposite seem to have something against Western Australia's relationship with China. That seems to be the theme that they are pursuing—this seems to be a national theme of the Liberals and Nationals—that somehow the Western Australian government should not have a relationship with China. I just remind all members opposite that China is our biggest trading partner. We have \$60 billion worth of trade from Western Australia to China, and China sells us \$4 billion. It is an important relationship. I would have thought that should be something members opposite are aware of. The second point is that the contract was decided by the Public Transport Authority based upon its own tendering guidelines.

Several members interjected.

Mr M. McGOWAN: At least they have got a bit of life back after the glumness we have seen in the last two days, but the bit of life they have got back is rather embarrassing.

Mr P. Papalia interjected.

Mr M. McGOWAN: I am enlightened once again by the Minister for Tourism. The member for Bateman did take his business partner to a private dinner with the Chinese Consul. He took his business partner to promote their business interests with the Chinese Consul. Remember that?

Mr D.C. Nalder interjected.

Mr M. McGOWAN: He does remember? Good. At least he can tell the truth. He confirmed it.

The PTA made a decision. We got advice from the commonwealth government, from the Department of Home Affairs and the Australian Security Intelligence Organisation, that there were no security issues involved. Had we interfered in a contractual process when we got that advice and made a different decision, members opposite would have marched in here demanding and saying we have done the wrong thing. That is what they would have done. They would have marched in here saying we have done the wrong thing. So, whatever we do, with this opposition, we cannot win.

The SPEAKER: Before we go onto the next question, I would like to welcome Hon Eric Ripper in the Speaker's gallery today.

Mr M.P. Murray: The greatest Treasurer ever!

The SPEAKER: I would not call you the greatest sports minister ever, but I call you to order for the first time.

RESIDENTIAL PROPERTY SURCHARGE — FOREIGN INVESTORS

541. Mr T.J. HEALY to the Treasurer:

I would first like to acknowledge in the gallery my former students from Southern River College. I would also like to acknowledge the students of Carey Baptist College on behalf the member for Jandakot. I also concur in welcoming the former fantastic Treasurer.

My question is to our current fantastic Treasurer.

Several members interjected.

The SPEAKER: Member, I suggest you get on with the question, otherwise I will sit you down.

Mr T.J. HEALY: I refer to the McGowan Labor government's commitment to repair the disastrous set of finances inherited from the Liberal–National government, including \$40 billion of debt.

- (1) Can the Treasurer outline to the house why the McGowan Labor government is determined to spread the burden of budget repair and has asked foreign property speculators to help with this effort?
- (2) Can the Treasurer advise the house if he is aware of anyone who is trying to force this government to leave the burden of budget repair to WA families in my electorate?

Mr B.S. WYATT replied:

I thank the member for Southern River for that very good question.

- (1)–(2) Every now and again in politics we get a clear choice. In this scenario, the choice is this: you look to those foreign nationals who invest in residential property in Western Australia to make a small contribution to the benefit of the infrastructure that is being funded by generations of Western Australians, or you put the burden entirety onto the families of Western Australia. It is a very simple choice. Incredibly, the Nationals WA and the Liberal Party have backed the foreign property investors in residential property in Western Australia. I am gobsmacked by this. Indeed, nowhere was I more

surprised than during the debate today. If members want to get an idea of where the Liberal Party is at now, I found myself explaining why the Sultan of Johor would still be able to buy his property, and even though it cost \$8.5 million and would now cost \$9.1 million, I think the sultan would be all okay. That is where the Liberal Party finds itself—worrying about the Sultan of Johor. I am more interested in the Smith family of Joondalup, because they are being asked by the Liberal and National Parties to do more of the heavy lifting, whereas the people in the Liberal Party are worried about the Sultan of Johor. So be it, the Liberal and National Parties, which are protecting those foreign buyers of residential property in WA, can knock it off in the upper house.

Mr V.A. Catania interjected.

The SPEAKER: Member for North West Central, I call you to order for the first time.

Mr B.S. WYATT: I look forward to campaigning on this every day until the election, and we will take this to the election again. I will remind everybody—the Leader of the National Party, the “member for Mount Claremont” and all the Liberal Party members—that they opposed this. They wanted that \$120 million shortfall to go to the families of Western Australia.

Mr V.A. Catania interjected.

The SPEAKER: Member for North West Central, I call you to order for the second time.

Mr B.S. WYATT: I was disappointed and surprised to see this argument run about xenophobia by both the Leader of the Opposition and the shadow Treasurer. Every state in Australia already has this levy—every single state in the nation except us. It is not only that, but also the countries of the vast majority of foreign nationals who invest in Western Australia or Australia have a similar requirement. Not unreasonably, when foreigners come in and invest in a country, often those countries request a contribution to the build of that country. It is not dramatic. For a start, China, India and Indonesia do not even allow foreign investment. No-one in this place can buy a residential property in either China, India or Indonesia. Hong Kong has a 15 per cent charge, which is effectively an infrastructure tax. Singapore and Ontario, Canada, have a 15 per cent tax, and British Columbia charges 20 per cent. These are not new. The idea that it is some form of xenophobia is pathetic. It is simply the requirement that states and countries around the world have had for decades, in some cases; when foreigners come in and buy a property, they make a contribution to the infrastructure from which they benefit. It is an absurd suggestion. It is the Liberals and Nationals, standing in solidarity with those foreign investors in residential property, versus WA families. I am stunned that the opposition would do that. I am surprised. As I said, I think the shadow Treasurer has a different view but that he has been cajoled into this position. I do not understand why. Who in this place could have an interest in protecting the interests of foreign nationals with tax issues? I do not understand why they would do that. In any event, the Liberal Party and National Parties have decided to prioritise non-Australians investing in our residential property over the families of Western Australia. If it does not make it through the upper house, that debt will fall to Western Australian families and I assure members that we will campaign on this every day through to the next election.

TREASURER — CHINA VISIT — DISCLOSURE

542. **Mr Z.R.F. KIRKUP to the Treasurer:**

I refer to the financial returns of the federal Labor member for McMahon, Hon Chris Bowen, and I quote —

... I travelled to Hong Kong and China for five Days as a guest of the Australian–Guangdong Chamber of Commerce and the Communist Party of China ...

Can the Treasurer explain why, unlike his federal parliamentary colleagues, he failed to disclose that his trip to China in 2015 was funded or contributed to by the Communist Party of China?

Mr B.S. WYATT replied:

Back in 2015, I travelled to China on a parliamentary delegation with MPs from the commonwealth, Victoria, New South Wales and South Australia Parliaments. State MPs also went. My understanding is that it was paid for by the Australian Guangdong Chamber of Commerce. That is still my understanding. My understanding is that the Communist Party of China assisted with the organisation but did not assist with the finances. Of course, if indeed it did, I will update my declaration, but my understanding is that it is not the case.

TREASURER — CHINA VISIT — DISCLOSURE

543. **Mr Z.R.F. KIRKUP to the Treasurer:**

I have a supplementary question. Will the Treasurer commit to tabling a full itinerary of his trip to China in 2015 by the end of today’s sitting; and, if not, why not?

Mr B.S. WYATT replied:

No, I will not. I provided the itinerary to the journalist in question. I found it curious, because the article said that it was not disclosed publicly. The only reason that the journalist in question found it is that I disclosed it on the register of interests, as is required of all MPs. I have been very assiduous in my declarations on that register. If I find that the Communist Party of China added some monetary value, of course I will declare it. However, my understanding is that it did not. If it did, I have no problem with that, because I find that senior government officials tend also to be members of the Communist Party of China, as members know. We need to be careful about the rhetoric around it and how we engage with senior government representatives in China. As the Premier has pointed out, it is a very valuable and important relationship to Australia. In respect of declarations, it is only the Australian Guangdong Chamber of Commerce. If I find that the Communist Party of China also contributed, beyond organising meetings et cetera, of course I will update it.

METRONET — YANCHEP EXTENSION**544. Ms S.E. WINTON to the Minister for State Development, Jobs and Trade:**

On behalf of the member for Kalamunda, I welcome Mr Craig Mainard, deputy principal, chaplain Adrian Wilson and the year 6 leaders from Walliston Primary School to the Speaker's gallery today.

I refer to the McGowan Labor's commitment to creating thousands of jobs by building Metronet, which includes an extension to Yanchep.

- (1) Can the minister outline to the house how this massive job-creating project maximises the benefits for WA workers and businesses?
- (2) Can the minister advise the house whether he is aware of anyone who wants to scrap this project and destroy these jobs?

Mr M. McGOWAN replied:

I thank the member for Wanneroo for the question.

- (1) The government is about to embark on one of the state's biggest and most transformational expansions to our state's rail network in history. The construction of the first components of Metronet will be the Yanchep extension, connecting Alkimos and Eglinton, and the Thornlie-Cockburn Link, the first east-west connection. There are also the Byford and Ellenbrook extensions and a range of other improvements around the network. We are very pleased to have at federal government's support in what we are doing and that it has provided hundreds upon hundreds of millions of dollars due to the effective work and negotiation of me, the Minister for Transport and the Treasurer with the commonwealth government.

The first two projects, the Yanchep extension and Thornlie-Cockburn link, will provide 3 000 jobs. The project definition plans have been approved, so the procurement process is about to get underway. A few weeks ago, I addressed the Metronet construction industry briefing. There were hundreds of small and medium-sized enterprises there interested in what is possible. I was very pleased to advise them that we will ensure the greatest amount of local content possible in this project. We have some great businesses with great skills and abilities here in Western Australia. We will use the new Western Australian Jobs Act to maximise the local content here in Western Australia for Western Australian businesses as part of this project. We have set up the Metronet capability register for Western Australian contractors and it is about not only expanding public transport, but also ensuring that we have good land use and better usage of land and greater density and business opportunities around rail stations and lines.

- (2) I know that the Liberal Party has been opposed to Metronet. I refer to an unreported speech of the member for Churchlands in which he attacked this project that will provide all these jobs and opportunities for the outer suburbs, which are probably not of great concern to the member for Churchlands. I doubt he is too familiar with the outer suburbs. He has been out there describing the Metronet plan for Yanchep and Thornlie and these areas as "a white elephant" and a "narcissistic, grandiose monument".

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: That is what the member for Churchlands had to say. There he goes again. The Leader of the Opposition said that we should scrap it. Therefore, the Liberal Party of Western Australia is arguing against long-term planning and the Western Australian government securing these hundreds of millions of dollars, if not billions of dollars, from the commonwealth government. It is arguing against us connecting the outer urban rapidly growing areas to decent transport links. It is arguing against those Western Australian jobs that come as part of this and Western Australian local content. The Liberal Party in Western Australia is bereft, it is hopeless, it is useless and it is unfit for government.

Mr A. Krsticevic interjected.

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

RACING AND WAGERING WESTERN AUSTRALIA — THOROUGHBRED CO-DIRECTOR

545. Ms M.J. DAVIES to the Minister for Racing and Gaming:

I refer to the answer the minister provided yesterday in question time about his appointment of a new thoroughbred co-director to the board of Racing and Wagering Western Australia.

- (1) Does the minister agree that he has created a precedent in the appointment process by giving greater weight to the vote of some industry bodies over others?
- (2) When was this new system communicated to the eligible voting bodies?

Mr P. PAPALIA replied:

I thank the member for the question.

- (1) No.
- (2) I have not created any new system. I took advice from the director general of the Department of Local Government, Sport and Cultural Industries, who is the responsible public servant. He gave me advice and I took his advice, and that is how the appointment came about.

RACING AND WAGERING WESTERN AUSTRALIA — THOROUGHBRED CO-DIRECTOR

546. Ms M.J. DAVIES to the Minister for Racing and Gaming:

I have a supplementary question. I thank the minister. The minister did rely on eligible body membership to validate his appointment, so is he confident that all participating members understood this new system and that they had the opportunity to vote on who they wanted as their new director?

Mr P. PAPALIA replied:

I understand that the member is asking this question on behalf of Hon Colin Holt and does not know anything about it, but the fact is that this was almost unprecedented in nature. We received more than one submission from the thoroughbred code, and that has happened only once before in history as I understand it, after seeking advice from the director general. As a consequence, he was compelled to make a determination between the two nominations. He chose to go with the nominations from the eligible bodies that represented the vast majority of participants in the industry. For instance, one of the eligible bodies to whom the member refers as being in the majority is the Western Australian Bookmakers Association, which I think represents around 30 or 38 people, or something of that nature. That is one of the five eligible bodies that the member claims has weight of numbers. I understand that the Nationals WA are not that familiar with the notion of one vote, one value and representative democracy; nevertheless, in this case, I had nothing to do with it. I sought advice from the director general and he provided the advice. He is a wonderful and well-respected director general across everything he does. In every field of endeavour that the director general engages in, he is absolutely respected across the political spectrum and in all sectors. I took his advice and it was good advice.

COMMERCIAL AND RECREATIONAL FISHERIES — SANCTUARY ZONES EXTENSION

547. Mr V.A. CATANIA to the Minister for Fisheries:

I refer to the commonwealth marine park disallowance motion to extend sanctuary zones that would have locked out commercial and recreational fishing in parts of Western Australia being defeated in the Senate today. Does the minister support the attempt by his federal Labor colleague Western Australian Senator Louise Pratt to destroy commercial fisheries and the benefits recreational angling brings to fishers in the north west and south west of our state?

Mr D.J. KELLY replied:

I thank the member for the question. I am not aware of comments made by Senator Pratt today. I am not aware of a motion that was apparently moved today in the Senate in respect of this matter.

Several members interjected.

The SPEAKER: Member, you asked a question. Listen to the answer.

Mr D.J. KELLY: It is good to see that someone from the Nationals WA is here today; I understand attendance in Parliament is optional for the National Party this week. It is potentially an extension of the school holidays.

Several members interjected.

Mr D.J. KELLY: I am not aware of what went on today in the Senate and the motion that was apparently moved by Senator Pratt in respect, I am told, of commonwealth marine parks. A range of marine parks were put in place by the previous federal Labor government. They have since been pared back, changed and altered by the current federal government. That is a decision it has made. The member may have noticed that I have not made any statements in respect of that decision. He would have noticed, though, that I have been working quite closely with the industry. Threats were made by the federal environment minister to effectively close down fisheries on the south coast because of failures by the previous government to protect the Australian sea lion population. That was a problem that went on for more than a decade. I recently announced some very well-crafted exclusion zones

around those sea lion colonies that, in my view, will prevent the federal Minister for Environment and Energy effectively closing down that fishery.

I do not sit around listening to the proceedings of the Senate; I have far better things to do. I have a far better relationship with the commercial fishing industry than people on the member's side had. A series of Liberal–National government fisheries ministers essentially did nothing because they saw the fisheries portfolio as something they did after four o'clock on a Friday afternoon.

COMMERCIAL AND RECREATIONAL FISHERIES — SANCTUARY ZONES EXTENSION

548. Mr V.A. CATANIA to the Minister for Fisheries:

I have a supplementary question. This is one of the major issues facing Exmouth, the south west and Geographe Bay — Several members interjected.

The SPEAKER: Members, I will hear the supplementary question in silence, please.

Mr V.A. CATANIA: This is a major issue that today in the Senate was targeting fisheries in Exmouth and Geographe Bay—a disallowance motion moved by Senator Louise Pratt —

The SPEAKER: This is not a supplementary question. Member for Morley.

Several members interjected.

The SPEAKER: Members! You have your own member on her feet and you are shouting out.

CHILD SEX ABUSE VICTIMS — STATUTE OF LIMITATIONS REMOVAL

549. Ms A. SANDERSON to the Attorney General:

I refer to the McGowan Labor government's historic achievement of removing the limitation period for civil actions by victims of child sexual abuse, proclaimed on 1 July. Can the Attorney General update the house on how this significant reform is helping survivors of sexual abuse finally seek justice?

Mr J.R. QUIGLEY replied:

I thank the member for her question. Today in the District Court was resolved the first case ever in Western Australia for historic child sexual abuse. The plaintiff was Mr Paul Bradshaw, who was sexually abused when he was an orphan housed at both the Castledare and Clontarf orphanages by notorious Christian Brothers Murphy, Doyle and Angus. Mr Bradshaw is aged 74 years and is terminally ill, so the District Court held an expedited hearing for him that was listed for hearing today. Before the hearing he said —

“I have been trying since I was 16 for justice and every time I think I am going to get it, it dies on me,”

...

“If I can get justice before I die, I will be happy. I don't mind being first—because the sexual abuse has been in my head all my life.”

We hope that Mr Bradshaw is happy today at having achieved justice. We are very sad and appalled that, after all of his fighting, he is terminally ill. Mr Bradshaw's lawyer, Mr Magazanik, is a Melbourne lawyer who briefed Western Australian counsel for the trial, Mr Tim Hammond. He noted before the trial that, according to my notes —

“WA has gone from having the most restrictive laws in the nation for survivors of child sexual abuse to arguably now having the fairest and most progressive laws in the country.”

He also said —

“It's almost 70 years since he's been abused. He's never been within shouting distance of justice. But just as his chance is running out, he gets a chance at it, and that's a powerful thing.”

It is to be remembered that it was the McGowan Labor government's election promise that one of the first bills we would bring before this Parliament would be the lifting of the statute of limitations and offering access to justice for survivors of historical child sexual abuse. Outside the court, the plaintiff's lawyer noted that under the previous government they could not have brought this action. This is a very historic action. Faced with the inevitability of the trial this morning, on the doorsteps of the court the trustees for the Christian Brothers settled the action for \$1 million plus costs. That sends a powerful message to all survivors that the McGowan government has now opened up the pathway to justice for them, and quite a high benchmark has been set today for defendants when making offers—\$1 million was ordered. I am so thankful and feel humbled and privileged to have been the Attorney General in Premier McGowan's Labor government that brought these laws before the Parliament and brought about the most innovative and fair laws in the nation for survivors of child sexual abuse. Thank you.

[Applause.]

HEALTH SERVICES — AMBULANCE RAMPING

550. Mr S.K. L'ESTRANGE to the Minister for Health:

I refer to media reports last night on St John Ambulance's concerns about Perth hospitals in the grip of an ambulance ramping crisis. Can the minister explain why Perth hospitals recently experienced 168 hours of ramping in a day, which is the third worst day of ramping in seven years; and what is his plan to address this issue?

Mr R.H. COOK replied:

I thank the member for the question; it is a good one. We are in August and September, which are the most critical months for pressure on our emergency departments, primarily due to the impact of influenza. It is not surprising to see the system under the most pressure during the August and September months. Indeed, you would anticipate it. We have about four or five weeks to go to get over the hump of that. To the extent that it stops people getting access to emergency departments, ambulance ramping is a problem in our hospitals. A more reliable statistic about access is off-stretcher time, which is the time outside the 20-minute period for somebody to be taken from the stretcher into the ED. That is sitting slightly under half at the moment, which is not good enough either. I have spoken to the Department of Health and the director general has spoken to the chief executives of each of the health service providers to say that we have to do better. That is true; we have to do better. Notably, we are getting good results in some hospitals. Some of our smaller hospitals are doing very well, particularly, member for Dawesville, Peel Health Campus. But other hospitals, such as Royal Perth Hospital, are struggling. We are looking at hospitals that are struggling, such as Royal Perth Hospital, to see what remediation efforts need to be undertaken. Most of all, we expect hospitals to be under strain at this time of year because we are at the peak of the flu season. I am very much looking forward to the statistics getting better.

HEALTH SERVICES — AMBULANCE RAMPING

551. Mr S.K. L'ESTRANGE to the Minister for Health:

I have a supplementary question. I thank the minister for that answer. He mentioned some remediation strategies. Does he agree with calls from doctors for additional hospital ward beds to address the drop in performance in our emergency departments and the spikes in ramping at our hospitals?

Mr R.H. COOK replied:

More beds, more money and a continuous flow of cash into the health system is certainly one of the solutions. That is the solution that governments have typically relied upon. Other strategies need to be looked at as well, including making sure that we reduce bed-lock to get a better flow of patients through our system and make sure that patients who are in our hospitals at the moment because they are too old or too frail to return home have a vibrant aged-care system to transition into. All these things need to be looked at. I agree with the member that we need to work very hard to reduce ramping levels.

One thing we should also be doing is encouraging people to take advantage of our internationally regarded primary-care system and making sure people are taking the opportunity to go to their general practitioner when they can rather than rely on emergency departments. Our urgent-care clinics policy, which we took to the last election and I am very pleased to say is progressing in concert with the primary-care sector, will provide a great opportunity for us to divert more patients away from emergency departments into an acute primary-care setting. Once we get those elements going as well, I am sure we will have a better impact on the pressure on our emergency departments.

We have had a 60 per cent increase in ambulance callouts and a significant increase in the number of ED presentations compared with this time last year. We have had difficult years previously and last year was particularly light. Members will notice that I did not claim to have solved the ambulance ramping problem last year because I know that we live and die on those sorts of statements. This year is a particular problem. We are on top of it and are monitoring the situation closely. We have about five weeks to go of the real peak season for ED attendances. Once we get through this difficult phase we will start hitting the summer months again.

POLICE — METHAMPHETAMINE STRATEGY

552. Mr M.J. FOLKARD to the Minister for Police:

I refer to the McGowan government's commitment to the crackdown on the crime syndicates that distribute methamphetamine across Western Australia. Can the minister update the house on how this government is ensuring that police have the technology and weapons they need to combat this poison in our community?

Mrs M.H. ROBERTS replied:

I thank the member for Burns Beach for that question and his commitment to community safety. I know that, as a former police officer, he is well aware of the harm that methamphetamine does in our community.

Our government has been absolutely committed to dealing with the scourge of methamphetamine. That is why the first piece of legislation we introduced increased penalties for meth dealers and, in our first budget, we delivered

100 additional police officers and 20 other staff to commit to our meth task force. Last year we put into place the meth X-ray truck and we have been deploying it on major drug transit routes. Only last week it was deployed in the wheatbelt and had a good success rate in recovering a variety of drugs. I think 10 people tested positive for drug use and are now being dealt with by police.

I was pleased to announce today that our government has provided even more tools to the Western Australia Police Force. We recently took delivery of 29 Tru Narc devices. Tru Narc is a brand name derived from the two words “true” and “narcotics”. Without having to get a sample of the drug, put it in a special vial and send it off to the ChemCentre, police officers can hold the device to a plastic bag, glass jar or whatever the drugs are contained in and identify up to 450 separate substances, be they methamphetamine, cocaine or some other form of drug. Indeed, it might just be a cutting agent or something harmless. The device can identify that on the spot. These devices are mobile, small and can be taken anywhere in the 2.5 million square kilometres of Western Australia. The Commissioner of Police has assured me that some of these devices will go to regional areas such as Wyndham, Esperance, Albany and Bunbury. They will also be used by our methamphetamine task force and other specialised crime squads. This new resource will have the advantage of readily identifying drugs so there will be no doubt about what they are. They will be effectively identified on the spot, which will provide greater safety for our police officers. Some substances can pose harm if police officers open bags or containers containing them and inhale or touch them. In America there have been deaths from people touching harmful substances, which is something that we want to avoid. Using these devices will avoid police having to come into contact with or potentially inhale fumes from drugs.

In addition, the government has also provided police with 55 devices that are able to download the contents of mobile phones very quickly. Those devices cost around \$10 000 each. They can quickly download all the information on a mobile phone. In some form of drug operation, police can potentially seize drugs, cash, guns or ammunition, and mobile phones. They will be able to quickly download that intelligence and, hopefully, use it to catch people who are further up the drug chain.

The total cost of this equipment is about \$1.5 million. The 29 Tru Narc devices we have cost about \$36 000 each. The 55 mobile phone download devices are about \$10 000 each. These are key tools that police will be able to use at the front line of drug enforcement in Western Australia.

REGIONAL SPONSORED MIGRATION SCHEME — INTERNATIONAL STUDENTS

553. Ms L. METTAM to the Minister for Tourism:

I refer to Austrade figures that highlight international education student enrolments in Western Australia have fallen by 8.2 per cent in the year to May 2018 while enrolments in the rest of Australia have increased by six per cent over the same period. Can the minister confirm that today’s announcement is nothing more than tinkering at the edges and will have no material impact on reversing the damage caused by his government’s decision to remove Perth from the regional sponsored migration scheme?

Mr P. PAPALIA replied:

I am confronted again with a question outside my portfolio. Nevertheless, when we took office in March last year we knew there had been great neglect of the entire tourism sector, including international students. If members want to know the single biggest thing we can do to drive up international students numbers in Western Australia, look towards the aviation sector. If we look at who is represented in the biggest numbers in other states that are experiencing far greater growth than ourselves, where do those students come from predominantly? Which are the biggest sources of international students?

Several members interjected.

The SPEAKER: Members!

Mr P. PAPALIA: Undoubtedly, and later during the matter of public interest we will be able to respond in more fulsome detail; nevertheless, I can tell members right now that India and China are at the top of the list. What was done by the previous Barnett government in eight and a half years to focus on growing visitor numbers from India and China, regardless of whether they were students or tourists? What was done? Nothing.

Mrs A.K. Hayden interjected.

The SPEAKER: Member for Darling Range!

Mr P. PAPALIA: Nothing was done, because members of the previous government were so important, sitting back, benefiting from the rivers of royalties. No effort was put into trying to grow new tourism and international student markets, whereas everywhere else where they were not benefiting from the rivers of royalties they put in an effort. In Victoria, the biggest market for international students is China, very closely followed by India. In Western Australia it is reversed, so India is slightly bigger than China. Let us look at the states that are benefiting the most, the ones with the biggest numbers. Let us look at Victoria. Victoria is known as the education state—that is its biggest source of revenue.

Ms L. Mettam interjected.

The SPEAKER: Member for Vasse!

Mr P. PAPALIA: We have one airline flying directly from China—China Southern Airlines. Thanks to our efforts it is now five days a week. When we took over from the previous government it was three days a week. Melbourne, Victoria, has 14 flights a day direct from China.

Mrs A.K. Hayden interjected.

The SPEAKER: I can hear a lot of noise from this corner here, member for Darling Range. We have a much more respectful house down here. I call you to order for the first time.

Mr P. PAPALIA: Thank you, Mr Speaker, for drawing my attention to the member for Darling Range, I appreciate her interjection; I was missing it. Melbourne has 14 flights a day. When the member for Darling Range was the parliamentary secretary for eight and a half years, spending all her time in the courtyard —

Mrs A.K. Hayden interjected.

The SPEAKER: Member for Darling Range, I call you to order for the second time.

Mr P. PAPALIA: She was spending all her time in the courtyard drinking cocktails with the Liberal Party donors. When she was doing that as her focus on tourism, other states were getting direct flights.

Several members interjected.

The SPEAKER: Members!

Mr P. PAPALIA: As a consequence, Melbourne has 14 direct flights a day from China, Sydney has a dozen, and then there is the Gold Coast, Brisbane and Cairns. We are behind the curve.

Ms L. Mettam interjected.

The SPEAKER: Member for Vasse, you do not have to shout; you have a supplementary question.

Mr P. PAPALIA: She has to shout to get over me. The other source is India, as I indicated. Where does Air India fly direct to in Australia? Sydney and Melbourne. Why does it do that? It is because New South Wales, in particular, tried for four years to get a direct flight across the line, and it got it. It was an effort put in whilst members of the previous government sat on their backsides enjoying being important and enjoying the benefits of the rivers of royalty. No effort was put into international students or tourism and we are trying to make up for that and clean up the mess.

REGIONAL SPONSORED MIGRATION SCHEME — INTERNATIONAL STUDENTS

554. **Ms L. METTAM to the Minister for Tourism:**

I have a supplementary question. How much damage has to occur to the tourism and education sectors before the minister reverses the decision on the regional sponsored migration scheme, or does this sector have to wait for the minister to be replaced?

Mr P. PAPALIA replied:

This is well and truly outside my portfolio; nevertheless, I read a press release today from the Minister for Education and Training announcing a wonderful initiative that was overlooked and completely ignored by the previous government. No effort was put into this part of the international student sector, trying to get that high-end skilled migration associated with PhD, masters and honours students—those who come for a long time and contribute enormously with their research and support of innovative industry initiatives in this state. We are now enabling that program and we have to say that yet again we are pursuing the other states.

Mrs L.M. Harvey interjected.

The SPEAKER: Member for Scarborough!

Mr P. PAPALIA: We are coming in their wake because the previous government failed to act. It made no effort and its members did not identify that this was an opportunity we were missing out on because they were too busy drinking cocktails in the courtyard.

Mr D.C. Nalder interjected: What a good line you have been given by the office.

The SPEAKER: I have got a good line for you, member for Bateman; I call you to order for the first time.

HEALTH — ANTI-VACCINATION CAMPAIGN

555. **Ms E. HAMILTON to the Minister for Health:**

I refer to the reckless scaremongering by anti-vaccination campaigners who have repeatedly erected misleading billboards across our community.

- (1) Can the minister outline to the house why this campaign is so dangerous?
- (2) What is the McGowan Labor government doing to boost immunisation rates, particularly among young children?

Mr R.H. COOK replied:

- (1) I am sure I join every member of Parliament here today in condemning these billboards as an insidious spreading of lies about the benefits of vaccination and immunisation. Let us be very clear: we want to focus on the facts, and the facts are that vaccinations save lives. The immunisation program under the state-based programs run by the state government and the national immunisation program save lives and ensure that we protect our most vulnerable people from the spread of disease and illness. The World Health Organization considers immunisation to be the most effective medical intervention we have—that is, bar none—to prevent deaths and reduce disease in our communities. This includes vaccines in the NIP that protect children against 16 serious infections including measles, mumps, rubella, pertussis or whooping cough, diphtheria and tetanus—all diseases that we in our society are fortunate enough to have access to vaccinations for, because we have a first rate health system with state and commonwealth governments working together to make sure that we protect our children. We must stand united against the lies and the devious and deceptive behaviour of these sorts of organisations. We need to peel back the paper-thin veil of rationality amongst their initial statement of what is in a vaccine, to look at their website and realise just how evil this sort of campaign is. I urge all members of Parliament, all local governments and everyone who has authority to use whatever influence they have to make sure this stuff is not perpetuated in our community.
- (2) The member for Joondalup rightly asked about what we are continuing to do to boost immunisation rates in our community. At the moment we are lucky enough to have immunisation rates as high as 93 per cent amongst our one to five-year-olds. That is a laudable effort, but we have to do more. We have to get around the 95 per cent mark. I am very pleased to say that I had the delight earlier this week of opening the new Stan Perron Immunisation Centre at Perth Children's Hospital. This is a clinic that stands ready at Perth Children's Hospital to immunise or vaccinate any child who comes into the hospital. Thousands of kids come into that hospital each year, many with their brothers and sisters. When they are invited to come in for an appointment they are reminded that the immunisation centre is there. In the eight weeks that it has been there it has already vaccinated over 200 kids and will obviously be an important contribution. Usually, we do not associate hospitals with immunisation centres, but of course it is a great opportunistic episode of care; it is a terrific addition to the great clinics and services we have at the Perth Children's Hospital. It is made possible by a \$2.7 million contribution from the Stan Perron Charitable Foundation and we are indeed fortunate to have its contribution to that. We must all stand against the lies of the anti-vax crew. I am bitterly disappointed these billboards continue to get out there, and we have to use every power at our means either as a state government or as a local government to make sure that these lies and deceptions do not continue to be perpetuated in our community. Member for Perth, I thank the City of Vincent for its earlier efforts in pulling down the previous billboard, and also the activities now of the Town of Victoria Park—in the member for Victoria Park's area—to try to get these horrible billboards off our streets.

FOSTER CARE — SEXUAL ABUSE ALLEGATIONS**556. Mrs A.K. HAYDEN to the Minister for Child Protection:**

I refer to the revelation in today's article in *The Australian* written by Victoria Laurie titled "Foster couple's threat over sex abuse claims".

- (1) Can the minister confirm the statement in the article that the 13-year-old girl has been moved to a new foster family?
- (2) Can the minister confirm the statement in the article that a restraining order has been served on the 13-year-old's former foster carers after they turned up to the workplace of two adults they believed responsible for taking allegations to authorities?
- (3) Are any children still in the care of those two foster carers; and, if so, what emergency steps has the minister taken to address the situation?

Ms S.F. McGURK replied:

- (1)–(3) I have no intention of going into the detail of a particular child protection matter or investigation going on in Newman. Victoria Laurie has raised questions in *The Australian* previously about some allegations that were made about foster carers and the care of an individual child. I have given publicly, and to her and anyone else who has asked about that particular case, the assurance that both child protection staff and police take those allegations very seriously and have investigated them, and to date have found no instances of harm. However, we will continue to take any allegations seriously, whether it is in Newman or anywhere else in the state, and investigate them. We do not accept that if there has been an allegation and an investigation that we investigate it once and, if there is no instance of harm, we leave it at that. That can often mean that we continue to monitor the situation and that is the case in Newman.

FOSTER CARE — SEXUAL ABUSE ALLEGATIONS

557. Mrs A.K. HAYDEN to the Minister for Child Protection:

I have a supplementary question. Can the minister confirm that the current foster parents do not have any children in their custody at the moment?

Ms S.F. McGURK replied:

I reiterate that I am not going to comment on an individual case in Newman or anywhere else in the state. I have said that we take allegations of abuse or harm very seriously, and in this case they were investigated and no substantiations have been made.

COMMUNITY AND NEIGHBOURHOOD CENTRES

558. MR S.J. PRICE to the Minister for Community Services:

I refer to the McGowan Labor government's support for the 64 community neighbourhood centres that provide a valuable service to families right across Western Australia. Can the minister update the house on the response to this government's decision to reinstate the Liberal–National government's heartless cuts to these centres?

Ms S.F. McGURK replied:

I thank the member very much for that question. It does gall me at times particularly to hear from the other side of the chamber their concern about community centres and the like. They seem to have very short memories and forget that when they were in government they cut significant funds to neighbourhood and community-based childcare centres in the form of accommodation support. It took us some time to try to work through those issues in supporting those organisations, but we were able to reinstate \$4 million to over 64 neighbourhood and community-based childcare centres across the state.

I was particularly pleased to receive a letter from Subicare, in the member for Nedlands' electorate, congratulating and thanking us for our attention to its plight. I quote from Subicare's correspondence —

We are therefore delighted that as part of the McGowan Labor Government you continued to support our centres, as you did when the decision to terminate funding was made by the former Government. We appreciate that this was a significant commitment in the context of current budget constraints, and we will reflect this commitment to communities by passing on the benefit to local families, through ensuring our current low fee regime continues while we deliver a high-quality service.

It is fantastic to get that recognition from a great community-based childcare organisation, Subicare. Many community-based childcare centres do a great job as not-for-profit organisations run by parents and volunteers to run affordable child care, as do many other childcare centres throughout this state.

Members of the public and also members might be aware that the funding for neighbourhood centres will be going out to tender. That was a controversial decision made by the previous government, but one that we decided to continue. It is challenging for those organisations because they are small organisations running on low budgets, but we thought it was only fair that all communities—all neighbourhoods and all suburbs—get an opportunity to have a centre running in their locale. For that reason, we decided to put it out for open tender. We have gone through a very vigorous process—a process called an empowering communities program. We have consulted the sector about what the criteria should be to make sure that it is as fair as possible, importantly putting in criteria that the centres had to demonstrate a link and a building of local capacity to stop larger organisations coming in over the top of smaller bespoke organisations in local communities. That process is continuing and we are hoping that it will be finalised by the end of the year.

The SPEAKER: That is the end of question time.

**COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE —
INQUIRY INTO THE PROTECTION OF CROWDED PLACES FROM TERRORIST ACTS**

Extension of Reporting Date — Statement by Speaker

THE SPEAKER (Mr P.B. Watson): I have received a letter dated 16 August 2018 from the Chair of the Community Development and Justice Standing Committee advising that the committee has resolved to extend the reporting date on its inquiry into the protection of crowded places from terrorist acts in Western Australia until 28 March 2019.

TOURISM AND EDUCATION SECTORS — GOVERNMENT PERFORMANCE

Matter of Public Interest

THE SPEAKER (Mr P.B. Watson) informed the Assembly that he was in receipt within the prescribed time of a letter from the Leader of the Opposition seeking to debate a matter of public interest.

[In compliance with standing orders, at least five members rose in their places.]

DR M.D. NAHAN (Riverton — Leader of the Opposition) [2.57 pm]: I move —

That this house condemns the McGowan government for the ongoing damage its policy decisions are having on the tourism and education sectors, specifically its cuts to the skilled and regional skilled migration programs, and notes the complete inadequacy of its policy backflip announced today.

In my limited time, I would like to discuss international tourism. We have had a lot of discussions in this place about it, but it is important. Whilst all other states are experiencing rapid growth in international student numbers, Western Australia's numbers are declining. I will highlight the importance of the sector. It is the third largest export sector for Australia, earning \$22 billion. It supplies around 20 per cent of the funding for our universities, which are valuable and important institutions. It is a major generator of tourists to Australia. In the vicinity of a million tourists come to visit their children who are studying here. That is a rough figure. Also, it is a major bulwark for the housing market, particularly in the inner city and, importantly, it develops linkages with our neighbours back to where the kids come from. The best knowledge and links to friends overseas are those who studied here at some time. It is a fundamentally important industry. Historically, Western Australia led the way, particularly Curtin University. Curtin led the way, with RMIT University, in increasing the number of international students. During the boom, it was tough to get students to Western Australia because very high costs were involved, but policies were put in place and under the last three years of the Barnett government student numbers started recovering and grew each year. My colleague the member for Scarborough will raise that.

The McGowan government said that this industry is a priority. It is not a hard one to choose; it is obviously the third-largest industry in Australia. It is not hard to identify that it is important for growth, diversity, tourism and whatnot. One of the Premier's first moves was to take a large tour of people to China. China is a major market, so it is a sensible place to take a range of people from the industry; I have no problem with that. But they know a lot about the sector and they cannot be fooled about the policies. Taking people who already know the sector in China very well, having spent decades promoting themselves there, is a waste of time if the government has policies at home that work against it, and they know us very well.

The government has put in place three major policies—one it is putting in place now—that have contributed to the large decline in international students coming to Perth. The government will make the decline continue with its policies. The government did two things in immigration. First, it changed Perth from being defined as a regional city to a capital city. That was one of the first moves the Premier said he made. He also changed the eligibility criteria for immigrants coming to Western Australia from about 187 to about 17. That is what the government decided to do. When we raised this issue with the ministers, they said, "There is no relationship between immigration and foreign students." That just shows a profound ignorance of the sector. As a result, we are getting a substantial reduction in the number of foreign students coming here and all the reports are that they are skipping Perth and going to Adelaide and Hobart, which are regional cities. That was the government's decision.

Second, the government is putting a tax—a duty—on foreign owners of property. As we pointed out in the consideration in detail stage, international students on temporary visas were exempted from the restrictions on buying existing properties. They were allowed to buy existing properties and did not have to buy new properties if they used the property as a home as a personal residence and they sold it when they left. Anybody who is remotely knowledgeable about real estate, particularly inner-city real estate, and international students would know that it has been very common—indeed is one of the reasons students choose where to go—that the parents can buy a property through their children so their children have a place to stay while they are in school and maybe their younger brother or sister who follows them to it. Talk to any university and they will say that this is a fundamental competitive advantage, indeed a necessity, to attract students to Perth. The Treasurer said that every state has it. Well, every other states' property market is booming but ours. Ours is in the doldrums like never before. As a result, student numbers are going down, tourism is flat and real estate does not have a source of demand—it will not have it in the future—that has been important for every other place. It is the government's policies. Government members will not believe us, but the universities are saying this publicly now. Universities do not like to come out and criticise the state government, but they are. A quote from, I believe—no, I better not mention it; it was in *The West Australian* and members can read it themselves.

Mr P. Papalia: You just can't remember which one!

Dr M.D. NAHAN: I remember it very well. The government is aware of the issue with foreign students and its immigration policies, but will it do anything about it? No. It is not just the universities; the City of Perth, StudyPerth and the Chamber of Commerce and Industry of Western Australia—one of the government's great friends—are telling the government to do something, but it is not doing anything. The minister and the Premier are in denial. As a result, the third-largest industry in Australia, which should be one of the largest industries here, is going downhill and declining because of the government's policies and its refusal to do anything about the issue. I understand that the government made an announcement today to focus on postgraduate students. That is nothing new; it has been done before. It would help the University of Western Australia, largely, because it has the highest percentage of foreign students in postgraduate courses, but the reality is that the international students sector is a volume game. It is a business. The fastest growth in many places has been in TAFEs, undergraduate and temporary non-graduate courses. That has been the trend for a long time, but the government is avoiding that because it cannot see it. As a result, we are losing out on foreign students, funding for our universities—some of those universities are struggling and the government is contributing to that—and tourism numbers, as my colleague will point out. Every international student draws in five visitors.

This is a very important industry and one the government identified. It was improving before this government came to office. The government put those immigration policies in place even though it was warned about them and it has denied that there is any relationship between its policies and the declining number of international students. As a result, those policies have had a negative impact on the industry. When the universities, StudyPerth and businesses tell the government that, the government ignores them. As a result, one of our major industries is in decline, with a loss of jobs, income and growth, and it is the government's responsibility.

MS L. METTAM (Vasse) [3.05 pm]: I would like to contribute to this debate. At what point will the McGowan government realise that removing student incentives is a failure of a policy that is costing Western Australian jobs? Just this week, London Economics commissioned a report by the Group of Eight universities that examined the economic impact of universities, research graduates and international students. The report found that for every three international students about \$1 million is generated into the local economy. This creates significant value because we know that international students spend significantly on transport, housing and entertainment. On average, international students host visitors to the value of \$1.4 million to our state during the course of their studies, further boosting WA's economy. Significant concern has been raised in the community about the changes the McGowan government has undertaken. Today we heard an announcement about high-achieving graduate students—PhD, masters and honours students—but this will do little to stem the flow of students bypassing WA for the other states. There is no detail in the announcement and very scant detail in the media statement about how many students this initiative will bring to WA, what list of occupations will be offered or the scope this scheme targeted specifically at postgraduate students will take. I suspect that this announcement has much to do with the shocking May figures on student commencements in this state announced recently, and what a poor reflection they are on this government's performance in international education. We have seen an eight per cent reduction in commencements over the last 12 months under this government, with commencements falling from 15 803 students to 14 506 in 2018. Based on these figures, 1 300 students have been removed, and we can assess from that 260 jobs from the local economy, and if we base it on Tourism Research Australia figures, that is a loss of 36 400 fewer visitors to our great state. The economic impact for WA of 1 300 fewer students is therefore about \$52 million in lost revenue and benefits to WA. That does not include the benefits from tourism. The total combined economic impact of this international education policy, including lost revenue from potential visitors to our state, would be about \$138 million. Two weeks after coming to government, the first decisions of the McGowan government were to remove Perth from the regional sponsored migration scheme, thereby removing the incentive for students to study here, and to reduce the number of jobs on the state's skills list from 178 to 18. That now means that WA has to compete against states like Queensland, which has 114 jobs on its skills list, and Tasmania, which has 161.

Specifically in relation to tourism, importantly this has an impact on the visiting friends and relatives market—a \$1.2 billion market for Western Australia. These students are bypassing Western Australia and going to the competing states of South Australia and Tasmania. I might add that Tasmania does not have direct flights, as outlined in the minister's answer to a question during question time. Another reference in today's announcement was to the \$2 million that the McGowan government is providing to boost the international education sector. Apparently, it is a bit of a sweetener, along with the postgraduate migration announcement. That is a far cry from the commitment made by other states. In comparison, Queensland has put \$37 million towards this area of promotion and Victoria has put \$35 million towards it. I point out that the international education sector is our single largest services export market. It is our third largest export industry after iron ore and coal. It is a significant contributor to not only the Western Australian economy, but also the Australian economy. It is being taken seriously by other states, and we can see that from the incentives they have put in place and the commitments they have made to promote international education. In contrast, what we are doing is pretty dismal.

I point to the commentary from the Chamber of Commerce and Industry of Western Australia about the decisions made by the McGowan government. Chris Rodwell said —

One of the central reasons for the decline in WA is the decision the State Government took in reassessing its support for the regional sponsored migration scheme and designation of occupations on the WA skilled migration occupation list. WA now has only 18 occupations listed, whereas Queensland has 114, South Australia 172 and Tasmania 161.

That once again underlines what other state governments have recognised and what this state government has not. Phil Honeywood, the CEO of the International Education Association of Australia, is reported as saying —

“SA, the NT and Tasmania all celebrated when the WA government withdrew the regional migration points,” ... “They saw advantage coming to their state to the detriment of WA.”

It was well known during the mining boom that it was very expensive for international students to study in Western Australia. Limited accommodation was available and accommodation was relatively expensive. That was expected during the mining boom, given that business was hot during that period. In the years since, we have seen a lot of private investment in Perth and significant growth in the amount of accommodation, so that is less of an issue. There has never been a better time for international students to choose to study in Western Australia.

Unfortunately, when students make that special decision to study, they look at the incentives provided by each state. It is quite clear that we cannot compete with Victoria, which promotes its state with \$35 million towards this effort, and Queensland. However, in the case of states such as Tasmania and South Australia, there is much that we can do to compete and get our fair share. It is unfortunate that the incentives for these students have been removed. There is little impetus for such students to choose to come to Western Australia when those incentives have been removed.

We know that most students do not seek permanent work afterwards, but we also know that it is an important consideration listed in the promotional material and is key to the decision to make Western Australia the place to study. In fact, StudyPerth has underlined that. StudyPerth's QS Enrolment Solutions' report found that 62 per cent of respondents said that they would choose a university with a high graduate employment rate over a high student satisfaction rate. It found that there was a significant awareness deficit for Perth amongst the prospective students and stated that employability was a key factor. Although most students do not stay afterwards, it is a major factor in selection. This government has removed that incentive.

As I said, international education is the third largest export industry. It is a \$33 billion industry and, at \$1.2 billion per annum, Western Australia is not getting its fair share. The announcement of \$2 million over five years to promote this program and international students falls well short of what other states are doing. We should not be surprised that we have had such shocking figures—an eight per cent reduction in international student enrolments, with 1 300 fewer students, and 36 000 fewer visitors to Western Australia. This is an opportunity lost.

It is incumbent on the government to take this issue seriously. We know that each skilled migrant creates 1.6 jobs. We also know that a healthy migration system is fundamental to good productivity in this state. The Liberal–National opposition opposes the decision to remove incentives for international students to study here. We know that one student correlates to five visits. It is essential for this government to rethink this decision for the benefit of tourism, small business, the higher education market and the economic viability of WA.

DR A.D. BUTI (Armadale) [3.20 pm]: I rise to contribute to the debate on this motion. It is interesting that the motion refers to today's announcement by the government as a backflip. It is hard to see how it can be a backflip when the government has just announced a new initiative, so I am not sure where the backflip comes from.

I am keen to talk about the value of the policy announced by the government today, which seeks to encourage international students to come to Western Australia to get a research degree, whether at the honours, masters or PhD level. The Leader of the Opposition, like me, has a doctorate. I think the member for Struggle Street, the member for Cottesloe, also has a doctorate. It is interesting that the Leader of the Opposition seems to devalue research. He talked about how PhDs are not that important, because it is a numbers game. I will tell the Leader of the Opposition where I think he is wrong. PhDs are incredibly important to universities and to the overall economy. I am sure the Leader of the Opposition would agree that PhD recipients have the ability to provide great benefits and advantages to the economy. They are also very important to the development of a knowledge economy. We should always strive to improve and diversify the knowledge economy. As the Leader of the Opposition would know, people who obtain a PhD generally have very sophisticated problem-solving skills. Those skills include critical reasoning, thinking in depth, thinking from different perspectives, and having the flexibility to change according to the circumstances. Those skills are very important to an economy. Therefore, any initiative that seeks to encourage high-calibre international students to come to this state to study at the honours and masters level, and particularly at the PhD level, should be encouraged.

The policy that was announced today is a great initiative. It will benefit not only the university sector but also the overall Western Australian economy. The Leader of the Opposition rightly talked about the importance of the university sector to the economy. He is right. It is a very important part of the Western Australian and national economy. The research component is also incredibly important. A report released by the Group of Eight universities in Australia—which are the sandstone universities, of which one is the University of Western Australia—said that, in 2016–17, the sandstone universities contributed \$66.4 billion to the Australian economy in short and long-term benefits. It said also that every \$1 spent on research is worth \$9.76 to the wider economy. Therefore, this policy to attract and make it easier for international students to come to this state to do research should be encouraged and not derided by the opposition. As the former leader of the Liberal Party used to say, “Why are you so negative? Why are you so un-Western Australian?” Why is the opposition not supporting initiatives of this government that seek to improve the economy of Western Australia?

This initiative will be incredibly important for our universities. The research component of universities has an effect on their world-wide ranking. Was it Michigan University in Ann Arbor that the Leader of the Opposition studied at? That is a very good university. It is currently ranked twenty-seventh in the Shanghai ranking of universities. Two of the universities that I studied at are in the top 12, but I will not go on about that. The only university in Western Australia that is currently ranked in the top 100 is the University of Western Australia, at about 93. The next are Curtin University, at just over 100, Murdoch University at about 500, and Edith Cowan University. One way in which universities can improve their world-wide ranking is by increasing the research output of their academics. I know the Leader of the Opposition and the member for Cottesloe would understand

this. Research students play an important part in the research output of universities. Therefore, if we can encourage high-calibre international students to do research in Western Australia, that will benefit the universities of Western Australia and increase their standing in the world rankings and thereby their ability to attract money to the university and therefore to the wider economy.

It is ridiculous to talk about this initiative as a backflip. This is a great new initiative by the McGowan government, announced today by the Minister for Education and Training. The opposition should applaud this initiative and stop being so negative.

MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition) [3.25 pm]: I also want to contribute to this debate and put on the record some figures about the value of international students to our economy. The Group of Eight universities recently commissioned a report from London Economics on the value of international students to the Australian economy. It found that for every three international students, the flow-through into the economy is \$1 million. This government is in complete denial about what has been happening with the international student figures in Western Australia. This government is refusing to accept that it needs to reverse its decision to take Western Australia out of the regional sponsored migration scheme. That decision by this government has caused a drop-off in the number of international students, and that decision could be costing this economy up to \$959 million a year. That is what could be at stake here.

I want to refer now to some data on international student enrolment numbers. In 2014, between January and May there were 13 900 commencements, and between June and December there were 14 409 commencements. In 2015, under the Liberal–National government, in boom time, when things were expensive, between January and May there were 15 071 commencements, and between June and December there were 16 066 commencements. In 2016, the last full calendar year that the Liberal–National government was in office, between January and May there were 16 945 commencements. In the second half of the year, between June and December, that increased to 18 779. The rot set in at the start of 2017. What happened then, members? The Liberal–National government was turfed out of office in March. In March, while enrolments were still taking place at our universities, Western Australia was taken out of the regional sponsored migration scheme. In 2017, between January and May, the figures dropped to 15 828. In the second half of 2017, between June and December, the figures dropped again. That bucked what had been the trend in every state, and in Western Australia, forever. That is because of this government's decision to take Western Australia out of the regional sponsored migration scheme. This government is in complete denial about that. The figures in Western Australia for student commencements fell by 8.2 per cent in the first half of this year. That is on top of a 6.28 per cent drop on the 2017 figures.

This is a serious issue. It is affecting our economy, jobs and employment. It is also affecting our tourism figures, because for every student who does enrol at one of our universities, we lose five trips from their family every year. It is no wonder our tourism figures are looking sick. Every other state, except for the Northern Territory, is doing better than us. This state is falling behind by 8.2 per cent. New South Wales is up six per cent, Victoria is up 7.8 per cent, Queensland is up seven per cent, Tasmania is up 5.5 per cent, South Australia is up 3.3 per cent, and the Australian Capital Territory is up a whopping 24 per cent. However, what do we get in Western Australia? We are behind by 8.2 per cent. We are dragging this nation back, all because of a stupid decision by this government. The government does not understand the importance of this scheme that it has cut.

I come now to the flow-on effect to our economy of this drop in student numbers. I have outlined how the commencement figures have fallen off. However, those students might have been enrolled in a three or five-year degree program. Therefore, the enrolment figures for total number of students are now flatlining and decreasing. Enrolment figures flatlined in 2017 and increased by around 1.3 per cent. That is on top of the previous year, the last year of the Liberal–National government, when we saw a 12 per cent increase in overall enrolments. Now in 2018, total enrolments are down by 3.2 per cent, and that is going to drop, on top of the catastrophic decline in commencements. All we need from the government is a backflip. We know that it is pretty keen on backflips. The Minister for Community Services has backflipped on defunding community resource centres—terrific. We give the government a tick for that. We have seen a backflip from the Minister for Fisheries, who has finally started a SMART drum lines trial. We welcome that backflip. It is a good thing. How many backflips have we seen from the Minister for Education and Training? We have seen backflips on Perth Modern School, Schools of the Air, the gifted and talented program, the closing of Northam Residential College, freezing the intake of level 3 classroom teachers and Bunbury Baptist College. That is six backflips; we need lucky number seven from this minister. Reverse the decisions to reduce the sponsored occupations list and to remove Western Australia from the regional sponsored migration program and get the heart starter. Get the defibrillator out on our international student industry. The government should backflip on this one because it is an important one for our economy.

I will go over those figures again. Let us look at the flow-on effect to the community. For three students we generate \$1 million of flowthrough to our community. Not only have we seen a decline this year of 1 300 students, but also we have bucked the trend across the country of an overall 10 per cent increase in student numbers. Western Australia has missed out on 2 877 students because we have lost our share to the east coast, but we also have not been part of the growth internationally in this space. That is worth \$959 million to the Western Australian

community. The government is arrogant and ignorant and is not prepared to revisit these stupid decisions when universities and the Chamber of Commerce and Industry are saying that it was the wrong thing. Ministers in other states are saying, “Please keep that in place because our economy is going gangbusters with international student figures because the Western Australian government is being foolish and stupid and not reversing its decision.” We implore the government to reverse this decision. Give us lucky backflip number seven from the Minister for Education Training or, better still, sack her and put someone intelligent in the job who does not make these stupid decisions that affect our economy.

MR P. PAPALIA (Warnbro — Minister for Tourism) [3.33 pm]: I have entered a parallel universe. I opened my eyes and I was being lectured —

Several members interjected.

MR P. PAPALIA: I was being lectured on education by the former minister who increased TAFE fees by 500 per cent. The person who destroyed the TAFE sector in Western Australia is now lecturing us on strategies in education—wonderful! What a huge wealth of knowledge this former minister brings to the table—the person who destroyed the TAFE system in Western Australia by increasing fees by 500 per cent and driving students out of the sector. Forget about international students. What about the locals?

MR K.J.J. Michel: Nothing.

MR P. PAPALIA: There was nothing for Western Australian locals. She drove them away and imposed incredible costs on people who want to educate their children. She drove people away from the vocational sector and now she has the unmitigated gall to stand in this place and lecture us on anything associated with education. I note that she consistently repeated the notes in front of her that were given to her by somebody else. I guess it was not really much of a contribution and not that unusual because it sums up the extent of her capacity.

Mrs L.M. Harvey: You’re so arrogant and misogynistic saying that I can’t make my own notes.

MR P. PAPALIA: She cannot. She had five dot points on which to attack the government and she had to stop each time and look down and read them. I am only saying what happened. I would like to use these notes, but I do not have to read every point to make an observation. I am capable of standing here and making an observation. Leaving aside the invalidity of any comment from the former training minister who increased TAFE fees by 500 per cent, let us delve a little deeper into the make-up of the statistics that are thrown across the chamber and are referred to so frequently. What is one of the biggest proportions of our international student make-up? What is one of those sectors that make us vulnerable? It is the English language intensive courses for overseas students—ELICOS. When we look at the breakdown, we see that the percentage of ELICOS students of our overall total in Western Australia is 24 per cent. The national average is 11 per cent. That means that the higher education component of our international student sector is not the component that has received a significant diminution in recent times. It is ELICOS.

What are ELICOS students coming to Australia to do? Are they coming to study at university? Are they the people who make up the ELICOS sector? Are they the people whom the migration agents who are lobbying the opposition are servicing? No, they are not. They are the people who are coming to do the jobs that Western Australians could do. They are the people who are coming to do a course so that they can get a visa to do some work. Why would they drop off? What is another reason for them dropping off? Why might that significant proportion of our international students have chosen another state in recent times as opposed to Western Australia? Why would they have been coming during the boom but not when the boom is over? Why would that be? It is because international governments are looking for work if they are coming to do ELICOS. If they are studying to learn English and at the same time they are doing work, they are coming to the state that has work on offer.

But what happened to Western Australia under the Barnett government? What happened after the boom when the previous government failed to diversify the economy? No effort was put into any other sector. It sat back and enjoyed the benefits of the boom while the rivers of royalties just flowed in. What happened after that when it finally ended and the chickens finally came home to roost? What happened then? The word went out—four years of domestic recession. The word went out that there were no jobs in WA under the Barnett government: “Do not come here.” We do not rectify that overnight. We cannot snap our fingers and rectify the reputation that the former government imposed on us. The worst Treasurer in the history of Western Australia —

Several members interjected.

The ACTING SPEAKER (Mr T.J. Healy): Minister, are you seeking to take interjections?

MR P. PAPALIA: Do I look like I am?

The ACTING SPEAKER: I believe that is a no. Opposition, please allow the minister to make his contribution. You have 13 seconds remaining to make a response in the future if you seek to. Please let the minister make his contribution.

Mr P. PAPALIA: The worst Treasurer in Western Australian history imposed a reputation upon our state from which we are still suffering. It is true in tourism. On the east coast, people still believe we are expensive and difficult because during the boom, no effort was made to change that perception. Post the boom, no effort was made to change that perception when the previous government had the opportunity. As thousands of hotel rooms rolled on to the market—predominantly at the top end of the market, pushing down prices, making us more affordable and ensuring that we were high quality because we had either new or refurbished products—and we had the highest quality hotel product in the country, nothing was done to market us on the east coast. The former government constrained Tourism WA with a budgeting system that prevented it from acting in a tactical manner and responding to weaknesses and threats and opportunities. As a consequence, it could not shift around money to market on the east coast and change the perception of other Australians.

For that matter, the previous government did not even have the capacity to perceive that it might actually have to focus on big markets. What are the biggest markets? As I said in response to a question from the member for Vasse during question time, the biggest markets, the biggest proportion of international students right across the country, come from China and India. What effort did the previous government put into education anywhere? Forget about China and India; it did not put in any effort at all. The former Minister for Education made a ridiculously ignorant comment in response to the Premier leading a delegation to China. The delegation included dozens of businesspeople and representatives at either vice-chancellor or deputy vice-chancellor level from all the Western Australian universities. For the first time, we managed to get all universities to collaborate with the state's leadership to tell people in China that they should firstly choose Perth and Western Australia as their destination and then subsequently choose their institution. That was the first time ever that that initiative occurred.

At the same time, we launched a portal to market Western Australia, Inside the Great Firewall, through which parents and potential students can access information and receive immediate advice from the trade office in Shanghai. What was the response to that by the former education minister, who did nothing at all to market Western Australia to international student markets? He suggested it was a junket and could not believe that the Minister for Education and Training was going to China—the biggest contributor of international students across Australia. He criticised the education minister for going to tell the Chinese population that they should choose Perth and that we should be considered as a destination for international students. That was the extent of his contribution. What shallow knowledge that demonstrates. What a shallow understanding of the role of a minister that demonstrates. It was okay when the former government had rivers of gold from royalties and the mining companies did all the work for it; it sat back and told everyone how important it was. However, when it came to getting its shoulder to the wheel and creating opportunities when the downturn came, it was absent—missing in action.

I know this because I have been to China to talk to education representatives and tourism representatives—the people who sell our product in China. Surprisingly enough, I got the exact same response when I went to India a couple of weeks ago. Again, no-one from the previous government ever went there to talk about international flights. The single biggest thing we can do in the near term to encourage growth in international student numbers, tourist numbers and the leisure market is to create a direct flight from a new market. A massive proportion of the international students on the east coast come from China and India, yet we do not have a direct flight from Shanghai or from anywhere in India. Sydney and Melbourne both have direct flights from India, thanks to Air India and a lot of hard work by ministers and agencies in those jurisdictions. It took a lot of hard work and it took time. It was difficult, but they got there because they made the effort. The previous government did not even think about making an effort, let alone make the effort. It let us down. We are now following in the wake of all the eastern seaboard. We have five flights a week from China; thank goodness for China Southern Airlines. There were only three flights, but we managed to get them up to five, and thank goodness we got them up to five.

Dr M.D. Nahan: Direct flights don't affect student numbers.

Mr P. PAPALIA: Incredible ignorance demonstrated by the Leader of the Opposition, recorded in *Hansard*. He has no knowledge at all about what drives visitation of any type from those destinations. If a parent in Shanghai is contemplating where they might send their son or daughter, do members opposite think it might be a deciding factor if they are able to take them to the airport and farewell them, knowing that they will be getting off at the destination where they will be going to university? Does the Leader of the Opposition not think that would be a factor at all? Of course it is a factor.

Several members interjected.

The ACTING SPEAKER: Members!

Mr P. PAPALIA: Why else might that be, Leader of the Opposition? How do we get direct flights? There is a question for the Leader of the Opposition—something that he never thought about. How do we get direct flights? We get direct flights by negotiating with an airline to market the new route.

Several members interjected.

The ACTING SPEAKER: Members! This is a very important matter. Please let the minister continue his contribution. Minister, please speak through the Chair.

Mr P. PAPALIA: The member for Cottesloe might want to listen. We get direct flights by undertaking, in conjunction with the airline and Tourism Australia—hopefully we get it to contribute as well—to market the new route. In the event that we were to get a China Eastern Airlines flight from Shanghai, for the first time ever there would be marketing in Shanghai to say, “There’s a flight with a Chinese airline flying to Perth. Have you heard of that place?” Part of the marketing is elevating awareness of the destination. That is how we get the flight. That is the contribution we make as a state government. The Leader of the Opposition has no idea, and that is why we are lagging so badly.

When I went to India, what did I discover that they knew about Western Australia? I will tell members what they knew: that there is a bouncy wicket at the WACA. That was the extent of their knowledge. People in Delhi and Mumbai do not know much more about WA than that. That is what they said to me when I asked them what they had heard about Perth. How much has Tourism WA spent on marketing Perth in India? I will tell members how much: nothing—not a cent, not a shekel. We have not marketed Perth in India at all. As a consequence, what is the likelihood of Indian students coming here? They know about us because of friends and relatives. Fortunately, the third largest foreign-born population in Western Australia is Indian. That idiot in the Senate who made that outrageous speech the other day overlooked how important that market is to us and every other jurisdiction in this nation, including his own jurisdiction, Queensland. A significant proportion of foreign students there come from India. He might want to contemplate what he said in the context of the contribution Indian students make to the economy.

Dr A.D. Buti: A number of coalition Senators shook his hand.

Mr P. PAPALIA: That is disgraceful.

I digress; I will go back to the point. The point is that we do not have visibility. We have been fortunate enough to have had growth in visitor numbers to Western Australia of around 12 per cent every year for the last three years. The international student market is growing and is slightly bigger —

Dr M.D. Nahan: It’s going down.

Mr P. PAPALIA: I am talking about India. The international student market from India is growing and has grown every year. The numbers in Western Australia are slightly higher than those for Chinese students, and that is a good thing. Nevertheless, this has happened in the absence of any effort by the former state government. I am making the effort now, and I am doing this to fix that. There is only so much mess and disaster left behind by the previous government that I can fix at one time. I am working on it. We are moving ahead to try to fix the previous government’s mess. It cannot be done instantaneously.

As I said earlier, we have acquired a reputation as a consequence of the previous government’s neglect. It was okay when the boom was on because people were still drawn here for work, but the moment the boom ended there remained only the reputation from the boom. No effort at all was made to change that reputation, to tell people that we were now more affordable and that work was still to be had. Unfortunately, the impression of Western Australia conveyed overseas by the Leader of the Opposition as the former worst Treasurer in the history of Western Australia was that we are expensive and difficult and that there is no more work here because we had four years of domestic recession. Thank goodness a new government arrived in March and we are rebuilding a different reputation. We are rebuilding a reputation of being a responsible government and providing opportunity, as is recognised in the unemployment statistics. The participation rate in Western Australia is extraordinary, which is a demonstration of confidence in Western Australia. They have got the message. The message will get out there and will be conveyed more forcefully when we are talking to the market. We will start marketing Perth and Western Australia generally, but also to potentially grow the number of international students. We are marketing already. We have made the change in China. We are pursuing direct flights, but in advance we are marketing aggressively. What happened to the Chinese tourism market in the last year? It has seen 18 per cent growth. The number has gone up where we have put in the effort. Unfortunately, there has been a decline in tourism from the United Kingdom, Germany and New Zealand. What might have driven that? The boom would have drawn people from those nations to participate or visit friends and relatives who have come to Western Australia.

Dr M.D. Nahan interjected.

The ACTING SPEAKER: Member!

Mr P. PAPALIA: Now it is post-boom and members opposite have hung a reputation around our necks for being expensive and difficult and having no jobs, so people go home. We are going to fix it but it will take time.

MR M. McGOWAN (Rockingham — Premier) [3.51 pm]: I am pleased to be able to speak on this matter of public interest, but I note that it is being held on a Thursday afternoon. Is that not unusual? Why is that? Ordinarily, it is on Tuesday, and if it is not on Tuesday, it is on Wednesday. But now it is Thursday! I am looking around for a flicker of interest anywhere. I look at the opposition and at various points of time there were four of them there for their own MPI. The entire National Party is nowhere to be seen, which, to be fair, is not unusual. I think its members spend most of their time lying on the couch. That is their modus operandi. Two out of the five members were in question time today and during the course of the week they averaged about two. We all noticed that.

Mr P. Papalia: What are they being paid for?

Mr M. McGOWAN: What are those National Party members of Parliament being paid for?

I hear a whisper that we are dealing with this MPI —

Mr A. Krsticevic: You've got four there listening to the Premier speak!

Mr M. McGOWAN: It is the opposition's MPI. Maybe the opposition's MPI is so poor that I cannot even rustle up interest amongst my own members to be here. It is hard to get them in when the opposition's MPIs are so bad. I heard a whisper that this is being debated on a Thursday afternoon because the opposition put it in too late yesterday afternoon. Members opposite put it in at 12.30 and said, "That's close enough, isn't it? The standing orders say the deadline is 12 noon. Let's submit it at 12.30. That's good enough!" That is what happened yesterday. Of course, on Tuesday members of the Liberal Party were so busy proclaiming loyalty to one another they completely forgot about the MPI. They were so focused on themselves that they completely forgot about the Western Australian Parliament. They were out marching around. Do members remember that day? The Leader of the Opposition snuck in the north entrance. Do members remember that? He came in the north entrance, but Channel 10 was there. "First at five" and first at the north entrance! They were waiting for the opposition leader and they got him. Good old Beau! Beau Pearson got you! I want that on the record. Good work, Beau!

I want to go over a few quick things for the interest of the opposition. Unemployment figures have come down today that show that 35 000 jobs have been created whilst this government has been in office. Huge growth has been seen in the number of people in full-time work, which is 13 000 additional people.

Mr S.K. L'Estrange interjected.

Mr M. McGOWAN: Members opposite are such a rabble. On Thursday afternoon they have got some life back! It is a little bit late because no-one is watching.

Several members interjected.

Mr M. McGOWAN: I am all right.

Several members interjected.

The ACTING SPEAKER: Members!

Mr M. McGOWAN: I am happy for no-one to be watching. I can live with it. I have wide shoulders. I can put up with it. I noticed one journalist was here for question time. That is how much members opposite have comatosed the journalists of Western Australia.

Western Australia's participation rate is the highest in Australia. I note that the Chamber of Commerce and Industry of Western Australia put out a very positive press release about our new graduate skilled migration list. I note also that the Leader of the Opposition described the CCI as our friends. That is good! I am friends with the CCI; I am friends with everyone. The Leader of the Opposition seems to like to make enemies everywhere. That is one of his issues. "Make enemies everywhere!" is his motto. We will see how that goes for him.

The CCI have put out a glowing report today about our policy. I want to talk about students because, as was noted by the Minister for Tourism, when members opposite were in government, they put up fees for TAFE students by up to 500 per cent for a whole range of courses. That is 500 per cent for young Western Australians wanting to go to TAFE. We saw a decline in the number of apprenticeships in Western Australia on their watch but the Deputy Leader of the Opposition made a 500 per cent increase in TAFE fees.

Mrs L.M. Harvey: It's not true!

Mr M. McGOWAN: It is true. The member for Scarborough said some very nasty things about Hon Sue Ellery. I think what she said in her speech was horrible and untrue, so I will point out her record. There was a 500 per cent increase in TAFE fees for TAFE students in Western Australia. What did we say before coming to office? We said that we were going to freeze TAFE fees. The way we are going to freeze them is to put in place a foreign buyer surcharge on property speculators from overseas who come to Western Australia and speculate on Western Australian property, as is in place in other states. We are going to use that to freeze TAFE fees in Western Australia. Today we saw the Liberal Party standing up for foreign property speculators and voting against our laws.

I tell you what—keep voting against it! We will keep reminding the people of Western Australia who your friends are. The Sultan of Johor is your friend! The member for Nedlands stands up for his good mate the Sultan of Johor. That is who the Liberal Party stands for. Keep doing it. We want you to. Keep standing up for those foreign property speculators and we will keep standing up for Western Australian families and Western Australian TAFE students while the Liberal Party is backing its foreign property speculator mates. While members opposite are doing that, we will keep backing Western Australians. We are more than happy to continue that argument. We will see what the opposition does on this issue.

Division

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

Ayes (13)

Ms M.J. Davies
Mrs L.M. Harvey
Mrs A.K. Hayden
Dr D.J. Honey

Mr P. Katsambanis
Mr Z.R.F. Kirkup
Mr A. Krsticevic
Mr S.K. L'Estrange

Mr W.R. Marmion
Mr J.E. McGrath
Dr M.D. Nahan
Mr D.C. Nalder

Ms L. Mettam (*Teller*)

Noes (34)

Ms L.L. Baker
Dr A.D. Buti
Mr J.N. Carey
Mr R.H. Cook
Ms J. Farrer
Mr M.J. Folkard
Ms J.M. Freeman
Mr T.J. Healy
Mr M. Hughes

Mr W.J. Johnston
Mr D.J. Kelly
Mr F.M. Logan
Mr M. McGowan
Ms S.F. McGurk
Mr S.A. Millman
Mr Y. Mubarakai
Mr M.P. Murray
Mrs L.M. O'Malley

Mr P. Papalia
Mr S.J. Price
Mr D.T. Punch
Mr J.R. Quigley
Ms M.M. Quirk
Mrs M.H. Roberts
Ms C.M. Rowe
Ms A. Sanderson
Ms J.J. Shaw

Mrs J.M.C. Stojkovski
Mr C.J. Tallentire
Mr D.A. Templeman
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (*Teller*)

Pairs

Mr R.S. Love
Mr K. O'Donnell
Mr I.C. Blayney
Mr D.T. Redman

Mr P.C. Tinley
Ms R. Saffioti
Mrs R.M.J. Clarke
Ms E. Hamilton

Question thus negated.

DUTIES AMENDMENT (ADDITIONAL DUTY FOR FOREIGN PERSONS) BILL 2018*Consideration in Detail*

Resumed from an earlier stage of the sitting.

Clause 8: Chapter 3A inserted —

Debate was interrupted after the clause had been partly considered.

Clause put and passed.**Clauses 9 to 15 put and passed.****Title put and passed.**

Leave granted to proceed forthwith to third reading

Third Reading

MR B.S. WYATT (Victoria Park — Minister for Finance) [4.04 pm]: I move —

That the bill be now read a third time.

MR D.C. NALDER (Bateman) [4.05 pm]: I stand to conclude the debate on the Duties Amendment (Additional Duty for Foreign Persons) Bill 2018. We would like to reiterate a couple of points on this bill and reinforce that our primary concern is not the intent of what the government is trying to do, but around its timing given the state of the Western Australian economy. Yes, elements are starting to pick up, particularly in the mining sector, and today we saw some pleasing news regarding unemployment levels; it is still high but it is improving. But if we look at the housing and retail sector, those two elements of the Western Australian economy are still particularly weak. Our argument is that now is not the time to put a further handbrake on demand in the residential property sector of Western Australia. Pushing this bill through at this stage will add additional risk into the housing sector, which we believe is inappropriate.

At this point it is pertinent to add that I was surprised by the economic lecture I received from the Minister for Finance earlier today during his second reading reply, and particularly his comments during question time that suggest that we do not understand the numbers and that the basis of the numbers that we were using for our economic determination were flawed. They were a sample of data in response to claims that the minister made that foreign investors make up only 1.2 per cent of the property market. I assume the information that the minister is basing his assertions on is coming from Foreign Investment Review Board data. The minister failed to acknowledge the fundamental difference between a foreign investor in residential property from a FIRB perspective and what there will be from this bill. This bill will apply to elements in our community that are exempt from having to report to FIRB. For example, students who come in on student visas and those on 457 visas are

two groups that receive an exemption through the FIRB and who can purchase a single property that they are going to dwell in. In this bill, they will have to pay additional duty for foreign persons of seven per cent. It is highly probable that people who come into Western Australia on 457 or student visas are not being captured by FIRB and its data. I would suggest that it is a much bigger market than the minister has been indicating. The ramifications are potentially a lot larger and the risks are a lot larger.

To add to that, we recently received presentations from the University of Western Australia and Curtin University. Curtin University advised us that around 26 per cent of its students are international students and for UWA it is around 30 per cent. When we look at 56 000 students for Curtin University, from memory that is a very large number of foreign students going to one university. Let us look at total property transactions and take the minister's assumptions that it would impact only around 100 people—the number he was using at the consideration in detail stage—in Western Australia. We were sitting there saying, "I think it might be a lot larger than that." I think that is the basis of where the Treasurer's 1.2 per cent is coming from, but he might like to clarify that. There is a concern that the assumptions taken by the government and the basis upon which it wants to make the claim that this does not have a material impact on the property sector appears somewhat flawed.

The opposition is concerned about the timing of this. Our main opposition to this bill is not necessarily the bill itself but more around its timing. There is a larger impact because the government is not taking into consideration, by the look of its analysis, the impact of people with 457 visas and student visas. We would add, finally, that there is also a breach in the pledge made by the Labor Party in the lead-up to the last election when it said it was looking to introduce additional duty for foreign persons but that it would be capped at four per cent. Four per cent is not seven per cent. That really summarises our concern with the bill that has been introduced by the government.

To reiterate our opposition, it is to do with the timing and where the Western Australian economy is at. Anything that may further dampen demand for residential property investment is not a good thing to be introducing in Western Australia at this point. To use the logic of what occurred in the eastern states—they went through different economic cycles from Western Australia—is not the basis for introducing it at this point. It is fair to say we need to have better clarity around the impacts. I hoped the government would have been able to point to more robust research work about the impacts across those different segments that will be impacted, particularly student visas and 457 visas. We are not talking about property speculators who live offshore; we are talking about people who legitimately come to Western Australia to work or study, who contribute to our society, and who may, over the long term, go through a proper process about permanent residency. We say that those things will have a potential impact at this point.

I have summarised the concerns the opposition has with this bill. I do not believe that our position is as outlandish as the Treasurer has tried to portray. He says that we are trying to penalise the rest of Western Australia by supporting foreign investors. That is not the case at all. We have tried to make a reasoned argument about where the economy is at in Western Australia. We caution the government that placing additional risks can have a cause and effect down the path. Members may think this applies to foreign investors only, but if it depresses demand and puts downward pressure on residential property prices, all Western Australians suffer as a result. That is what we are concerned about. The Treasurer has not convinced us that he has taken that into proper consideration.

I thank all members for their contribution to this debate. The Liberal Party continues to oppose the bill as it stands. As I have reinforced a couple of times, our opposition is more to do with the timing in the current economy that the government is introducing this rather than the bill itself, albeit that the commitment from the government was that it be capped at four per cent and it is introducing a bill with a seven per cent levy.

DR M.D. NAHAN (Riverton — Leader of the Opposition) [4.13 pm]: I rise to add to the shadow Treasurer's summary. The Labor Party went to the last election with a commitment to put a duty on foreign residential land transactions at four per cent. Both parties argued their cases and the Labor Party won the election. It had a mandate to put this in. That was the only tax the Labor Party committed to. In opposition, the now Premier repeatedly said a Labor government would not increase any taxes or introduce any new taxes on his watch because taxes destroy jobs. This duty was an exemption it argued for. However, the Labor Party won and brought it in at seven per cent—not four per cent. That is a substantial increase. The excuse put forward by the Treasurer was that it would provide national uniformity. That is no reason at all; that is just an excuse to gain \$50 million more. I think the government understands the significance but it is trying to understate the significant impact this duty will have.

This duty was introduced in the other states specifically to dampen demand for housing. That is what it was designed to do. I was there in the Treasurers' meeting when the other states discussed it. Of course I said that is the last thing Western Australia wants to do and refused to have anything to do with this type of action. That was meant to specifically dampen demand for housing—keep prices down and help housing affordability. In other words, it was meant to reduce demand, reduce prices and reduce transactions. That is what it will do here. It has contributed to the decline in house prices in Sydney and Melbourne. Yes, there are other factors, such as demand for cash out of China and the exchange rate. A whole range of other things had an impact but this has had an impact, and it will in Western Australia.

I know the government believes in, and Treasury predicts, a rapid recovery in the Western Australian housing market, but they are dreaming. House prices have continued to drop month on month. The latest data shows that that will continue. House prices, house transactions and house finances are all on the downward slope. Yes, apartments might be going up, but I tell members what: there are substantial reductions in the prices of apartments. There is a glut on the market, and it will remain for a while. Some projects will continue and add to that glut, but a whole raft of developers are giving up on projects because they are not pre-selling. The government will introduce a tax on a dead and declining market—a tax that is specifically designed and has a track record of diminishing demand and depressing activity in the housing market. That is what the government has chosen to do. It has not only chosen to do that, it has also chosen to increase it from four per cent to seven per cent. That is on its head; that is its decision.

The Treasurer also made a couple of comments about its impact. The Treasurer referred to FIRB, the Foreign Investment Review Board. As the shadow Treasurer indicated, a large number of people are on temporary visas in Western Australia, particularly international students—457 numbers are diminishing. There may be some others that I am not aware of. We just had a debate about international students. They are an absolutely vital source of income and growth for this state. Australia now has overtaken the United Kingdom. After the United States, Australia is the second largest destination for international students. For a small nation like Australia, that is a really high performance. Most students come from China and India, but it is quite diverse. Anyone with interaction with this sector would know where they come from. They choose Western Australia for a variety of reasons including proximity; price; quality of university, of course; and recognition of the university back in their home country. There are also a number of issues. Firstly, can they work when they are there? Secondly, when they finish studying, can they potentially get a job for a few years to get some credentials? Thirdly, can they buy a house or a property for the period they are here for their children? It might be a capital appreciation, but it is really just about the parents having a home over their head. Those are all factors. For any rudimentary examination of this industry, the universities list these things. The government is in denial about this. The Premier essentially called international students who want to buy a house in Western Australia speculators. He said that with a derogatory tone. He is supposed to be the Premier—leading growth and diversification of this state. That is bizarre but that is what he chose to do.

Other than temporary visa holders whom the Foreign Investment Review Board has specifically given an exemption to help come here, foreigners cannot buy existing property, so most of the demand and most of the impact, other than foreign students and 457 visa holders, will be on the sale of off-the-plan apartments, as the ANZ study indicated. A part of Metronet is a big plan to have a large amount of infill development along the rail line; this legislation will kill that plan. Members can ask how this legislation will kill it if it is just the same tax everywhere or collectively on the states into this tax. The big difference is that we have a different paced economy here. Up until recently, if someone was looking at investing and studying in Melbourne or here and they were interested in part on getting a return or not losing money on housing, why would they come here? They would be losing, so they would go to Melbourne, Sydney or somewhere else. As the shadow Treasurer said, this is the wrong tax at the wrong time and at the wrong level. The government is going to hurt the industry if it stands up and says that it is just taxing foreigners to avoid something. A hell of a lot of people—I think the majority of Western Australians—know the importance of foreign students. They know the importance of foreigners coming and buying their properties and increasing the price, because that is going to happen. All those people who will be developing apartments, which is an essential part of Metronet, will know that most of those apartments, if they are developed and sold at all, will be sold to foreigners, and a seven per cent special discriminatory duty on top of the existing duty will tell many of them that maybe it is not a good investment. It is the government's choice. We tried to put in an amendment to bring the duty down from seven per cent to four per cent, but the government voted against it. I thought that was a fair approach. The opposition will be voting against this bill.

MR B.S. WYATT (Victoria Park — Minister for Finance) [4.21 pm] — in reply: I do not intend to speak for long, but I thank all members for their contributions to the debate on the Duties Amendment (Additional Duty for Foreign Persons) Bill 2018 and the advisers who were here. As any minister knows, advisers are very, very important to help us answer questions succinctly and accurately during the consideration in detail stage.

I think most of the issues have been well ventilated, but there are a couple of things I just want to tick off quickly in response to some of the comments that have been made. The argument has been put by the Leader of the Opposition and others that this legislation will have some impact on the international student market. The comment is always made that we are losing students and they are flooding east to Adelaide, Hobart, Melbourne, Brisbane and Sydney. Of course, Madam Acting Speaker, students are doing that already and other states have had a foreign buyers surcharge in place for some time, but we have not. Clearly, a foreign buyers surcharge, and in the case of New South Wales an ongoing extra land tax liability, has no impact on the decision-making about where somebody will study. Anyone will agree with that just because it is obvious from the fact that those states have the tax already and we do not. That highlights that that is simply a ridiculous argument. I have tried to knock that on the head, and I will keep going and going, but clearly student activity is ultimately dictated by other issues.

Similarly, with the decisions of foreign nationals to invest in residential real estate, the fact that there is an increased fee is not a decisive factor. What will always be much more decisive factors are things like exchange rates and prospects for capital growth. In response to questions from the member for Nedlands on the Sultan of Johor, although he invested \$8.5 million on his property at the Sunset hospital site, the fact that there would have been another \$500 000 levy is insignificant. That is not part of the consideration for those sorts of investments. I do not know what else to do, because we have used data from the Foreign Investment Review Board, Treasury, Landgate and the Office of State Revenue, and yet I am confronted with the argument, “That’s all bad data and we have anecdotal evidence that suggests otherwise.” If we cannot in this place rely on data provided by these organisations with the role to collect it, it is pointless even having these debates. I hope that is not where we are heading in Western Australia and that accurate and reliable data is simply ignored because we have anecdotal alternatives.

We discussed the University of Western Australia and Curtin University to some extent during the consideration in detail stage. Yes, UWA and Curtin have a large number of foreign students here on temporary visas—I suspect Curtin has more. That is true. The number of students seeking permission to buy property through the FIRB process is small as a subset of the total market. Indeed, I suspect that it is not those students buying properties, but it is their parents in any event who will be buying those properties from offshore. I would suggest that is exactly the case, as opposed to the students themselves buying property. We know—this is not speculative—it is a fact that Western Australia has had, for whatever reason, which I have been trying to understand for a long, long time, lower rates of foreign investment in residential property than any other state. It seems it always has compared with other states. But the reality is, as the FIRB annual report highlights for 2016–17, that about 1.2 per cent of applications for approval to purchase residential property in Western Australia were from foreign nationals. That is about—I want to say 670. They are actually applications for approval, and a smaller subset actually go on to purchase property. That is always the way because we get people making multiple applications et cetera. The actual number of foreign nationals purchasing in Western Australia is very small. This argument that this legislation will distort the market and have some negative impact is just rubbish. Again, I want to highlight the comments from the deputy president of the Real Estate Institute of Western Australia about the foreign surcharge that we took to the election and sought a mandate for. Mr Damian Collins is reported as saying —

“While there could be a slight impact from this, foreign investment only represents a small proportion of the WA property market,” Mr Collins said.

“Instead, the billions of dollars’ worth of key transport infrastructure spending will put the property market in a strong position to continue its steady recovery.”

That is from the property sector. I make the point that the property sector does not support the legislation—I get it does not support it—but it understands it will not have the sort of dramatic impact that is being foreshadowed by members of the opposition.

One final point I want to conclude on is that every other state in the nation has a foreign buyers surcharge, because every other state in Australia is of the view that when a foreign national buys a residential property in their state—WA Labor has this view in Western Australia—a small contribution should be made to the benefit that the purchaser is enjoying in infrastructure that has been built up over decades and decades by Western Australians. That is a common theme in countries, states and provinces around the world for foreigners buying property in their countries or even in their jurisdictions. I want to say again that as a Western Australian, as an Australian, if I wanted to buy property in China or India, I would not be allowed to—obviously I cannot. Similarly, if I wanted to buy property in Hong Kong or Singapore, there is a 15 per cent tax. The two Canadian provinces most commonly compared with Western Australia, Ontario and British Columbia, have rates of 15 and 20 per cent respectively. The point I make is that this is not some form of xenophobic reaction, as has been suggested; it is the reality that countries, provinces and states around the world have made these decisions, in some cases over many, many decades, that as foreign investment comes in they want to seek a contribution to infrastructure that has been built up by the relevant taxpayers. I think that is a reasonable expectation and a reasonable thing to do.

As I said, I am surprised and disappointed that the Liberal and National Parties oppose foreign investors in our residential property paying their fair share for the enjoyment of that infrastructure. That simply means that that \$120-plus million dollars will fall to net debt, which means that Western Australian families will bear the cost of the position of the WA Liberals and the WA Nationals. As the Premier said today, ultimately, if this legislation does not make its way through the upper house, we will continue to campaign on this issue all the way up to the next election, because we think it is a good and fair policy and we know for sure that it is supported strongly by Western Australians.

Question put and passed.

Bill read a third time and transmitted to the Council.

ROAD TRAFFIC AMENDMENT (DRIVING OFFENCES) BILL 2018*Second Reading*

Resumed from 21 June.

MR P.A. KATSAMBANIS (Hillarys) [4.30 pm]: I rise as the lead speaker for the opposition on the Road Traffic Amendment (Driving Offences) Bill 2018. I highlight at the outset that the Liberal opposition certainly supports this legislation, wishes it a speedy passage and, if anything, thinks that it probably does not go far enough—but I will discuss that in a little while. The bill amends the Road Traffic Act to expand the circumstances of aggravation that apply to dangerous driving causing death, grievous bodily harm or bodily harm. Part 3 introduces a regulatory provision, which I will spend a bit of time speaking about because it is the main part of the bill and the most important part on which we need to concentrate.

The bill does not change any of the elements or the definition of “dangerous driving causing death, grievous bodily harm or bodily harm” but focuses solely on aggravation, which is important because the charge of dangerous driving causing death, grievous bodily harm or bodily harm carries a serious penalty. It is a serious criminal offence and carries a penalty of a maximum 10 years’ imprisonment; there is no floor—no minimum—but a maximum of 10 years. In circumstances in which aggravation applies, the maximum penalty will be doubled to 20 years to take into account the aggravating circumstances. As the law stands in section 49AB of the Road Traffic Act, the circumstances of aggravation to which the penalty applies relate to when a person is driving a stolen vehicle, when a person is driving 45 kilometres or more above the speed limit or when a person is driving a vehicle to escape pursuit by a police officer. That all sounds relatively fair. If someone is driving a stolen vehicle and trying to escape a police pursuit or speeding excessively, those are aggravating circumstances and the offending driver has clearly demonstrated that he was reckless at very best when driving on the road. Obviously, that person has exacerbated their recklessness by causing death, grievous bodily harm or bodily harm through dangerous driving.

In March 2017, the matter relating to the tragic and senseless death of a young lady, Charlotte Pemberton, was determined in the District Court. She was a passenger in a vehicle that was driving down a road. The driver of the vehicle of which Charlotte was a passenger was turning right at an intersection when a man by the name of Dylan Adams appeared on the scene riding a 1200cc Harley-Davidson motorcycle at extraordinary speeds. I will talk about those speeds in a moment. The appearance of the motorcycle at such speed was totally unforeseen by the driver of the small car—I think it was a Hyundai, from memory—that Charlotte Pemberton was in. The area is a 60-kilometre zone, and varying estimates have the rider going between 90 and 100 kilometres an hour, which is super-excessive and at least 30 kilometres, possibly 40 kilometres, over the speed limit. The collision led to the death of Charlotte Pemberton; a tragic and senseless death and the waste of a young life. I will speak about the impact of the collision on Miss Pemberton’s family and everyone around them in a minute. That dangerous driving at excessive speeds had absolutely tragic consequences.

It transpired that Mr Adams held a motor vehicle driver’s licence but not a motorcycle licence. He was driving, as I said, an extremely powerful Harley-Davidson motorcycle. When I was a young man, a teenager, I knew a lot more about cars and motorcycles than I do today, but I think 1200cc is close to being the most powerful motorcycle on our roads. In the words of the sentencing judge in this case —

CCTV footage shows the motorcycle streak into the intersection like a missile, which is what it had become by that stage.

It was, unfortunately, an unguided missile that struck the vehicle that Charlotte Pemberton was travelling in. The circumstances of aggravation could not be applied to the case. The circumstances that I read out before that currently exist had not been breached. Clearly, there was gross recklessness and serious consequences but Mr Adams had to be sentenced solely as a dangerous driver. During sentencing, the judge made some rather harsh comments about Mr Adams, remembering that the crime he was charged for, pleaded guilty to and was convicted of had a maximum penalty of 10 years’ imprisonment. I will quote some of the judge’s comments in his sentencing remarks. He stated —

He has a clear attitude of disregard for road laws and the safety of himself and others. Both those matters, in other words, disregard for himself and others, are circumstantial evidence of the wilfulness of his behaviour and also why his behaviour is of concern to the community.

...

Mr Adams’ behaviour was wilful and selfish in the highest possible degree. Once he committed to this manoeuvre only luck was going to prevent a massive catastrophe with human life and safety, including his own, at stake. Mr Adams deliberately rolled the dice.

I agree with the judge. The judge went on —

There was no error of judgement, no momentary distraction or aberration. Mr Adams saw a chance to get his thrills and show off notwithstanding that clear and obvious risk to the public and himself.

...

The crash was totally preventable, it was senseless.

I agree with all those statements. I think any fair-minded member of our community and the vast majority of law-abiding citizens out there would agree with the sentencing judge's comments. When it came to imposing the sentence, the judge said —

I find that this is a very serious example of its kind which only just falls short or outside of the relatively rare category of cases which enliven sentences close to the maximum.

That is all well and good. It was just outside the maximum. The maximum is 10 years and based on all those remarks, I think any person in our community would expect that Mr Adams would have received seven, eight, maybe nine years' imprisonment. In the end, what the judge delivered was based on precedent and the directives of higher courts and the Court of Appeal over time. The judge decided that the right sentence in this case was five years. He discounted the sentence by 10 per cent for a guilty plea. In all of Mr Adam's wrongdoing, good on him for pleading guilty and not dragging out the horror for Miss Pemberton's family and not exacerbating the immense damage that he had caused. The judge then also gave a three-month dispensation for some other mitigating factors that he took into account. The total sentence was four years and three months.

There was community outrage about that sentence, as there should be, because it was totally inappropriate and inadequate. This occurred in the early days of the new Labor government. To the credit of the Minister for Road Safety and the government, they looked at this case. They listened to the pleas of the Pemberton family to fix this. I absolutely commend the family. They have stood resolute. They have suffered enormous loss and grief, yet they have wanted to utilise the loss of their beautiful young daughter to effect real change. They have campaigned very strongly for tougher and stronger laws. I commend the minister and the government for listening and for bringing this legislation to the house. We have all been around parliamentary procedure for a long time. We recognise that from March 2017 to when this legislation was read into the house before the winter break is not an inordinately long time in parliamentary procedure to give instructions, draft the bill, get cabinet clearance and get the legislation into the Parliament. Sometimes that can be done more quickly, but this was done in relatively quick time. I do not criticise that in any way. It is a good outcome.

The amendments that we are making today will make the road traffic legislation tougher and better. They will mean that the offence committed by Mr Adams, and by people like him who have complete and utter wilful disregard for community safety, will fall under the category of aggravation and be subject to a higher maximum penalty—in this case, 20 years' imprisonment. Part 2 of the bill seeks to amend section 49AB of the Road Traffic Act, which provides that driving at 45 kilometres an hour or more above the speed limit is a circumstance of aggravation, and reduce that to 30 kilometres an hour. That is a logical and sensible amendment. It passes the reasonable-person test. It certainly brings this section of the Road Traffic Act into line with the types of penalties that are usually imposed on people who speed at over 30 kilometres an hour above the applicable speed limit in a particular area, who are treated as though they have gone to the absolute worst point as far as speeding driving is concerned.

This horrific crash—it was not an accident, unfortunately—was caused by the wilful disregard of one man, as I said earlier. Mr Adams was calculated to have been driving at 90 to 100 kilometres an hour in a 60-kilometre-an-hour zone—so at between 30 and 40 kilometres above the applicable speed limit. The police have for many years managed to calculate driving speeds pretty accurately, and they were able to sustain the claim that Mr Adams was driving at 94 kilometres an hour. Irrespective of that, there is a difference between driving at 30 kilometres an hour above the speed limit and driving at 45 kilometres an hour above the speed limit. This bill will close that gap, and that is great. This is an important community safety provision, and we should support it.

The other change that is made in this bill is that it will add a new set of circumstances of aggravation. The current circumstances are driving a stolen vehicle, driving at excessive speed—which will now be defined as driving at 30 kilometres an hour above the speed limit—and driving to escape pursuit by a police officer. The first added circumstance of aggravation is that the person has never held a prescribed authorisation, or holds a prescribed authorisation but the prescribed authorisation does not authorise the person to drive a vehicle of the kind concerned. That would cover the case of Mr Adams, who was driving a motorcycle but had only a vehicle licence, not a motorcycle licence. It would apply equally to a person who has a motor vehicle licence but drives a 10-tonne truck without the appropriate licence and the necessary qualifications to obtain a licence to drive a 10-tonne truck. The other circumstances of aggravation are that the person held a licence but has ceased to hold a licence, the person has voluntarily surrendered their licence, their licence had expired, or the person has driven in breach of an alcohol interlock condition of their authorisation. I think that would pass what we might call the pub test or cafe test—the reasonable person at the Northshore Tavern or having a coffee at Lot One Kitchen in Hillarys. I think it would pass that test, absolutely. Again, we support that. It will broaden the range of offences that involve circumstances of aggravation, and those offences will incur a higher penalty. I do not think there is any argument that a person who does not have a licence to drive, does not have a licence to drive the vehicle they are driving, is disqualified from driving or has handed in their licence should not be entitled to drive a vehicle. Our society and our system has also deemed that if a person has a problem with alcohol and needs to have an alcohol interlock but wilfully chooses to ignore that and drives in breach of that condition, they ought to suffer the consequences of their terrible actions.

I have flagged these issues publicly, and I am happy to stand behind that. This bill will mean that people who find themselves in the same circumstances as Mr Adams will be subject to a higher maximum penalty. That is good. That should be the case. If these amended circumstances of aggravation had been able to stick to a person like Mr Adams, he would have been given a longer sentence than four years and three months' imprisonment. His sentence would certainly have come closer to meeting community expectations. The problem in our legal system is that sentences are never linear. As I have read out, the judge in the case of Mr Adams found that this is a case "which only just falls short or outside of the relatively rare category of cases which enliven sentences close to the maximum". As I have said, "close to the maximum" would be eight years, nine years or 10 years. It would be in the top 20 per cent, if you like, of the sentencing range. Therefore, we would expect that he might have been given six or seven years' imprisonment. It was just outside that maximum range. However, no, he got four years and three months. There is absolutely no guarantee that had Mr Adams been subject to a circumstance of aggravation, the sentence that he was given would have been doubled. There is no guarantee. There is a hope. I do not want to raise it above that. I do not even want to say that it is an expectation, lest the judiciary would suggest that we are binding it in some way. There is certainly a hope and a desire that it would lead to at least a doubling of the sentence. However, even then, does the community believe that a person who has displayed gross and wilful recklessness and disregard for safety and human life, and who is subject to a maximum penalty of 20 years, ought to be given a penalty of eight years and six months, using the facts and circumstances of the death of Charlotte Pemberton as an example to highlight that? I do not think the public would buy that. Again, I do not think the public would buy it when a maximum sentence of 10 years is available and Mr Adams got only four years and three months. I am not going to read extensively from the judgement, but when we read it we see that he had a very bad driving record already. The judge made very disparaging remarks. I will quote from page 10 of the judgement —

... it also informs my view that his rehabilitation prospects are minimal.

Yet he got only four years and three months when he could have had a sentence of up to 10 years. By bringing in this legislation, yes, people in cases with the same facts and circumstances would get a higher sentence. I have no doubt they would get a higher sentence, but I cannot look the people of Western Australia in the eye and say that offenders would get at least a doubling of the sentence because the maximum sentence goes from 10 to 20 years. As the judge in this case said about the acts of Mr Adams, it is a bit like rolling the dice and hoping that we get a good outcome. I am not a gambling person but I know that some people are. It is potluck. That is why, as an opposition, we have flagged that we would be strongly supportive of a mandatory minimum sentence that meets community expectations.

When someone does really serious and dangerous acts that result in the death of a young 19-year-old who the judge described as a good citizen, a good partner and much loved, we would expect the sentence to be a lot higher. If we could not get the circumstances of aggravation to stick, we would expect certainly up to six or seven years at least. If we could get the circumstances of aggravation to stick, we would expect 10 years or more—no doubt about that. We have continually suggested that this would be an area in which we should consider mandatory minimum sentences. It would send a strong message. We would not only toughen up the maximums, but also create a floor. Then if other families such as the family of Charlotte Pemberton suffer this fate, they will at least know that the perpetrator of the crime—it is not a driving offence; it is a crime—would be appropriately punished. That would meet community expectations, indicate the seriousness and gravity of the offence and send a strong message that they should not be reckless and act in this wilful manner of disregarding the law and the consequences of their actions. The stronger we can get that message out there, the better off we will be as a community.

We have done such wonderful things in road safety over the last 40-odd years that I can remember, and we will continue to do more. Most of it has been through getting the message across to drivers and passengers that safety matters are really important. Wearing seatbelts, not drink-driving, not speeding excessively, driving to the conditions, changes in cars and enforcement are all important. Enforcement is the last resort for both the minor range of driving offences and these horrible major ones that we want to avoid. We all want to get to zero deaths and serious injuries on our roads. That would be the ideal outcome and we should never stop until we get to that. As an opposition we have flagged that. As an opposition we know that elements within the government would consider and support that, but we also know elements in the government are ideologically opposed to any form of mandatory minimum sentences. I welcome a debate on it at some point because I think it will make our laws stronger. It will give our community a lot more certainty and, because we would be demonstrating to the community that we are with them and their view of serious criminality, it would lead to greater regard and respect for our Parliament, our legal system, our judiciary and the laws of our state. It would reinforce the strength of the rule of law in our community. I will not say any more on that because I can wax lyrical about protecting our community from serious crime. I will never back away from that, because I think we need to protect our community as much as possible and properly punish those offenders who disregard our laws.

I will move to part 3 of the bill, which makes a change to the Road Traffic (Authorisation to Drive) Act 2008. It brings in a regulatory clause with a new section 4 of that act. That act is under the control of the Minister for Transport, I believe, in the executive orders. It allows the Minister for Transport in consultation with the minister

responsible for the Road Traffic Act, which under the executive orders is the Minister for Police, to bring in regulations to exempt —

- (a) holding a class of authorisation specified in the regulations; and
- (b) driving a kind of vehicle specified in the regulations for that class of authorisation.

It exempts those drivers from the operation of these changes that we are bringing in. People who do not hold an appropriate licence through part 2 will be deemed to have been driving in circumstances of aggravation if they are convicted of dangerous driving causing death, grievous bodily harm or bodily harm. That is what we are doing in part 2. In part 3, the Minister for Transport and the Minister for Police can exempt certain people from those laws that we are passing in part 2. At a briefing, we tried to obtain some clarity around these provisions. I would like the minister to confirm this; hopefully, she can do it in her response. It is the only issue that I think needs further consideration in this bill. I would like the minister to confirm that there is no current intention to exercise this regulatory power and perhaps give us some examples of when she thinks it may be applied in the future. There has been a bit of speculation around it possibly applying to changes in driving around autonomous vehicles and the like in the future. I would have thought that if we are looking down the track towards changes that we do not even know about yet—we certainly do not know the breadth and scope of any changes—it would be in the realm of Parliament, not regulation, to do it. I also think that it looks a lot like the types of Henry VIII clauses that my colleagues in the Legislative Council would probably take some interest in. Without feathering them in any way, having been a member of the Council for four years before I came to this chamber, I understand the nuances of Henry VIII clauses and the sorts of views that members of the house of review take on those clauses. There might be a good reason, but as I said earlier, I think it is incumbent on the minister to give us some guidance on it to either confirm that there is no current intention to use this regulatory power or, if there is such an intention, to let us in on her thinking around it. I think that would inform the public and certainly would inform Parliament in making a decision on the bill.

With those words, I again commend the family of Charlotte Pemberton. They have shown wonderful grace in the most distressing of circumstances. The changes we are passing today will absolutely be cold comfort to them personally in dealing with the grief and loss they have suffered through the reckless act of Mr Adams. However, they can take comfort from the fact that the grave circumstances that have befallen their family will lead to a legislative change, once this bill gets through the other place, that will make our road traffic laws better and stronger. It will make sure that in future people like Mr Adams will receive more adequate punishment than they currently do for these types of acts. As I said, well done to the government for actually doing this. I think people are calling this Charlotte's Law; I have no problem describing it in that way. It is not only the fact that circumstances around the horrific collision that caused the death of Charlotte Pemberton and the process that led to the sentencing of the offender have given rise to this law; the strong public advocacy of the family for tougher laws also gave rise to this bill, which will become law once it is passed through both chambers.

I just wish that the government would strongly consider mandatory minimum sentences. In the examples I gave before, there is absolutely no guarantee whatsoever that, in the same fact circumstances, someone would now get at least eight years and six months—a doubling of the sentence they previously got—and hopefully a higher sentence. Courts will come up with procedures in time, but I think I reflect a broad section of the community and its view that, in such horrific circumstances, a minimum floor should be introduced for these wanton and wilfully dangerous acts. I hope that in future we consider that.

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

House adjourned at 5.01 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

MINISTER FOR EMERGENCY SERVICES — PORTFOLIOS — CISCO DEVICES — CYBERSECURITY**3111. Mr Z.R.F. Kirkup to the Minister for Emergency Services; Corrective Services:**

In respect of the Minister's portfolio responsibilities for any departments, agencies, government trading enterprises or boards I ask, noting the statement made by the Australian Cyber Security Centre on 17 April 2018 in relation to the malicious targeting of Cisco devices using the Smart Install feature:

- (a) Were any devices in the agency affected by this attack:
 - (i) If so, what was the nature of the cyber-attack and what information held by the agency was unlawfully accessed; and
- (b) Is the Cisco Smart Install feature still in use by the agency as at 1 June 2018:
 - (i) If so, why?

Mr F.M. Logan replied:

The Department of Fire and Emergency Services (DFES) advises:

- (a) No.
 - (i) N/A.
- (b) Yes.
 - (i) The Cisco Smart Install feature is enabled by factory default. Security practices when provisioning the relevant Cisco devices ensured that the feature could not be used. The feature was disabled on all devices as at 22 June 2018.

The Office of The Inspector of Custodial Services advises:

- (a)–(b) No.

The Department of Justice advises:

Please see response to Legislative Assembly question on notice number 3109.

**MINISTER FOR EMERGENCY SERVICES — PORTFOLIOS —
KASPERSKY LAB PRODUCTS — CYBERSECURITY**

3128. Mr Z.R.F. Kirkup to the Minister for Emergency Services; Corrective Services:

In respect of the Minister's portfolio responsibilities for any ministerial office, departments, agencies, government trading enterprises or boards I ask, whether any information security products (i.e. antivirus software) by AO Kaspersky Lab are in use, and if yes:

- (a) What products are in use (i.e. Kaspersky Anti-Virus, Kaspersky Endpoint Security Cloud);
- (b) Do any of these computers store, or transmit confidential or sensitive information;
- (c) What is the annual cost of subscribing to these products; and
- (d) Noting the United State's Department of Homeland Security's issuance of Binding Operational Directive 17-01 ordering agencies in that nation to discontinue use of this software due to cyber-security concerns, why is this software still in use?

Mr F.M. Logan replied:

The Department of Fire and Emergency Services and the Office of the Inspector of Custodial Services advise:
No.

The Department of Justice advises:

Please refer to Legislative Assembly Question on Notice number 3126.

**MINISTER FOR EMERGENCY SERVICES — PORTFOLIOS —
PROJECT MANAGEMENT SOLUTION SUBSCRIPTIONS**

3145. Mr Z.R.F. Kirkup to the Minister for Emergency Services; Corrective Services:

- (1) In respect of the Minister's portfolio responsibilities for any ministerial offices, departments, agencies, government trading enterprises or boards, I ask whether there are any paid subscriptions to the following project management solutions, and if so what is the estimated annual cost of each subscription:
 - (a) Any.do;
 - (b) Asana;
 - (c) Basecamp;

- (d) Evernote;
 - (e) OmniFocus; and
 - (f) Slack?
- (2) Does the ministerial offices or Minister's departments, agencies, government trading enterprises or boards utilise Workplace by Facebook, and if so:
- (a) What is the purpose; and
 - (b) Is sensitive or confidential information stored or communicated on Workplace?

Mr F.M. Logan replied:

The Ministers' office, The Department of Fire and Emergency Services and the Office of the Inspector of Custodial Services advise:

(1)–(2) No.

The Department of Justice advises:

Please refer to Legislative Assembly Question on Notice number 3143.

MINISTER FOR EMERGENCY SERVICES — PORTFOLIOS — SMART SPEAKERS

3163. Mr Z.R.F. Kirkup to the Minister for Emergency Services; Corrective Services:

In respect of the Minister's portfolio responsibilities for any ministerial offices, departments, agencies, government trading enterprises or boards, I ask:

- (a) were any smart speakers (i.e. Amazon Echo, Apple HomePod, Google Home) purchased in this 2017–18 financial year; and
- (b) if yes, what was the model, price and intended purpose of each smart speaker purchased?

Mr F.M. Logan replied:

The Ministers' office, The Department of Fire and Emergency Services and the Office of the Inspector of Custodial Services advise:

(1)–(2) No.

The Department of Justice advises:

Please refer to Legislative Assembly Question on Notice number 3161.

MINISTER FOR EMERGENCY SERVICES — PORTFOLIOS — FIREARMS

3172. Mr Z.R.F. Kirkup to the Minister for Emergency Services; Corrective Services:

In respect of the Minister's portfolio responsibilities for any departments, agencies, government trading enterprises or boards I ask, are there any firearms in use, and if so:

- (a) How many firearms (including manufacturer and variant) were reported missing in the following financial years:
 - (i) 2015–16;
 - (ii) 2016–17; and
 - (iii) 2017–18;
- (b) How many rounds of ammunition (including type of ammo) were reported missing in the following financial years:
 - (i) 2015–16;
 - (ii) 2016–17; and
 - (iii) 2017–18;
- (c) How many firearms (including manufacturer and variant) were reported stolen in the following financial years:
 - (i) 2015–16;
 - (ii) 2016–17; and
 - (iii) 2017–18;
- (d) How many rounds of ammunition (including type of ammo) were reported stolen in the following financial years:
 - (i) 2015–16;

- (ii) 2016–17; and
 - (iii) 2017–18;
- (e) How many firearm accessories (magazines, reflex sights, scopes, holsters etc.) were reported missing in the following financial years:
 - (i) 2015–16;
 - (ii) 2016–17; and
 - (iii) 2017–18; and
- (f) How many firearm accessories (magazines, reflex sights, scopes, holsters etc.) were reported stolen in the following financial years:
 - (i) 2015–16;
 - (ii) 2016–17; and
 - (iii) 2017–18?

Mr F.M. Logan replied:

The Department of Fire and Emergency Services and the Office of the Inspector of Custodial Services advise:

(a)–(f) No.

The Department of Justice advises:

Please refer to Legislative Assembly Question on Notice number 3171.

CORRECTIVE SERVICES — SWIMMING POOLS, SPAS OR SAUNAS

3175. Mr Z.R.F. Kirkup to the Minister for Corrective Services:

As at 1 June 2018 are any swimming pools, spas or saunas maintained by the Department, and if so:

- (a) What is the location and estimated maintenance cost of each pool, spa or sauna; and
- (b) Which of (a) do prisoners or detainees have access to?

Mr F.M. Logan replied:

The Department of Justice advises:

Wooroloo Community Swimming Pool.

- (a) Estimated Maintenance Cost is \$16,500 pa.
- (b) Prisoners do not use the pool. Some section 95 prisoners are responsible for maintenance of the which is used by the local community.

MINISTER FOR HEALTH — PORTFOLIOS — MOBILE DEVICES

3191. Mr Z.R.F. Kirkup to the Deputy Premier; Minister for Health; Mental Health:

In respect of the Minister's portfolio responsibilities for any of their departments, agencies, government trading enterprises or boards, I ask:

- (a) Are there any policies or procedures in place for restricting unauthorised access to mobile devices (mobile phones, tablets and laptops):
 - (i) If so, what are they; and
 - (ii) If not, why not;
- (b) How many mobile devices have been disposed of in the following financial years and what was their disposal method (i.e. at auction):
 - (i) 2015–16;
 - (ii) 2016–17; and
 - (iii) 2017–18; and
- (c) Were any of the mobile devices in (b)(i)–(iii) used to store sensitive or confidential information:
 - (i) If so, what type of sensitive or confidential information; and
 - (ii) If so, what measures are put in place to ensure this information is not retained on the hard-drive of the device upon it's disposal?

Mr R.H. Cook replied:

For the Department of Health and Health Service Providers I am advised:

- (a) Yes.
- (i) The 'Information Security Policy' and the 'Acceptable Use of Information and Communications Technology Policy' are mandatory policies that apply across the WA health system in regards to the use of mobile devices.
- (ii) Not applicable.
- (b)

Health Service	Year	(Amount Approx)	Disposal Method
Department of Health	2016/17	26	CUA WAS2016
Department of Health	2017/18	46	CUA WAS2016
Health Support Services	2016/17	6	CUA WAS2016
Health Support Services	2017/18	31	CUA WAS2016
Child & Adolescent Health Service	2015/16	20	Donation
Child & Adolescent Health Service	2016/17	20	Donation
Child & Adolescent Health Service	2017/18	20	Donation
East Metropolitan Health Service	2016/17	15	Suez Waste Management
East Metropolitan Health Service	2017/18	50	Suez Waste Management
North Metropolitan Health Service	2015/16	48	Donation
North Metropolitan Health Service	2016/17	48	Donation
North Metropolitan Health Service	2017/18	48	Donation
South Metropolitan Health Service	2015/16	62	Recycle company; CUA WAS2016
South Metropolitan Health Service	2016/17	42	Recycle company; CUA WAS2016
South Metropolitan Health Service	2017/18	76	Recycle company; CUA WAS2016
WA Country Health Service	2015/16	309	CUA WAS2016
WA Country Health Service	2016/17	378	CUA WAS2016
WA Country Health Service	2017/18	250	CUA WAS2016

- (c) Yes.
- (i) WA Health Data including HR, Financial, Contractual and Clinical information.
- (ii) For laptops and tablets, hard drives are removed from devices before they are disposed and then the hard drives are environmentally and securely destroyed via WA Government CUA approved vendors. For mobile phones these are reset to factory settings prior to disposal and mobiles that are damaged, un-repairable and cannot be accessed for deleting the information are physically destroyed as the preferred method of disposal.

Mental Health Commission advises:

- (a) Yes.
- (i) Mental Health Commission, Mobile Devices Policy and Mental Health Commission, Information Security Policy.
- (ii) Not applicable.
- (b) (i) 2015–16 – Nil
- (ii) 2016–17 – Nil
- (iii) 2017–18 – 25

Items disposed under CUAWAS2016 Waste Disposal and Recycling Services – Category E – ICT Equipment Disposal (e-Waste).

- (c) Yes.
 - (i) Emails.
 - (ii) Remove Exchange account. All e-waste was required to have the maximum 7-Pass Overwrite for each device.

Health & Disability Services Complaints Office (HaDSCO) advises:

- (a) Yes.
 - (i) HaDSCO has a Service Level Agreement with the Department of Health for the provision of Information Technology services and adopts the Department of Health's 'Information Security Policy' and the 'Acceptable Use of Information and Communications Technology Policy' in regards to the use of mobile devices.
 - (ii) Not applicable.
- (b) Nil.
 - (i)–(iii) Not applicable.
- (c) Nil.
 - (i)–(ii) Not applicable.

Healthway advises:

- (a) Yes.
 - (i) Healthway has a Mobile Device policy (D13/954).
 - (ii) Not applicable.
- (b) (i)–(ii) Nil.
 - (iii) 7 mobile phones and 5 Tablets were disposed of via "Total Green Recycling" contract number WAS2016. 1 Tablet was purchased via a staff member; items being disposed were circulated to staff asking for EOI to purchase.
- (c) The Mobile Device policy states that mobile devices are to be used to remotely connect to Healthway networks. All data is accessed and saved to those networks.
 - (i) Not applicable.
 - (ii) Mobile devices were erased prior to disposal and "Total Green Recycling" were also requested to erase/sanitise all mobile devices.

Animal Resource Authority (ARA) advises:

- (a) Yes.
 - (i) An internal IT Network Security Agreement form is signed when new employees are being inducted, and includes the IT Policy for employee/s to read and understand. Off-site use of agency mobile devices by employees is recorded and monitored.
 - (ii) Not applicable.
- (b) Nil.
 - (i)–(iii) Not applicable.
- (c) No.
 - (i)–(ii) Not applicable.

MINISTER FOR EMERGENCY SERVICES — PORTFOLIOS — PHOTOCOPIERS

3203. Mr Z.R.F. Kirkup to the Minister for Emergency Services; Corrective Services:

In respect of the Minister's portfolio responsibilities for any of their departments, agencies, government trading enterprises or boards I ask:

- (a) Are there any policies or procedures in place for erasing the hard-drives of photocopiers upon their disposal from the agency:
 - (i) If so, what are they and what software is used to erase the hard-drive; and
 - (ii) If not, why not;

- (b) Could the Minister provide a breakdown (make/model/software operating system) of the photocopiers that are in use (including which are connected to a WLAN, LAN etc. and which are stand-alone) as at:
 - (i) 1 June 2016;
 - (ii) 1 June 2017; and
 - (iii) 1 June 2018; and
- (c) Are any of the photocopiers in (b)(i)–(iii) used to scan, replicate or print sensitive or confidential information:
 - (i) If so, what type of sensitive or confidential information; and
 - (ii) If so, what measures are put in place to ensure this information is not retained on the hard-drive of the photocopier?

Mr F.M. Logan replied:

The Department of Fire and Emergency Services (DFES) advises:

- (a)
 - (i) DFES has procedures in place to manage the secure disposal of ICT equipment.
 - (ii) ICT equipment is disposed of via services procured under CUAWAS2016 which includes provision for sanitisation and destruction of storage media in ICT devices.
- (b) Please see response to Legislative Assembly Question on Notice 3209.
- (c) Not applicable.

The Office of the Inspector of Custodial Services advises:

- (a)
 - (i) No. Not applicable.
 - (ii) We completely remove the hard drives from photocopiers before disposal. We then physically destroy the hard drives.
- (b) Please see response to Legislative Assembly Question on Notice 3209.
- (c) Not applicable.

The Department of Justice advises:

Please see response to Legislative Assembly Question on Notice 3201.

PRISONS — INDIVIDUAL MANAGEMENT PLANS

3300. Mr Z.R.F. Kirkup to the Minister for Corrective Services:

I refer to Individual Management Plans (IMP) for prisoners (as at 18 June 2018), and ask:

- (a) How many prisoners are there in the prison estate;
- (b) In relation to (a) are there any prisoners which don't have an IMP:
 - (i) If so, how many don't an IMP and why; and
 - (ii) If so, what is the average time taken to establish an IMP; and
- (c) In relation to (a) how many prisoners do have a IMP?

Mr F.M. Logan replied:

The Department of Justice (the Department) advises:

- (a) As at 20 June 2018 there were 4931 sentenced prisoners and a total prisoner population of 6859. Please note, only sentenced prisoners receive an IMP.
- (b) Yes.
 - (i) The June 2018 report shows that of those prisoners that require an IMP, 804 are outstanding. Those prisoners without an IMP are on a waitlist for a sentence planning officer to complete their IMP. Not all sentenced prisoners are required to receive an IMP. In accordance with Department policy Adult Custodial Rule 18 – *Assessment and Sentence Management of Prisoners* (ACR18) prisoners serving effective sentences of less than six (6) months do not receive an IMP.
 - (ii) The Department does not record statistics on the average time it takes to establish an IMP. The time taken to complete an IMP varies as the complexity of each individual prisoner's case can significantly differ.
- (c) As at 20 June 2018, 2960 prisoners have an IMP.

MINISTER FOR EMERGENCY SERVICES — STAFF — RECORDKEEPING AWARENESS TRAINING

3336. Mr A. Krsticevic to the Minister for Emergency Services; Corrective Services:

As at 1 June 2018:

- (a) How many staff were employed in your Ministerial Office;
- (b) How many staff had completed record-keeping awareness training; and
- (c) Of those staff who had not completed record-keeping awareness training, how many had been employed in your office for:
 - (i) between 0 and 4 weeks;
 - (ii) between 4 weeks and 3 months;
 - (iii) between 3 and 6 months;
 - (iv) between 6 months and 1 year; and
 - (v) greater than 1 year?

Mr F.M. Logan replied:

Please see response to Legislative Assembly Question on Notice 3342.

MINISTER FOR EMERGENCY SERVICES — PORTFOLIOS — STATE ARCHIVES ACCESS REQUESTS

3353. Mr A. Krsticevic to the Minister for Emergency Services; Corrective Services:

For each department, agency, government trading enterprise or organisation within your portfolios, can you please advise, for each of the past five years:

- (a) how many requests have been made to access State Archives records held by the organisation;
- (b) how many requests to access State Archives records were met; and
- (c) how many requests to access State Archives records were declined and the basis on which each request was denied?

Mr F.M. Logan replied:

The Department of Fire and Emergency Services and The Office of the Inspector of Custodial Services advise:

- (a) Nil.
- (b)–(c) NA.

The Department of Justice advises:

Please see response to Legislative Assembly Question on Notice number 3351.

MINISTER FOR EMERGENCY SERVICES — STAFF — ARCHIVES TRAINING

3370. Mr A. Krsticevic to the Minister for Emergency Services; Corrective Services:

For each department, agency, government trading enterprise or organisation within your portfolios, can you please advise:

- (a) how many lineal meters of hard copy documents are held by the organisation, which would be transferred to the State Records Office as State Archives, if transfers were being accepted;
- (b) how many FTE have specific training in the *State Records Act 2000*;
- (c) how many FTE have specific training in, or knowledge of the long-term care and preservation of State Archives; and
- (d) how many FTE have specific training in, or knowledge of the management of digital archives?

Mr F.M. Logan replied:

The Department of Fire and Emergency Services (DFES) advises:

- (a) An estimated 420 lineal metres.
- (b) 1008
- (c) Six.
- (d) One with three additional officers attending training over the next 12 months.

The Office of the Inspector of Custodial Services advises:

- (a) 100m approximately.
- (b) 12
- (c) 2
- (d) 0

The Department of Justice advises:

Please see response to Legislative Assembly Question on Notice number 3368.

MINISTER FOR EMERGENCY SERVICES — PORTFOLIOS — RECORDKEEPING PLANS

3387. Mr A. Krsticevic to the Minister for Emergency Services; Corrective Services:

For each department, agency, government trading enterprise or organisation within your portfolios, can you please advise:

- (a) whether the organisation has a recordkeeping plan, pursuant to the *State Records Act 2000*;
- (b) the date on which the record keeping plan was first submitted;
- (c) whether the record keeping plan has been approved by the State Records Office;
- (d) the date on which the record keeping plan was last reviewed; and
- (e) whether the record keeping plan is overdue for a review and if so, what actions are being undertaken to ensure compliance is maintained with the Act?

Mr F.M. Logan replied:

The Department of Fire and Emergency Services (DFES) advises:

- (a) Yes.
- (b) 2 August 2013.
- (c) Yes.
- (d) Currently being reviewed.
- (e) The record keeping plan is not overdue for a review.

The Office of the Inspector of Custodial Services advises:

- (a) Yes.
- (b) September 2014.
- (c) Yes.
- (d) 15 December 2014.
- (e) No.

The Department of Justice advises:

Please see response to Legislative Assembly Question on Notice number 3385.
