

LEGAL AID AND COMMUNITY LEGAL CENTRES — FUNDING

697. Mr R.S. Love to the Attorney General; Minister for Electoral Affairs:

I refer to funding for Legal Aid and Community Legal Centres, and ask:

- (a) Does the Government intend to formalise the temporary funding boost provided during the COVID-19 pandemic, given demand for these services is above the previous baseline:
  - (i) If no, has any additional funding been considered to continue assisting Legal Aid and Community Legal Centres;
- (b) Has the new model for Tenancy Advice and Education Services (TAES) been finalised by the Department of Justice and if yes, what accounts will contribute to the new model;
- (c) Is the Attorney General satisfied that the new model will provide long term funding sustainability;
- (d) Has the Department of Justice undertaken modelling in relation to:
  - (i) The service gaps currently across Western Australia in relation to Community Legal Centres;
  - (ii) Demand for Legal Aid services;
  - (iii) Demand for Community Legal Centres; and
  - (iv) Long term funding arrangements for Legal Aid and Community Legal Centres; and
- (e) For (d)(i)–(iv), please table any modelling?

**Mr J.R. Quigley replied:**

- (a) The Government is not intending to formalise the temporary boost provided during the COVID-19 pandemic. However, the Department of Justice is working to secure ongoing sustainable funding for the Community Legal Centres to maintain services at current levels.
- (b)–(c) The Tenancy Advice and Education Services (TAES) program is managed by the Department of Mines, Industry Regulation and Safety and the question should be directed to the Minister for Commerce.
- (d) Yes. The Department of Justice engaged an external consultant via an open tender process to document the estimated nature and level of legal need in Western Australia.
- (e) The resultant WA Legal Needs Report has been published and is available on the Department of Justice’s website.

ENVIRONMENT — CONTAMINATED SITES ACT

698. Mr R.S. Love to the Minister for Environment; Climate Action; Racing and Gaming:

In reference to the *Contaminated Sites Act 2003* (the Act):

- (a) Has there been a review since the 2015 Statutory Review or is a review underway;
- (b) How many Full-Time Equivalent (FTE) in the Department of Water and Environmental Regulation have been responsible with assisting to implement and manage the legislation in:
  - (i) 2018–19;
  - (ii) 2019–20;
  - (iii) 2020–21;
  - (iv) 2021–22; and
  - (v) 2022–23 to date;
- (c) How many complaints have been made under the Act;
- (d) Please list current special purpose accounts and detail for each individual account:
  - (i) Amount currently held;
  - (ii) Date created;
  - (iii) Please detail and itemise source of funds;
  - (iv) Please detail (the) amount(s) expended since 2015; and
  - (v) Number of FTE funded to assist administration of the special purpose account;
- (e) Do the following have special purpose accounts in relation to managing contamination under the Act and if not, why not:

- (i) East Perth Power Station;
  - (ii) Wittenoom Town Site;
  - (iii) South Fremantle Power Station;
  - (iv) Bullsbrook PFAS contamination sites;
  - (v) Jandakot Airport PFAS contamination sites; and
  - (vi) Penguin Island asbestos contamination sites; and
- (f) If the sites in (e) do not have special purpose accounts, please detail the amount budgeted for remediation and the amount expended to date?

**Mr R.R. Whitby replied:**

- (a) Section 99 of the *Contaminated Sites Act 2003* (CS Act) required a review of its operation and effectiveness as soon as practicable after the expiry of five years from its commencement. The review required under Section 99 was tabled in Parliament in February 2015. No further review has been undertaken.
- (b) The Department of Water and Environmental Regulation's (DWER) workforce fluctuates during any financial year. DWER's payroll records show that the following full-time equivalents (FTE) were involved in administration of the CS Act in June of each full financial year, and in March 2023:
- (i) 24.35
  - (ii) 24.91
  - (iii) 20.1
  - (iv) 16.96
  - (v) 18.76
- (c) DWER's Incident Complaints Management System records 114 complaints related to contaminated sites or site contamination concerns.
- (d) In accordance with section 60 of the CS Act, there is one agency special purpose account, the Contaminated Sites Management Account (CSMA), established under section 16 of the *Financial Management Act 2006*
- (i) \$484,066 as at 31 March 2023
  - (ii) 1 December 2006 (CS Act commencement date)
  - (iii) Fees are collected under the CS Act and the *Contaminated Sites Regulations 2006*. Between 1 July 2022 and 31 March 2023 the fees collected amounted to \$154,721.  
CSMA funding conditions require agencies to return any unspent grant funding to the CSMA at the completion of funded projects. During the nine-month period, \$18,100 was returned to the CSMA (in addition to the fees collected).
  - (iv) \$2,858,000 since 1 July 2015, as follows (rounded to the nearest thousand):

2015–16	\$32,000
2016–17	\$128,000
2017–18	\$250,000
2018–19	\$1,493,000
2019–20	\$346,000
2020–21	\$251,000
2021–22	\$103,000
2022–23	\$255,000
  - (v) 0.2 FTE
- (e) No. There is one special purpose account – the CSMA.
- (f) Grants totalling \$750,000 have been made from the CSMA to the Department of Planning, Lands and Heritage for contamination investigation and remediation planning works in the Wittenoom Asbestos Management Area, which includes the Wittenoom Town Site.  
No CSMA grant applications have been received from the public authorities responsible for the East Perth Power Station, South Fremantle Power Station or Penguin Island.

Royal Australian Airforce Base Pearce in Bullsbrook and Jandakot Airport are Commonwealth land. In accordance with the *Intergovernmental Agreement on a National Framework for Responding to PFAS Contamination*, the Commonwealth is responsible for identifying and managing perfluoroalkyl and polyfluoroalkyl substances (PFAS) contamination on and from Commonwealth sites.