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LEGISLATIVE ASSEMBLY ESTIMATES COMMITTEE A

Thursday, 22 October 2020

Legislative Assembly

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ESTIMATES COMMITTEE A

The meeting commenced at 9.00 am.

Division 39: Transport, \$135 763 000 —

Ms J.M. Freeman, Chair.

Ms R. Saffioti, Minister for Transport.

Mr P. Woronzow, Acting Director General.

Mr I. Cameron, Managing Director.

Mr P. Parolo, Chief Financial Officer.

Mr A. Kannis, Managing Director, Metronet.

Mr P. Abromeit, Policy Adviser.

[Witnesses introduced.]

The CHAIR: Good morning, members. This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. The Chair will ensure that as many questions as possible are asked and answered, and that both questions and answers are short and to the point. Estimates committee's consideration of the estimates is restricted to the discussion of items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall only be examined in relation to their portfolio responsibilities.

The minister may agree to provide supplementary information to the committee, rather than asking that the question be put on notice for the next sitting day. I ask the minister to clearly indicate what supplementary information she agrees to provide, and I will then allocate a reference number. If the supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 30 October 2020. I caution members that if a minister asks that a matter be put on notice, it is up to that member to lodge the question on notice through the online questions system.

Member for Vasse.

Ms L. METTAM: Minister, I refer to budget paper No 2, volume 2, page 586, "Westport: Port and Environs Strategy". Will the minister provide a complete breakdown of the funding for each of the years indicated in the budget? Does the funding include any money for upgrades to infrastructure, land acquisition or capital works, or is the money for planning purposes?

Ms R. SAFFIOTI: Thank you; I will refer to my notes. The member is looking for the breakdown of what figure, on what line? Is the member referring to "Ongoing Initiatives"?

Ms L. METTAM: Yes; that is right.

Ms R. SAFFIOTI: I can provide a breakdown of the major categories. The first is environment and social amenity sustainability. I think this money eventually will be transferred to the relevant agencies, but it is shown as a holding in Transport. These are all the environmental assessments and so forth. It is \$2.467 million in 2020–21, \$6.609 million in 2021–22, \$6.259 million in 2022–23 and \$5.77 million in 2023–24. The line for environmental and sustainability assessments and approvals processes is \$21.1 million over the next four years.

I will go through the other key points. Salaries is \$2.8 million in 2020–21, \$4.6 million in 2021–22, \$4.7 million in 2022–23 and \$4.7 million in 2023–24, so that is \$16.8 million.

Supply chain development is basically looking at the entire supply chain. Working through the Freight and Logistics Council and so forth, we are looking at how we can better manage and plan for the movement of freight across the suburbs. It is \$865 000 in 2020–21, \$1.9 million in 2021–22, \$8.9 million in 2022–23 and \$4.8 million in 2023–24. That adds up to about \$16.4 million.

The next category is all about ground truthing, further work on local surveys and other work in the local area. It is \$233 000 in 2020–21, \$1 million in 2021–22, \$1.3 million in 2022–23 and \$1.2 million in 2023–24, totalling \$3.7 million.

Through the project management office, we make sure that we have a strong governance regime over the Westport Taskforce. It is \$722 000 in 2020–21, \$877 000 in 2021–22, \$673 000 in 2022–23 and \$1.09 million in

2023–24. For project governance and project management office engagement, it is \$948 000 in 2020–21, \$1.5 million in 2021–22, \$1.3 million in 2022–23 and \$1.7 million in 2023–24. As I said, that covers community engagement, project governance and project management.

In land use, again we are looking at further planning in particular. As we have said, Westport is about not only a port but also the entire supply chain, so it is all about how we better move freight throughout the suburbs from the regions. We are very keen to make sure that we coordinate land use in conjunction with the port. There has been a lot of discussion and debate over many years about what should happen in that area. We are trying to provide clarity for not only the future economic growth of the state, but also the hundreds of landowners who have had a lot of uncertainty over many years. One of our aims is to try to end that uncertainty and make sure that there is clarity about land use in the future. It is zero in 2020–21, \$148 000 in 2021–22, \$297 000 in 2022–23 and \$297 000 in 2023–24. Therefore, the total is around \$740 000.

The next category is commercial. I do not have the definition of what that means, but I suspect that relates to obtaining further legal and other advice. It is \$250 000 in 2020–21, \$120 000 in 2021–22, \$130 000 in 2022–23 and \$240 000 in 2023–24. That is a total of \$740 000.

For transition detailed analysis modelling, it is \$367 000 in 2020–21.

Economic development is, I suspect, funds primarily given to the Department of Jobs, Tourism, Science and Innovation to further look at how we can work. Although that work is primarily driven by JTTSI, this relates to further work. It is \$151 000 over the four years, comprising \$17 000 in 2020–21, \$24 000 in 2021–22, \$41 000 in 2022–23 and \$69 000 in 2023–24.

Again those allocations for economic development are probably additional amounts because, as part of the overall strategy, JTTSI is driving future economic development and job opportunities, and as members know jobs are this government's number one priority. This is all about creating jobs and certainty. Westport land acquisition is also included in the Western Australian Planning Commission budget, which we can talk about now or during the WAPC hearing. That is trying to address some of the long-term uncertainty. For example, there is another \$20 million for land acquisition, primarily for Anketell Road and I think a bit for Rowley Road, too. As I said, one of the biggest concerns we have relates to feedback from landowners, and I think Roger Cook is dealing with them. They have had a lot of uncertainty over many years. One of the purposes of creating a plan and doing that work is to end the uncertainty for landowners and industry, and hopefully getting on with a bipartisan plan that will create jobs and economic development for the state.

[9.10 am]

Ms L. METTAM: Of those funds, and going forward, can the minister confirm whether it is intended that Nicole Lockwood will continue as chair of the Westport Taskforce; and, if so, what payments and allowances will be made to her in that role as chair, and in her role as chair of the Freight and Logistics Council of WA, one of the key stakeholders? Also, what payments will be made to Lockwood Consulting as the agency responsible for marketing and communicating? I am seeking clarity on the payments that will be made to Nicole Lockwood and to Lockwood Consulting by the government going forward in relation to the Westport Taskforce and the Freight and Logistics Council, as a key stakeholder, as well as some clarity on what has been paid to Ms Lockwood so far.

Ms R. SAFFIOTI: Nicole's contract has been extended to the end of this financial year. As the member will be aware, Nicole Lockwood is well respected in the freight and logistics community and she will continue as independent chair of the Westport Taskforce to manage stakeholder engagement and provide advice. She is no longer a board member of Infrastructure Australia, but she was appointed to that board by the federal Liberal–National government. She is well respected by both sides.

Mr V.A. CATANIA: She is a very good shire president.

Ms R. SAFFIOTI: She is a very good shire president—look at that!

She was supported by both sides of government. We can provide the member with further details by way of supplementary information, but that funding would be contained in that breakdown, which I will go through again. The allocation for project governance and the project management office is \$722 000 in 2020–21 —

Ms L. METTAM: No, that is not necessary.

Mr V.A. CATANIA: The question was: how much is she receiving as an individual and through her company?

Ms R. SAFFIOTI: We will provide that by way of supplementary information. It is an existing contract and, as I said, she is well respected—or she has been! I know that some members on the opposition side are not supportive of her. I think the member for Cottesloe or the member for Riverton made some pretty negative comments about her. I cannot remember which of those members made the comment, but she has been pretty well respected.

The CHAIR: Can the minister outline what she will give as supplementary information?

Ms R. SAFFIOTI: The payment that Nicole Lockwood will receive as chair of the Westport Taskforce until the end of the year.

[Supplementary Information No A15.]

Mr V.A. CATANIA: The question was not only about what she is receiving as chair but also as a consultant.

The CHAIR: At this point, the minister will provide supplementary information on what Ms Lockwood will receive as chair of the Westport Taskforce up until the end of her contract. Does the minister want to give further supplementary information?

Ms R. SAFFIOTI: I will provide the answer in relation to the Department of Transport, but she has other roles across federal and state governments, which I cannot answer.

The CHAIR: For clarity, I will give that a further supplementary number so that we are really clear. Can you be clear about the information you will provide?

Ms R. SAFFIOTI: I will provide the amount that the Department of Transport is forecast to pay Nicole Lockwood's consultancy firm in 2020–21.

The CHAIR: Thank you very much.

[Supplementary Information No A16.]

Mr V.A. CATANIA: In terms of working out that freight network, has Transport looked at the Kalgoorlie intermodal hub as an option for trying to reduce the volume of freight that needs to go to Perth, making that the internal hub taking that freight north? Obviously, a lot of freight from east goes north. Has the minister looked at that concept; and, if so, how much is that worth? I have an indicative number of about \$130 million to develop an intermodal hub in Kalgoorlie. Has that option been looked at?

Ms R. SAFFIOTI: The member raises a good point that the development of intermodal hubs relieves pressure off roads. The question is also about the destination, source and volume of containers and whether intermodal hubs in particular locations will make enough sense to justify their creation. We have the existing intermodal hub in Forrestfield, and proposals for intermodal hubs in Bullsbrook, and Kenwick and Mundijong as we further develop that south-east corridor. In relation to Kalgoorlie, the member may know that the PortLink inland freight corridor project has received some funding through Hon Alannah MacTiernan as Minister for Regional Development. The government has committed \$300 000 to look at infrastructure needs and the development of Kalgoorlie, including \$150 000 to study rail freight volumes in the region. As a department we are participating in that study and we will continue to liaise with the City of Kalgoorlie–Boulder. But, as the member knows, that proposal has a number of different parts to it. It is a big proposal, which is why we have committed funds to look at feasibility. As I have always said, supporting intermodal hubs is a no-brainer as it reduces pressure off roads and creates employment opportunities throughout the suburbs. The benefit is twofold: it takes pressure off roads; and these intermodal hubs become employment centres, which helps to distribute employment associated with trade away from one centre, whether it be to the suburbs, the eastern or south-eastern corridor or to regional WA. They make a lot of sense. Integral to Westport planning is how we can support intermodal hubs. That is why, for example, we put funds toward the supply chain development under the Westport Taskforce.

Ms L. METTAM: Does the minister think it is a conflict of interest that the same individual is the chair of Westport Taskforce, a key stakeholder as chair of the Freight and Logistics Council, as well as the deputy on Infrastructure WA? Is there a conflict of interest with these roles for which the individual is paid to undertake? Also, John Langoulant is chair of Infrastructure WA and a key adviser to Westport. Does the minister see any conflicts there? I would like some clarity on that.

Ms R. SAFFIOTI: I think the member is asking for an opinion, which is not what normally happens in this process. Do I think there is a conflict of interest? The member is not referring to a particular line item, nor is she requesting budget information. If the member wants to launch a personal attack on Nicole Lockwood—go ahead!

Ms L. METTAM: We are talking about taxpayers' money that is dedicated to an individual who is making decisions on behalf of the state. This is an individual who is being paid for marketing and communications, and is a key stakeholder, and is being paid as a key decision-maker as the chair of Westport Taskforce; and also happens to be the deputy of Infrastructure WA. A lot of people in Western Australia have a good understanding of our freight network. I wonder if the minister sees a conflict of interest in having that same individual in this number of lucrative positions?

[9.20 am]

Ms R. SAFFIOTI: Having a well-respected bipartisan appointee—someone who was appointed by the Liberal–National government to Infrastructure Australia—with a strong resume and an ability to work well with the freight industry is a positive for the state. That is what I think; obviously, the member for Vasse does not. I take the member's commitment is to sack her from all those positions. Does the member think there is a conflict of interest?

Ms L. METTAM: Yes, I do.

Ms R. SAFFIOTI: So, the Liberal Party would sack her from all those positions?

Ms L. METTAM: I think Westport is a farce.

The CHAIR: I might just head over to the member for North West Central, just to calm it down.

Mr V.A. CATANIA: Thank you, Chair. We do not have much time, so I just want to keep going.

Minister, I refer to division 39 on page 585 and the COVID-19 recovery plan. I have a quick question about the Carnarvon fascine entrance. What year and month was the fascine entrance blocked, preventing boats from going in and out?

Perhaps I can help the minister, to speed things up. It was April 2017, so after the March election. Perhaps the minister will ask her advisers whether that is correct.

Ms R. SAFFIOTI: I do not think it is correct. I think it was 2016.

Mr V.A. CATANIA: No, it was in April 2017 after a weather event.

Ms R. SAFFIOTI: I will get that for the member.

Mr V.A. CATANIA: I want some clarity on that, because there is some talk about why the previous government did not fix it, but it happened after the 2017 election.

Ms R. SAFFIOTI: The former government put a jetty in there, did it not? It spent funds to put some infrastructure in there.

Mr V.A. CATANIA: No; that was back in 2010. It was a boat ramp.

The budget estimates indicate that it will be 2024 before the project is completed, which is seven and a half years after the fascine entrance was closed. Does the minister find it acceptable that a major waterway for a regional town and for the travelling public, on boats and yachts, is blocked for seven and a half years? The Minister for Regional Development announced funding of \$7.5 million, of which only \$4.5 million is allocated to open up the waterway or for a permanent fix for this. Can the minister explain why it will take so long—seven and a half years—to be completed?

Ms R. SAFFIOTI: There are a couple of things. As the member knows, under the deed that was struck a number of years ago —

Mr V.A. CATANIA: In 1995.

Ms R. SAFFIOTI: Yes. Under the deed between the state and the local government, the fascine was under the management of the local government. I remember meeting members of the Shire of Carnarvon who said that they were struggling, in a sense, with their budget and their capacity to fund a solution to the issue with the fascine. I know that a local group has been doing some dredging. At the time, they asked whether the government could take over management of the fascine. They also asked for support from the Department of Transport to help fund better surveys and assessments to see what could be done to make sure that the solution that would be implemented would fix the problem permanently. At the time, the Department of Transport became involved and helped fund those surveys. We also started negotiations, and we are still in negotiation, about the management of the fascine. There have been a lot of differing views about whether we should continue to pursue short-term options or the long-term option, which requires more infrastructure but will allow the channel to remain open permanently. I know that I have been involved in this issue, and also that the Minister for Regional Development has been there a few more times to discuss this directly with the key parties. As part of the recovery plan, we helped the shire secure funds to achieve a permanent solution. We secured \$7 million of funding—\$4.5 million in operating costs and \$2.5 million in capital costs—to work with the shire. A number of options were put forward. I hope to visit the Shire of Carnarvon soon. As I said, the Minister for Regional Development met with the shire and some of the key parties as part of the announcement of the recovery plan, and proceeded with further discussions. I think I also had a quick discussion with the shire president. A number of different measures could be taken; one was for permanent infrastructure. We need to continue with further work to make sure that the surveys lead us to build infrastructure that can last for decades to come. As with many of these issues, it will take a bit of time to get the long-term solution. It has not been done before because it has been under the management of the shire.

Mr V.A. CATANIA: I want to clarify the management of the shire. The shire is not the owner of the waterway. I believe the Department of Transport is the owner of the waterway, as it is crown land, and there is a management order to maintain the fascine. Why is the landowner, being the Department of Transport—the minister's department—not taking responsibility for the ownership of the land? The Shire of Carnarvon has a management order over the fascine to maintain it, but this is not about maintaining the fascine; this is about several weather events that have blocked the fascine waterway. Why has the Department of Transport, as the landlord, not been involved from the get-go to ensure that that waterway is open as a navigable waterway?

Ms R. SAFFIOTI: As part of that management deed, the responsibility rested with the shire. That is what I was advised and I understood. I also understand that this issue was raised when the member's party was in government.

Mr V.A. CATANIA: This happened after the election.

Ms R. SAFFIOTI: No; I am talking about the management of the fascine transferring to the state government rather than remaining with the shire, because the shire had expressed concern before 2017 about the costs and its capability, given it is a relatively small shire with a limited revenue base and it has significant needs across both Carnarvon and Coral Bay.

Mr V.A. CATANIA: Does the minister find it acceptable to take seven and a half years to open up a waterway?

The CHAIR: What is the question, member for North West Central?

Mr V.A. CATANIA: Would that happen if the Swan River was blocked? Would that be unblocked straightaway?

Ms R. SAFFIOTI: Member, I make this point: the issue of the management of the fascine was raised during the time of the Liberal–National government, when the member for North West Central was the local member, and it was not changed. If that decision had been made by the former government in 2015, when the shire sought the reconsideration of the deed, and I suspect he was the local member then —

Mr V.A. CATANIA: We are talking about the waterway being blocked during the minister’s time in government. Can the minister confirm the waterway was blocked in April 2017? Has the minister got that information yet?

Ms R. SAFFIOTI: I can confirm that in 2015, the state Liberal–National government, and the member for North West Central as the local Nationals WA member —

Mr V.A. CATANIA: My question is pretty specific: can the minister confirm that the waterway was blocked in April 2017, in her term as minister in the Labor government?

[9.30 am]

Ms R. SAFFIOTI: I can confirm that the waterway was under the Shire of Carnarvon’s management order when it was blocked in 2017, because the previous state government refused to take responsibility when it was asked to do so in 2015.

Mr V.A. CATANIA: It was a clear question; can I please have the answer? I think the minister has the answer.

The CHAIR: The minister gave the member for North West Central an answer. The member cannot force the minister to give him the answer he wants. The minister has the right to give the member an answer.

Mr V.A. CATANIA: I am just trying to get the truth here.

Ms R. SAFFIOTI: I gave the answer.

Mr V.A. CATANIA: When was the fascine blocked? Was it in April 2017 or another date? I am not asking about management orders; I am asking about when it was blocked.

Ms R. SAFFIOTI: In early 2017, while it was still under the shire’s management order because the previous government refused to take responsibility.

Mr V.A. CATANIA: What month?

The CHAIR: We will move on. The member for Darling Range has a question.

Mrs A.K. HAYDEN: I refer to page 595 and the Soldiers Road, Byford, principal shared path. It is paragraph 15 under the asset investment program. It states —

\$3 million will be spent on a Principal Shared Path along the eastern side of Soldiers Road between Abernethy Road, Byford Road and 500 metres north of Bishop Road in Mundijong, where it connects into an existing path.

Ms R. SAFFIOTI: What page, member?

Mrs A.K. HAYDEN: It is page 595.

Ms R. SAFFIOTI: What line, sorry?

Mrs A.K. HAYDEN: I just read it out—if the minister could listen. It is paragraph 15. I note that time is very limited. Due to the lengthy answers we are receiving from the minister and the need to be quite prompt on this, a short reply would be appreciated. Can the minister advise whether that \$3 million has been allocated to a department or a local government, or whether a contract has been awarded? Why has the cash flow been allocated over two years?

Ms R. SAFFIOTI: The project is for a 2.5 to three-metre wide, 5.8-kilometre —

Mrs A.K. HAYDEN: I know what the project is; I want to know whether it has been awarded. That was not my question.

The CHAIR: The member needs to let the minister finish. If members interject, given that we have limited time—I am recording the time, we had 20 minutes on the first question—I will just move on to the next question. We will let the minister answer and then members can ask further questions. Let us do this in a breathy manner—take a breath.

Mrs A.K. HAYDEN: Just answer the question.

Ms R. SAFFIOTI: It is a very good project.

Mrs A.K. HAYDEN: It is; we know that.

Ms R. SAFFIOTI: I am so glad that our candidate for Darling Range, Hugh Jones, is doing such a good job advocating for the project.

Mrs A.K. HAYDEN: He has done nothing for this! Is the minister advertising a candidate during an estimates hearing on a budget that has nothing to do with elections?

The CHAIR: Member!

Ms R. SAFFIOTI: The proposal is for a 2.5 to three-metre wide, 5.8-kilometre red asphalt shared path along the eastern side of Soldiers Road and 500 metres north of Bishop Road, Mundijong, where it will connect to an existing path. The shared path will be suitable for people of all ages and abilities, providing walking and cycling facilities that can be used safely and easily by everyone in the community, which is very important. The project includes the provision of a 2.5-metre safety fence to separate the proposed shared path from the rail corridors. The path will be constructed over this year and maybe into the next. The city has provided indicative project milestones and the department is developing a grant agreement contract for the project. We expect that the grant agreement will be signed very soon. We will establish a memorandum of understanding, and the fencing and the works will commence early next year. That is my timing.

Mrs A.K. HAYDEN: When the minister said “the city”, did she mean that an MOU has been signed with the Shire of Serpentine–Jarrahdale?

Ms R. SAFFIOTI: Yes.

Mrs J.M.C. STOJKOVSKI: I refer to page 588 of the *Budget Statements* and the line item “Driver and Vehicle Services” in the service summary table. Can the minister please outline how the Department of Transport continues to ensure that Western Australian drivers’ licences are issued appropriately and legally?

Ms R. SAFFIOTI: I thank the member for raising the issue of drivers’ licences. I want to thank all the vehicle licensing workers and assessment teams, because they had a very difficult time through the COVID period. Staff worked very well through the COVID period; a lot of the assessors did a very good job. We are now in the catch-up phase, making sure that everyone who had planned to get their driver’s licence earlier this year, pre-COVID, can get their driver’s licence. An interesting part of the department’s work is the alert line—1300 040 456. Someone reported to the hotline that people were using fake Singaporean licences to obtain a WA driver’s licence. One whistleblower, in a sense, rang in. The department investigated and detected 173 fake licences, and, as a result 122 drivers’ licences have been cancelled in Western Australia since January. We believe those people are no longer in WA, or have moved interstate. Importantly, our department has been talking to other states, and it appears that a similar situation has unfolded in Victoria and New South Wales of fake Singaporean licences being used to get a state driver’s licence. As a result, those states are doing their own investigations. It is incredible, in a sense, that this type of fraud was uncovered as a result of someone ringing up the hotline and explaining what was happening. I congratulate the department for jumping on the issue as soon as it did and also for alerting the other states, because we do not want that type of activity, and WA licences, being issued on false premises. I congratulate and again thank the Department of Transport licensing team for all the work it has done over the past six to eight months. The team has worked very, very hard.

Ms L. METTAM: I refer to ongoing initiatives and the “Westport: Port and Environs Strategy” —

Ms R. SAFFIOTI: Sorry; what page?

Ms L. METTAM: It is page 586. It is a pretty simple question. Can the minister guarantee that the outer harbour and new port will be government owned? Does the minister envisage that there will also be automation at the new port and the outer harbour?

Ms R. SAFFIOTI: On the second part of the member’s question, the Westport business case process is now underway for the style of the port and role of intermodals. On the first part of the member’s question, yes, it will be government owned. I think it is important to point out that the previous Liberal government’s plan was to privatise Fremantle port, and part of that was significant automation. I recall that the previous government spent between \$18 million and \$25 million, with I think Deloitte, on its privatisation plan for Fremantle port, and part of that plan was automation. I wanted to clarify that. I think the previous government even went to the stage of getting prospective buyers into the data room on Fremantle port. The previous government had opened up the data room and had prospective buyers walking through and looking at all the financials of Fremantle port. The previous government’s Fremantle port proposal was in two parts—selling the port and automation. Of course, the previous government’s plan was for a new toll road as well.

Mr V.A. CATANIA: I refer to page 586 and the fourth point “Coastal Protection”, which states that the 2019 assessment report identified 55 coastal erosion hotspots. Can the minister provide, perhaps by way of supplementary information, a list of those coastal erosion hotspots?

[9.40 am]

Ms R. SAFFIOTI: I recall that information is available in a publicly released document on the Department of Planning, Lands and Heritage website.

Mr V.A. CATANIA: Does the minister have any plans to deal with coastal erosion at those hotspots, because it seems no money has been allocated to coastal erosion, especially to the Jurien Bay marina, which has had significant fish kills. All the planning has been done, but there is no money in the budget to fix coastal erosion.

Ms R. SAFFIOTI: I have a couple of points. We did a hotspot report to try to identify and prioritise the top hotspots. As I recall, the two highest priorities are Thomson Bay, Rottneet, and Port Beach. I think it is those two; I might be wrong. Immediate action is required at those two locations. Areas are prioritised for immediate action and lower action. A couple of things are assessed, including the amount of infrastructure being exposed to potential damage. There is also a big debate about coastal erosion and whether we retreat or put in infrastructure.

Mr V.A. CATANIA: Where is Jurien Bay marina on that list?

Ms R. SAFFIOTI: That is a new proposal. I think the business case has been developed or is under development. It is on a list of potential projects that the state and the federal government could fund. I am not being political about this; I would say this of both federal Labor and Liberal governments. Coastal erosion is impacting on many coastal communities around Australia, and the issues are similar. I wrote to the federal minister stating that we believe that, going forward, a partnership to support infrastructure is required. I have had no luck yet, but we have successfully put coastal erosion on Infrastructure Australia's recent national priorities list, and it is ranked as a top priority.

Mr M. HUGHES: I refer to page 587 and the eighth point, which states —

As part of recovery in our regions the Department is engaged with airlines to ensure minimum service levels for regional travel and will also undertake a review of the draft State Aviation Strategy accordingly.

Can the minister outline what actions the government has taken to ensure regional residents have access to affordable and reliable air services, prior to COVID and as we continue our recovery from the peak of the pandemic?

Ms R. SAFFIOTI: I thank the member for Kalamunda. We have always said that access to available and affordable airfares is a priority for regional WA because it is key to attracting workers to regional Western Australia and supporting economic growth. When people think about moving to regional WA, particularly those areas beyond a comfortable driving distance, they want the ability to travel at an affordable rate, and if anything unexpected happens, to be able to jump on a plane to see their family and so forth. That is why I see it as a priority. Of course it is about tourism; it is also about local amenity and making sure that regional Western Australians have access to affordable travel.

We embarked on a regional aviation strategy. We were finalising that strategy when COVID hit. In Western Australia, like the rest of the nation and the world, the aviation sector has been one of the hardest hit through COVID. We have had ongoing discussions with Qantas, Virgin—although currently that is a bit tricky, as it transitions into a new ownership structure—Alliance Airlines, Regional Express and Airnorth. We have been working with all the major carriers in Western Australia to get more affordable airfares. Members would have seen that the Minister for Tourism has announced some significant airfare deals for the Kimberley, in particular. Again, that is not only about supporting tourism; those airfares will be available to regional Western Australians wanting to come to Perth. We are working on other areas as well. Predominantly in mining or resource towns, like Karratha, Newman and Port Hedland —

Mr V.A. CATANIA: Paraburdo.

Ms R. SAFFIOTI: Yes, Paraburdo. We are working with the mining sector on how we can leverage what they do through regular passenger transport, or modified RPT, to guarantee community airfares. We have seen community airfares created for many towns over the past two or three years. We are pushing for a tourism boost to continue to drive tourism fares and a guaranteed airfare for regional Western Australians. Of course, other ports like Monkey Mia, Esperance and Albany have Rex services. We have been working really well with Rex to deliver affordable airfares. I know there have been some discussions about this is Albany—the member for Albany raises the size of the aircraft a bit—but a good airfare has been delivered for everyone.

We will continue to work on and revise the long-term aviation strategy and we are in constant negotiations with airlines as we transition back to normality. Of course, there is always a bit of tension in the resources sector between charter and RPT, but we believe that when we can, RPT provides a more generous potential benefit to local communities. But we understand that the resources industry in particular is trying to manage and control its passenger lists to ensure that it is protected from any COVID.

Mr V.A. CATANIA: Can the minister provide the average fare for the last six months for all regional ports in Western Australia?

Ms R. SAFFIOTI: We will try to do that, but many ports do have community airfares. We will highlight those where they exist; otherwise, we will try to provide that information. I will see whether I have further advice. I think the member also has a question on notice on this issue.

Mr V.A. CATANIA: I thought it might come quicker this way.

Ms R. SAFFIOTI: We can provide it by supplementary information.

Mr V.A. CATANIA: If the minister is going to answer the question on notice, that is all good.

Mr J.E. McGRATH: I refer to page 590 and strategic transport policy and integrated planning. The second dot point states —

strategic policy development which supports the achievement of sustainable, effective and practical solutions for Western Australian transport networks ...

I refer to the Canning Bridge bus interchange. Some of my constituents are very observant and have noticed that the federal government announced \$75 million for the Canning Bridge bus interchange, which people have been calling for for a long time. It is very unsafe on the highway, with buses doing U-turns to take kids back to the university, and it is a difficult area for people, especially pedestrians, to navigate. The federal government says that the project is expected to start in early 2022 and finish in early 2024. My constituents want to know how the state government will fit in with this time line, what discussions have been undertaken, and whether the minister can see this time line being facilitated?

[9.50 am]

Ms R. SAFFIOTI: How are we going to fit it in? We are going to do it. The federal government has contributed \$1.1 billion as part of a package plus some other funds through the regional run-off road program. The state put forward the Canning Bridge bus interchange as a priority project because of the exact issues that the member raised. There is no doubt that the Canning Bridge bus interchange area is becoming increasingly congested. I think the new smart freeway and the dedicated lane exiting Canning Highway, heading east onto the freeway, together with the Manning Road on-ramp, as the member would know, have helped to reduce congestion and improve safety in that area. But, more generally, as we continue to grow, particularly the activity centre precinct adjacent to Applecross, on the Melville side, that bus interchange will play an increased role in the future. We put forward a proposal. The federal government has supported that. We are going through our budgeting process to provide or match those funds. That will be done next month or in the coming months.

As a result of the federal government's announcement, we are looking at how we can put a time line to the project. We will be doing planning work as soon as we can. Currently, we have a concept design, but we have to go through a more detailed design process because we have the commitment. We are very keen to do that as fast as we can, but we have to go through the design process. We are at the concept design stage, so it will take a bit more work. I think it is inter-phased with the freeway and potentially the Swan River through the Swan River Trust, and that will require an approvals process. We are very keen to get on with it because we see that that intermodal hub—a different type of intermodal hub—between buses and trains will support residential activity and further use, particularly by people from Fremantle catching buses or trains. Of course, during football games, we see it very heavily utilised, and the volume of people creates a bit of a congestion point, I suppose—in particular, Dockers supporters living along Canning Highway, on the way to Fremantle!

The appropriation was recommended.

Division 41: Public Transport Authority of Western Australia, \$1 106 051 000 —

Ms J.M. Freeman, Chair.

Ms R. Saffioti, Minister for Transport.

Mr P. Woronzow, Acting Director General, Department of Transport.

Mr M. Burgess, Managing Director.

Mr P. Parolo, Chief Financial Officer.

Mr J. Steedman, Executive Director, Finance and Contracts.

Mr R. Hamilton, Executive Director, Major Projects.

Mr A. Kannis, Managing Director, Metronet.

Mr P. Abromeit, Policy Adviser.

The CHAIR: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. It is the intention of the Chair to ensure that questions are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information she agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 30 October 2020. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online questions system.

[Witnesses introduced.]

The CHAIR: I give the call to the member for Vasse.

Ms L. METTAM: I refer to page 622 and significant issues impacting the agency. The first point refers to Metronet. Can the minister confirm that the Midland line, the Forrestfield–Airport Link and the Morley–Ellenbrook line will run six trains per hour at peak; and, if so, how will the Public Transport Authority guarantee the reliability of peak services with 18 trains per hour running between Bayswater and Perth stations?

Ms R. SAFFIOTI: In our media conference when we announced the route definition, I think we outlined that we were looking at four trains per hour on the Morley–Ellenbrook line, but we are doing further modelling. We are also upgrading the signalling between Bayswater and the city to further assist running more trains per hour. That is the work that we are doing. I think that signalling upgrade was scheduled post-the forward estimates but we have brought that forward. We will increase the capacity of our signalling and we will finalise the operational model for the Ellenbrook line. Going forward, we will be able to stipulate exactly how many trains per hour will be on the Ellenbrook line, but it will be between four and six.

Ms L. METTAM: Even if it is four trains per hour at peak, that is 16 trains per hour between Perth and Bayswater. I understand that the optimal number of trains for a reliable service is 12 trains per hour. Is there, or will there be, sufficient capacity on the lines between Perth and Bayswater and does Perth station have the capacity to cater for the number of trains that will run at peak? Can the minister explain how this will be possible?

Ms R. SAFFIOTI: Perth station has a spare platform—that is, platform 9. On capacity, as I said, we are upgrading signalling and it should be noted that with intensive signalling we are running 25 trains per hour between Perth Stadium station, which was built under the previous government, and the city. That was part of the previous government's public transport plan for the stadium station.

Ms L. METTAM: Picking up on the minister's earlier comments. Was the minister hoping that there would be a spare platform at Perth station? Was the decision to run trains from Ellenbrook to Perth and Claremont a considered decision of the PTA?

Ms R. SAFFIOTI: I already answered the member's first question. It was done through business case development and options analysis—I think the PTA started with 100 options. Then we looked at all the different feasible options to get from Perth to Ellenbrook as part of the Infrastructure Australia analysis. We looked at rapid transit ways, busways, different routes, tunnels, you name it. That was all assessed as part of a thorough business case analysis.

Ms L. METTAM: Will additional costs be attributed to the challenge of having 16 to 18 trains on this line? Can the minister confirm—because I do not think the minister answered this question—that the decision to run Ellenbrook trains to Perth and Claremont was a decision of the PTA?

[10.00 am]

Ms R. SAFFIOTI: Yes. It was a recommendation to government.

Mrs A.K. HAYDEN: On page 621, I refer to the “Appropriations, Expenses and Cash Assets” table and the total appropriation budget line. Can the minister identify where in the budget papers funding has been allocated for the Abernethy Road rail crossing in Byford?

Ms R. SAFFIOTI: I am just trying to understand what the member is talking about. Can the member explain it?

Mrs A.K. HAYDEN: It is my understanding that under the Public Transport Authority, a delay has occurred with the rail crossing on Abernethy Road in Byford due to the upgraded road by the local shire of Serpentine–Jarrahdale. A dual-lane road has been upgraded, with the PTA responsible for upgrading the single-lane rail crossing to a dual-lane rail crossing to include new boom gates, pedestrian crossings and new rail. This was meant to occur 12 months ago, then in February 2020, and then again in July 2020. I have spoken to the Shire of Serpentine–Jarrahdale. On its website it expresses frustration with the PTA in getting this project finalised. It is a very busy intersection and there is major congestion around the school, town centre and shopping precinct. Where is the money allocated for this project and why is there a delay?

Ms R. SAFFIOTI: I will read through the notes I have. I understand that it is a shire project. The project is being undertaken by the Shire of Serpentine–Jarrahdale. This is an intersection that we would love to see improved. Hugh Jones has raised this with me too directly a couple of times.

Mrs A.K. HAYDEN interjected.

The CHAIR: Member for Darling Range, the minister has the floor. I will call you. Minister, keep going.

Ms R. SAFFIOTI: The project is being undertaken by the Shire of Serpentine–Jarrahdale. The shire engaged different consultants to complete three different design packages, along with a separate contractor to construct the works. Working in collaboration with the shire, the PTA has had direct involvement in reviewing designs relating to the level crossing and road–rail interfaces as per our obligations. Some aspects of the proposed level crossing, signalling, design works and staging have needed further review by the shire, its consultants and contractor before we can sign off. The shire is currently addressing a number of comments recently provided. We understand that the shire’s construction manager will look at the safety management plan soon and test the commission plan. These plans will need approval by the PTA. We hope to see this project completed as soon as possible. We are working with the shire on it and we hope to get its final plans and give our approval as soon as possible. This is an area in which we would like to see some improvements. Also, as part of the Byford rail extension, we will look, as part of the scope of works, at what other improvements can be made at that level crossing.

[Mr T.J. Healy took the chair.]

Mrs A.K. HAYDEN: The minister just read advice that the Shire of Serpentine–Jarrahdale has obviously had to reassess some planning works that the PTA is not happy with. Can the minister explain what those works are and why the PTA is not happy and why the shire has to reassess that? My concern is: why would a shire worker be working on PTA or rail line? I understand that the PTA has jurisdiction over train lines and I hope that we do not have workers from a local government working on a major piece of infrastructure.

Ms R. SAFFIOTI: What was the question?

Mrs A.K. HAYDEN: If the minister listened and showed some respect for the time —

The CHAIR: Member! Would you like to repeat your question?

Mrs A.K. HAYDEN: I would love to repeat my question. I would just like to highlight that, unfortunately, the relationship between the PTA, this government and the Shire of Serpentine–Jarrahdale has resulted in a massive delay in major infrastructure to the PTA rail at the Abernethy Road rail crossing. The shire has upgraded Abernethy Road, which is a main thoroughfare through the town of Byford. The community is frustrated with the works that PTA has delayed. If the minister indicates that the problem is with the shire, can she please outline what the problem is and why the PTA is not taking the lead on its own infrastructure?

Ms R. SAFFIOTI: It is a shire project. It is a local government road.

Mrs A.K. HAYDEN: The rail is not local government.

The CHAIR: Member, I will just let the minister finish.

Ms R. SAFFIOTI: I am not angry with the shire. I actually like working well with shires and I think the Shire of Serpentine–Jarrahdale has a massive task in providing the infrastructure necessary for such a growing suburb. Frankly, nothing happened with projects such as the Byford rail line and the Tonkin Highway corridor under the previous government, and it would openly admit that. Nothing happened for eight and a half years in that whole area.

Mrs A.K. HAYDEN: Can we go back to the question?

The CHAIR: Sorry, member, I will just wait until she finishes and then I will come straight back to you.

Ms R. SAFFIOTI: No infrastructure was committed in eight and a half years. Byford has had a similar experience to that of Ellenbrook. Basically, it is growing as a town centre but in a sense it has the challenges of rural roads and no rail line. The government wanted to address all of that, so we are very keen to work with the Shire of Serpentine–Jarrahdale. I find it a proactive, positive group. I will sit down with the shire to see what else we can do to get it done. We want to ensure that the shire has the confidence to go forward.

The other issue too, which is important to note, is that the national Office of Road Safety has to grant approval for those types of works, and we must work with that. We are doing our best. We see this as a priority project. As I said, I feel sorry for the Serpentine–Jarrahdale shire that had nothing for eight and a half years and now there is a lot of catch-up. We are really keen to help it catch up with that infrastructure.

Mrs A.K. HAYDEN: I thank the minister very much. I am glad she has apologised to the Shire of Serpentine–Jarrahdale for the former member for Darling Range. Does the minister confirm that she takes no responsibility for upgrading the rail line, which clearly comes under the PTA, and that she is happy that a priority project can take more than 12 months to be completed? The minister calls this a priority and it has taken 12 months to even try to get some action on that rail crossing. Does the minister confirm that the PTA has no responsibility over that rail line and that she is happy with the status?

Ms R. SAFFIOTI: No.

Mr M. HUGHES: I refer to page 621 of the *Budget Statements* and the “Temporary Public Transport Services Reduction” line.

Ms R. SAFFIOTI: Just to clarify, I did not confirm the answer to the previous member's question.

The CHAIR: Sorry?

Ms R. SAFFIOTI: Just to confirm, I rejected the premise of the member for Darling Range's question.

The CHAIR: Member for Kalamunda.

Mr M. HUGHES: Towards the bottom of page 621 there is a reference to temporary public transport services reduction. Can the minister please outline the impact that COVID-19 has had on public transport patronage? To what extent have the patronage levels recovered and how does that compare with public transport patronage in other jurisdictions across Australia and internationally?

Ms R. SAFFIOTI: During COVID there was a collapse in public transport patronage, as would be expected. The figure got down to 15 per cent of pre-COVID activity for a period. It is welcome news that the level of patronage has climbed back and the city has the strongest public transport activity in the nation. The new figures collected show an average of about 76 per cent of the 2019 patronage. That figure is higher than it is in any other state. If I go through some figures, that 76 per cent is higher than Adelaide—interestingly, it is higher than Auckland, too—Brisbane, Sydney and Melbourne. We are getting back to about 80 per cent of pre-COVID activity. We are also seeing secondary students coming in at very high numbers. Student patronage is coming back to near 100 per cent of pre-COVID levels. Public transport usage by pensioners and healthcare card holders is about 90 per cent. One of the areas that is still bringing down the numbers is tertiary students because a lot of the universities, for example, still have a lot of online learning, and so I think that is about 60 per cent.

[10.10 am]

Across the board we are doing really well. We have the highest patronage rates across Australia. We are also looking at numbers across the world, and we have one of the highest rates in getting public transport back to normal. One of the key segments of the economy is the numbers of tertiary students, which is mainly because of the style of teaching, but we are the strongest across the nation. As part of that, we have enhanced cleaning; we are doing a lot more cleaning. For example, the budget shows \$12.9 million of additional funds for cleaning our trains and stations.

Ms L. METTAM: I refer to page 118 of budget paper No 3, *Economic and Fiscal Outlook*, "Metronet—Forrestfield—Airport Link Commissioning Deferral".

Ms R. SAFFIOTI: The member refers to budget paper No 3, page 118?

Ms L. METTAM: Yes. It is under "Public Transport Authority of Western Australia", "Other Spending". When was the decision made that there would be a deferral of the commissioning? What is the expected date for the new commissioning? What are the associated costs?

Ms R. SAFFIOTI: I think this was all announced after the incident at Cross Passage, Dundas. At the end of 2018, we announced that the new scheduled operation would see the first trains running at the end of 2020–21. This has now been written into the budget to reflect that date. The decision was made back then, and I think this is basically making sure that the estimates reflects a past decision.

The CHAIR: Further question, member for Vasse?

Ms L. METTAM: I have an additional separate question.

The CHAIR: If it is a new question, I have the member for Jandakot for a new question and then the member for North West Central for a new question.

Mr Y. MUBARAKAI: Thanks, Mr Chair.

Mr V.A. CATANIA: This is opposition time; it's not the government's time.

Ms L. METTAM: Yes.

The CHAIR: Members, I have a list and I am happy to go through it.

Mr V.A. CATANIA: You can ask the minister yourself!

Mr Y. MUBARAKAI: I know. I want to put it on record.

The CHAIR: Minister?

Mrs A.K. HAYDEN: Can you not meet with your members?

The CHAIR: Members! Thank you very much.

Mr V.A. CATANIA: This is taking up our valuable time!

The CHAIR: You are taking up your valuable time! Member for Jandakot.

Mr Y. MUBARAKAI: Thank you, Mr Chair.

Mrs A.K. HAYDEN: Do you not meet with your members?

The CHAIR: Member! Member for Jandakot, please proceed.

Mr Y. MUBARAKAI: Extremely rude! Thank you, Mr Chair.

Ms R. SAFFIOTI: That Hugh Jones is such a good candidate.

The CHAIR: Please ask the question. We have limited time.

Ms R. SAFFIOTI: Such a good candidate.

Mr Y. MUBARAKAI: Thank you, Mr Chair. I refer the minister to page 630 and the point is regarding —

Mr V.A. CATANIA: He does not even have his budget books there.

The CHAIR: No! Thank you.

Mr Y. MUBARAKAI: It is the Thornlie–Cockburn Link, under “Asset Investment Program”. Can the minister please provide an update of the progress of this key project as well as the works undertaken to replace the Ranford Road Bridge?

Ms R. SAFFIOTI: Thank you, member. I think it is good to give an update of the Ranford Road Bridge, in particular, because probably one of the best-kept secrets of this project is that part of the Thornlie–Cockburn Link project is the replacement of the Ranford Road Bridge with a new eight-lane structure. That is included as part of the overall project budget. Works are currently underway on the new bridge, which will cater for future traffic volumes and station access. The new bridge will be higher to futureproof the rail corridor and will have six general traffic lanes, bus lanes, and a shared path on each side to facilitate cycling and pedestrian access. Ranford Road has been realigned to the east and reduced to two lanes to ensure that traffic can still use the bridge while construction of the new infrastructure takes place.

In our many discussions, the member raised with me a number of times some of the issues about making sure we have improved traffic management around that area, and we are working to deliver that. We have already done some of that work, and there are further improvements—in particular the lighting, which was one of those issues.

When I was driving along there up to Roleystone after the south Fremantle victory at South Fremantle Oval—that is the way I always used to take and continue to take going from south Fremantle up to Roleystone—I noted some of the lighting issues. Yes, it is a major bit of work. Of course, Mr Chair (Terry Healy) has also raised those similar issues a number of times. We are trying to improve the lighting and traffic management during the period of the works. It will be a disruptive project—there is no doubt about that. It is such a key corridor and we have a lot of work to be done. We thank everybody in advance and for their continued patience as we build for tomorrow and really upgrade all these great projects.

This is also about creating jobs. I was at a construction dinner last night, and the feedback that we are getting about job creation has been incredible, so thank you very much, member, for your continued advocacy for your community and making sure that we deliver this project to the benefit of everybody.

Ms L. METTAM: In relation to the Thornlie–Cockburn line, why did the government make the decision to package that project with the Yanchep line? From an industry perspective, there was some concern that packaging two projects that are 70 kilometres apart gave very little opportunity for mid-tiers to compete, given that they may not have the capacity or want to take the financial risk of tendering for a project of that size. Why was that decision made to package those two projects?

Ms R. SAFFIOTI: There was a cross-government workshop, including, as I recall, the Public Transport Authority of Western Australia and Main Roads, that looked at the market to see how to get the best value for money and the right team in place. Member, I was at a construction dinner last night and no-one raised the issue with me, so I was just wondering which —

Ms L. METTAM: They have raised it with me before.

The CHAIR: Sorry, member!

Ms R. SAFFIOTI: Who was that?

Ms L. METTAM: I am not naming —

The CHAIR: Sorry, minister! If you answer your question, in a minute the member can seek to ask a follow-up question, so if you can finish your response.

Ms R. SAFFIOTI: Well, who was it? Because I was there and I had all the contractors —

Ms L. METTAM: We are asking you the questions.

The CHAIR: Members! Minister, if you can finish your response.

Ms L. METTAM: You are not as popular as you think.

Ms R. SAFFIOTI: Yes, I am.

Ms L. METTAM: No.

Ms R. SAFFIOTI: I had all the contractors out —

The CHAIR: Members! Thank you.

Ms R. SAFFIOTI: I had all the contractors out there last night at a 300-person dinner, and not one person said that there were not enough jobs available—not one person. What they did mention was that the opposition’s policy is unsustainable.

Mr V.A. CATANIA: I refer to page 621, division 41, Public Transport Authority of WA, and the table for appropriations, expenses and cash assets. Under delivery of services, can the minister provide me, perhaps by way of supplementary information if she does not have the amount, the total cost of transport subsidisation by the taxpayers of Western Australia for metropolitan transport for this financial year and into the forward estimates leading up to 2023–24?

[10.20 am]

Ms R. SAFFIOTI: I have the average annual operating subsidies by percentage. I will give the member those and if he needs further information, we will provide that too. Was it for the budget year or the budget year and the forward estimates?

Mr V.A. CATANIA: It is for the current budget year and the subsequent projected forward estimates up to 2024.

Ms R. SAFFIOTI: I will go through my note. It has the annual average subsidy for regional town bus services, Transwa road and rail services, country schools bus services, and Transperth services. I will start with the level of subsidy for the country bus services. They are 96.1 per cent in 2019–20, 96 per cent in 2020–21, 95.9 per cent in 2021–22, 95.9 per cent in 2022–23 and 95.9 per cent in 2023–24. For Transwa road and rail, they are 78.5 per cent 2019–20, 77.4 per cent in 2020–21, 72.8 per cent in 2021–22, 73.1 per cent in 2022–23 and 73 per cent in 2023–24. For regional town bus services, they are 91.7 per cent in 2019–20, 92.1 per cent in 2020–21, 89.1 per cent in 2021–22, 88.9 per cent in 2022–23 and 88.9 per cent 2023–24. For Transperth services they are 76.3 per cent in 2019–20, 77.4 per cent in 2020–21, 70.2 per cent in 2021–22, 69.8 per cent in 2022–23 and 69.6 per cent in 2023–24. That is the level of operating subsidy.

Mr V.A. CATANIA: Percentages are great, but can the minister please provide the actual amount of taxpayer subsidy in a dollar figure for each of those services? Did that include rail and bus in metropolitan Perth?

Ms R. SAFFIOTI: Yes.

Mr V.A. CATANIA: Can the minister provide the figure for that current subsidy to our public transport network, breaking it up by regional WA and metropolitan Perth?

Ms R. SAFFIOTI: Is the member asking for that in dollars?

Mr V.A. CATANIA: Yes.

Ms R. SAFFIOTI: By way of supplementary information, we can provide the dollars for the operating subsidy for those four group services—that is, country bus services, Transwa services, country town bus services and metropolitan services—for this budget year and the forward estimates by dollar value.

[*Supplementary Information No A17.*]

Mr V.A. CATANIA: Does the subsidy that is forecast in the forward estimates for Metronet include the completion of extra lines in Perth? Is that included in the subsidy that the minister just mentioned?

Ms R. SAFFIOTI: The rail operating subsidy for the Forrestfield–Airport Link, the Thornlie–Cockburn Link and Yanchep rail extension are in the budget, but other projects are not yet. Some of the other projects are not new lines per se, like new stations and so forth. The rail operating subsidy has been included, but the other projects have not.

Mr V.A. CATANIA: Has work been done to establish exactly the subsidy that will potentially be needed for those new lines for the completion of Metronet?

Ms R. SAFFIOTI: It is preliminary work.

Mr V.A. CATANIA: Is the minister able to provide a dollar figure for a completed Metronet and the cost to taxpayers of that subsidy?

Ms R. SAFFIOTI: We have not finalised the work for the other remaining rail lines.

Ms L. METTAM: I have a further question relating specifically to two Metronet lines referred to on page 621. Can the minister explain how the operating costs are calculated for each of those lines? What is the expected cost recovery for each year outlined in the budget? Does the subsidy grow over time? How is the expected subsidy set to grow over the next 10 years? This relates to the member’s question, but also spending changes listed on page 621 under line items “Thornlie–Cockburn Link Operating Costs” and the “Yanchep Rail Extension Operating Costs”.

Ms R. SAFFIOTI: I think the member’s question was how do we determine the level of cost recovery from those lines or how we determine the subsidy. We subtract from the annual operating expenditure of the additional line

the anticipated expenditure across that line, through the modelling of forecasts and patronage. That is the level of the operating subsidy, minus the additional income from the additional expenditure. The figures I provided before are the operating subsidies from across the network. That is the entire operating expenditure across the entire network minus the income.

Ms L. METTAM: Part of that question was: does this subsidy grow over time and what is the projection of the subsidy?

Ms R. SAFFIOTI: Forecasting is determined by two things. There is expenditure—of course, if we run more services, expenditure will grow over time—and relevant income, but it also depends on public transport patronage. Currently, we are experiencing 80 per cent patronage, so the operating subsidy this year will end up being higher than forecast. We are working through that. Public transport income was increasing as a result of increased public transport patronage primarily. I think, between 2018–19 and 2019–20 we experienced an increase in public transport patronage, which had not happened since about 2013, from my recollection. Of course, that then declined, which reduced the operating subsidy. When patronage numbers come in higher, income comes in higher than forecast. That helps the budget, but, of course, the COVID-19 pandemic has been a shock and there have been other costs like cleaning costs, which are now another part of that model. We have higher costs from the fact that we are cleaning more but we are running a similar service and our numbers are down. As a result, the operating subsidy for this year and, potentially for next year, will be higher.

Ms L. METTAM: What is the total impact on net debt and the net operating balance, including the subsidy depreciation and borrowing costs of those two lines over forward estimates?

Ms R. SAFFIOTI: Of which lines?

Ms L. METTAM: The Thornlie–Cockburn and Yanchep lines.

Ms R. SAFFIOTI: An interesting aspect of this is that those two lines are being funded by the commonwealth and state through equity. The member might notice that in the PTA balance sheet there are borrowings that relate to the FAL project. The FAL was funded through borrowings directly by the PTA. I do not think the previous government injected funds into public transport, so PTA was directed to borrow for FAL. There is no direct borrowing attached to TCL and Yanchep.

Ms L. METTAM: But does the minister have figures on what the total impact on net debt will be and the net operating balance?

Ms R. SAFFIOTI: If we did not do them, we would not be spending the money.

Ms L. METTAM: That is not the question

Ms R. SAFFIOTI: The member should look at the state appropriation for those projects and that is the impact on net debt.

[10.30 am]

Ms L. METTAM: Does the minister have a definitive figure on the cost and the impact on net debt?

Ms R. SAFFIOTI: I am saying that these are not debt funded. They are funded through the consolidated fund through an equity injection similar to what happens in most other public services. Forrestfield–Airport Link was funded directly through a borrowing by the Public Transport Authority. Sorry, I forgot to recognise the \$499 million from the federal government so it is not all debt borrowing; the federal government contributed \$500 million. These projects were funded through some money from the metropolitan region improvement fund as I recall—\$70 million.

Ms L. METTAM: This is not answering the question.

The CHAIR: Let the minister finish her response.

Ms R. SAFFIOTI: I am.

Ms L. METTAM: No.

The CHAIR: Sorry; minister, are you finished?

Ms R. SAFFIOTI: Yes; I was just going through how they are funded. That was the question, was it not?

The CHAIR: Finish the response and you can ask a further follow-up, if you like, member.

Ms R. SAFFIOTI: I am going to how they were funded, because that was the question. The Thornlie–Cockburn Link and Yanchep were funded from commonwealth funding, the MRIF and the consolidated fund. There were no direct borrowings by the Public Transport Authority for these projects, unlike what was for the FAL.

Ms L. METTAM: Is there a figure on what the overall impact on net debt and the net operating balance will be?

Ms R. SAFFIOTI: I am not sure what the member is asking. We are funding these projects, so half those costs primarily come from the state government. There are no direct borrowings against the PTA. If we did not do any project across the entire budget, potentially, net debt would be lower. That is what happens. If we do not spend, it does not impact the operating account, which does not impact net debt. I am not sure what the question is.

Ms L. METTAM: There is some concern about whether the government has some clarity about the cost of Metronet, so I am seeking that clarity.

Ms R. SAFFIOTI: The clarity is in budget paper No 3; it has every project under delivery.

Ms L. METTAM: What page?

Ms R. SAFFIOTI: It is on page 137 of budget paper No 3. It is also on page 630 of budget paper No 2. I can go through them line by line here, but all the numbers are there.

Ms L. METTAM: In relation to what the minister has pointed out, I note on page 137 there are four years' worth of figures for these Metronet projects instead of five years' worth of figures, which were in last year's budget. Can the minister please outline, maybe by supplementary information, the total cost of what has been paid in previous budgets and the future costs associated with each of the Metronet projects? We are seeking the total cost for the Forrestfield–Airport Link, the Thornlie–Cockburn Link and all the projects that are outlined, appreciating that some funds are already paid.

Ms R. SAFFIOTI: I refer the member to page 632 of the budget papers. As part of the agencies' asset investment program there is the expenditure to date, the cost of the budget and the forward estimates. It is all there.

Ms L. METTAM: Can the minister answer the question about page 137, which the minister pointed to. We would like to know the total cost of all those Metronet projects, including the costs paid in previous budgets as well as the costs that will be paid in future budgets in the forward estimates.

Ms R. SAFFIOTI: I want to clarify a few things. Budget paper No 3 is a summary table for presentation purposes and highlights different initiatives. Budget paper No 2 goes through the asset investment program, which is where every project under delivery is specifically listed under "Estimated Total Cost", "Actual Expenditure" to date and the budget and the forward estimates. All the information is there, member, on page 632 of the budget papers.

Ms L. METTAM: It is a pretty simple question. The opposition has continuously asked for some clarity on the cost of Metronet. We are asking for the total cost—the capital expenditure—of the projects listed on page 137, which take into account prior years and forward estimates costs for each of those projects. It is pretty simple.

Ms R. SAFFIOTI: It is there on page 632.

Ms L. METTAM: Can the minister provide it by supplementary information?

Ms R. SAFFIOTI: It is in the budget papers.

Ms L. METTAM: It is not.

Ms R. SAFFIOTI: Yes, it is, on page 632.

The CHAIR: I will let the minister reply. You are free to answer the question as you seek to.

Ms R. SAFFIOTI: I refer to division 41, part 9 "Transport" in the *Budget Statements*, which we are meant to be talking about. On page 621 is the heading "Division 41: Public Transport Authority of Western Australia", "Transport". I then refer the member to page 632, which shows the asset investment program. This asset investment program has been in every budget paper since I worked in the Department of Finance in Canberra. It has always been part of the budget papers. The asset investment program goes through projects under delivery and identifies the estimated total cost of the project, how much has been spent to date and how much is in the forward estimates. It is there.

The CHAIR: I am happy to give further questions, but the member for Darling Range is up for a new question.

Ms L. METTAM: I note that it is a pretty simple question. Why is all the information on the asset investment program not in this table?

Ms R. SAFFIOTI: The answer to the questions the member asked are there. They are in the budget papers. The estimated total cost is in the budget papers. It is just what happens. As sure as the sun rises in the morning, ETCs are in budget papers. That is how I understand it; it is there.

Mrs A.K. HAYDEN: Can the minister identify under "Works in Progress" on page 632, which the minister was referring to, where the Byford rail is in this budget?

Ms R. SAFFIOTI: The Byford rail is under a separate item in transport—"Metronet Projects Under Development". As we have always outlined in past budget papers and budget processes, there is a pool of funds for projects under development. That pool of funds includes funding from the commonwealth and from the state. It is on page 638, which is another division as I recall—still under part 9, but we can refer to it now if the member wants. Under "Metronet Projects Under Development" there is a pool of funds. The process is as recommended through the Langoulant inquiry for how we manage a procurement process for significant projects. We have a pool of funds—it is funded there—and we allocate when the projects are signed and they move into the section "Projects Under Delivery". That has happened over the past two to three years. It is a good model accepted by everybody, in that the funding is put in a pool and we allocate once the contracts have been signed.

Mrs A.K. HAYDEN: Thank you very much minister. I appreciate the minister going to page 638. She says that Byford rail's costing is within the pool of funds. Can the minister advise the costs allocated in this pool of funds to the Byford rail?

Ms R. SAFFIOTI: We are working through a procurement process so we do not identify ETCs at this stage. We have done that for every rail line. We do not give an ETC until we are further down the procurement process to keep the competitive nature of that procurement process.

[10.40 am]

Mrs A.K. HAYDEN: If allocated costs have not been identified, can the minister confirm right now that there is no money allocated or committed to the Byford rail line?

Ms R. SAFFIOTI: We have money for the Byford rail.

Mrs A.K. HAYDEN: If money is allocated to the Byford rail line, can the minister please tell me the amount?

Ms R. SAFFIOTI: It is part of the \$2 billion.

The CHAIR: Minister, we are on division 41. "METRONET Projects Under Development" is coming up after this, I believe. Are you happy to answer?

Ms R. SAFFIOTI: It is up to them. If they want to do part 9 now, I am happy to do that.

Mrs A.K. HAYDEN: The minister led to that, so —

Ms R. SAFFIOTI: No, the member asked a question, and I wanted to be helpful.

The CHAIR: You might find there is further detail in the next section.

Mrs A.K. HAYDEN: Can I confirm there is no money allocated right now to Byford rail, and the minister cannot give me a figure?

Ms R. SAFFIOTI: The money for Byford rail is in the \$2 billion figure.

Mrs A.K. HAYDEN: I refer to page 621 and appropriations, expenses and cash assets. Under total appropriations, can the minister identify where the funds are allocated to the investigation or design works for the south west freight line realignment?

Ms R. SAFFIOTI: There is funding for that work but it is being delivered through Main Roads Western Australia as part of the Tonkin Highway extension works.

Mrs A.K. HAYDEN: Can the minister clarify whether it is through Main Roads? I believe that is a different project—that part of the rail line that is the bridge over Thomas Road. I understand that is under Main Roads. I am talking about the freight line realignment of South Western Highway, not the Byford rail line. The route has been changed along the new Tonkin Highway extension, which was put on the Main Roads website a couple of days ago. I want to find out where the money is for the freight line realignment, not Byford rail.

Ms R. SAFFIOTI: I said it was in the budget for Main Roads, as in the funding for the Tonkin Highway extension. All the works associated with that are in the Main Roads budget.

The CHAIR: Before we go to a follow-up question, we are on division 41. On my list, Main Roads is after this, in division 40. Does the member for Darling Range have a further question?

Mrs A.K. HAYDEN: Thank you very much, Chair. The Public Transport Authority is responsible for the freight line realignment. The updated website identifies two new proposed route realignments and no longer shows the original route alignment that was set by the Shire of Serpentine–Jarrahdale back in 2008, as far as I know. Is that route set in concrete and has the original alignment been removed completely? Are the two proposed routes that are shown still able to be adjusted and relocated?

Ms R. SAFFIOTI: As we said, I think through some media commentary, we are undertaking consultation with the community and the shire about that alignment. That consultation is ongoing.

Mrs A.K. HAYDEN: Can I clarify when the consultation started and what type of consultation it was? Can the minister provide a copy of any letters that went out? I am happy if the minister wants to provide that as supplementary information if she does not have the detail. I also note that the shadow Minister for Transport and I met with the shire only this week and it said it had had nothing to do with the freight line realignment.

Ms R. SAFFIOTI: Sure, I will go through what occurred. In December 2019, a community information session was held at the Shire of Serpentine–Jarrahdale at which the previous planning work and the proposed corridor was discussed. The meeting was attended by officers from Main Roads, the Department of Planning, Lands and Heritage and the Shire of Serpentine–Jarrahdale. In March 2020, a letter from Main Roads informed the community about the Tonkin Highway extension project and the freight realignment study to determine the preferred alignment. It was sent to approximately 900 property owners in Mundijong and Mardella. Owners of properties along the rail corridor also received a notice of entry to allow for surveys to be undertaken. Concurrent with the development of

the Tonkin Highway extension project, a planning study is currently underway to determine an alignment corridor and the feasibility of including the construction of the proposed realignment as part of the project. That current planning study and consultation is underway now. There will be further consultation with landowners in the area later this year.

Mrs A.K. HAYDEN: The minister listed a date when the meeting was held at the Shire of Serpentine–Jarrahdale; I did not get the date, sorry.

Ms R. SAFFIOTI: It was December 2019.

Mrs A.K. HAYDEN: Have the landowners who were affected by the original route been consulted?

Ms R. SAFFIOTI: I suspect they might have been informed in the letter that was sent out, but it would have been Main Roads consultation so we do not have the appropriate staff here to provide any further details.

Mrs A.K. HAYDEN: Is an environmental process being undertaken for the two new proposed freight line realignment routes?

Ms R. SAFFIOTI: As I said, I do not have the appropriate advisers here. They will be with Main Roads.

Mrs A.K. HAYDEN: I asked a question earlier that the minister has not yet answered. Are the two proposed routes that are now shown on the website still open to flexibility and to being reverted to the original freight line route?

Ms R. SAFFIOTI: That is why we are undertaking a study. There has been no fixed decision. We have stated that we are out for consultation, doing the studies and all the relevant surveys to determine the best route. That is under active consultation now. There has been no final decision.

Mrs A.K. HAYDEN: Thanks, minister. Can the minister please explain why the original realignment route was removed from the website under her department?

Ms R. SAFFIOTI: As I said, it is under consultation now. Ultimately, there will be a decision. No decision has been made; it is as simple as that.

Mrs A.K. HAYDEN: I am pleased to hear that no decision has been made. It is great news. It is worth noting that when we play with lines on maps, it affects people's livelihoods, lives and homes. Quite a few people in the community are upset that the new alignments have been put on the map and the other one has been removed. I am pleased to hear that they are not set in concrete and the minister is open to moving them.

Mr Y. MUBARAKAI: I have a further question. I refer to the service summary on page 624 and the line item "Rail Corridor and Residual Freight Issues Management". Can the minister please give an update on the public funding for the engineering assessment that was undertaken by the Public Transport Authority on the tier 3 rail lines?

Ms R. SAFFIOTI: I was hoping to get a question about that from the Nationals WA. As we know, the debate about tier 3 rail has continued since the previous government privatised the tier 3 grain lines.

Mr Z.R.F. KIRKUP: I have a point of order. I believe the member for Jandakot sought this as a further question, but it is on the tier 3 rail.

Mr Y. MUBARAKAI: It is about the service summary.

The CHAIR: No, it is a further question.

Ms R. SAFFIOTI: The PTA commissioned an engineering review report that was undertaken by Agonis Group. There has been a lot of debate about what the cost would be to upgrade the tier 3 rail. As I have said on a number of occasions, we had hoped that the arbitration process between CHB Group and Arc Infrastructure would deliver a negotiated outcome and potentially facilitate the reopening of some tier 3 lines under their own commercial terms and agreement. The arbitration process did not come to that conclusion and no commitment was made to reopen rail lines. One of the first parts of looking at this issue is to identify the cost of upgrading the tier 3 rail lines. We undertook and commissioned an independent engineering review report. It identifies the cost for a number of different rail lines.

[10.50 am]

We are now engaging in a business case proposal process to look at those particular lines, potentially tier 2 as well, to determine the cost and benefit of upgrading those lines. The cost is the cost of upgrading the rail lines. The benefits may be much wider, and includes road safety, road maintenance and so forth. It is an exciting time to undertake this business case proposal because I think it is the first time it has been done in an independent factual manner. We are preparing all the information. As I said, we hope that we will partner with the commonwealth. Since it invested billions of dollars on inland rail in the eastern states, why can it not partner with us on rail projects? It has done so with Metronet so hopefully it can partner with us on regional rail network improvements. As I said, it is something that will improve the efficiency and, moreover, the safety of the entire regional road network.

Mrs J.M.C. STOJKOVSKI: I refer to page 598 of budget paper No 2 and the line item "Public Transport Authority—CAT Bus Services". Can the minister provide an update on the status of the electric bus trial on the Joondalup CAT network?

Ms R. SAFFIOTI: As a result of advocacy from the members for Kingsley and Joondalup about the push for electric vehicles and buses, we talked to our existing supplier to see how we can test the technology here in WA. There has been a lot of commentary about why we need to test and why can we not just transform our entire network overnight. We know that is not practical. We will not import buses made in China, for example, to be used on our bus network. As a result, we are working with Volgren and Volvo on a commercial trial of its new electric buses. We have chosen Joondalup as a closed circuit. We are working to install charging facilities in that area over the next six to nine months. Hopefully, the first buses will arrive by the end of next year and we will trial them in 2022. If the trials are successful, and as we continue to move down this path, we plan to build those electric buses in WA. We are working with our existing suppliers, which are some of the best suppliers in the world, as we know. We are getting the trial sorted. In the long term, the plan is to bring that manufacturing to WA and convert our bus facility into building electric buses.

The appropriation was recommended.

Division 40: Commissioner of Main Roads, \$1 391 503 000 —

Mr T.J. Healy, Chair.

Ms R. Saffioti, Minister for Transport.

Mr P. Woronzow, Acting Director General.

Mr D. Snook, Acting Managing Director.

Mr M. Cammack, Director, Budget and Investment Planning.

Mr P. D'Souza, Acting Executive Director, Finance and Commercial Services.

Mr P. Abromeit, Policy Adviser.

[Witnesses introduced.]

The CHAIR: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information she agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 30 October 2020. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online questions system.

I give the call to the member for Vasse.

Ms L. METTAM: I refer to page 613 of budget paper No 2, volume 2, and "Asset Investment Program", "Metropolitan Amenity Walls", to which \$10 million has been committed. Will the minister provide a list of those roads or areas that have already been identified to receive amenity walls from this funding? Will both the residents in the Bayswater area who are affected by the noise associated with the Tonkin Highway gap and residents who have been impacted by the latest NorthLink WA extension project potentially benefit from these amenity walls?

Ms R. SAFFIOTI: Is the member talking about the Tonkin gap project or NorthLink?

Ms L. METTAM: I am referring to both.

Ms R. SAFFIOTI: The amenity walls fall within a list of existing noise issues across the network, which we are working through. We will not be able to provide that full list by way of supplementary information. In relation to the specific questions, the Tonkin gap noise walls will be constructed as part of the Tonkin gap project. Significant funds have been allocated to that project. We are working with the community on the type of noise walls that will be built, where they should be located and other noise mitigation issues. It is a tricky area. Some residents have been subjected to noise in the past because they live adjacent to the Tonkin Highway. In a sense, the Tonkin Highway gap creates an opportunity to address some of the historic issues and to prevent the noise from getting worse. We are looking at different types of noise mitigation methods, not just noise walls, which may be a bit of a challenge with some existing infrastructure. We are looking at building noise walls around the new structure. The cost will come out of the Tonkin Highway gap project budget.

In relation to stage 3 of NorthLink, noise monitoring has been undertaken by Main Roads. That was done quicker than normal. Main Roads is contacting the people who have contacted it and the people who are closer to the project who have registered their concerns about or interest in that issue and is arranging to meet with them individually to go through the noise monitoring reports. The outcome of those discussions will determine what noise mitigation

is required for those individuals. Also, in that instance, they have a new road that did not exist before. I am not sure what conversations or consultation was had when that road was planned. That is a big issue. It is an issue that occurred with Forrest Highway, for example, when residents did not have a major highway near them but then they did and there were noise implications. As I said, Main Roads will sit down with the affected residents individually and go through the assessments to determine what noise mitigation activity can be undertaken.

[11.00 am]

Ms L. METTAM: Why will the minister not make the outcome of the noise monitoring survey public?

Ms R. SAFFIOTI: We will, but I think that it is courteous to sit down with the individual landowners and go through the report to get their feedback on it and see what we can do to assist them with noise mitigation when we can. I think the right thing to do is to show the outcome of the report to those who are directly impacted by it first and for them to provide their feedback so that we can work together to help address any of their concerns.

Ms L. METTAM: Is the minister able to provide by way of supplementary information a list of the roads or areas that have already been identified that will receive amenity walls as a result of this funding?

Ms R. SAFFIOTI: That will not have been finalised, so I will not be able to have that information in a week's time, I am sorry, because we are still working through all the issues.

Ms L. METTAM: Will some funds be dedicated to assist those NorthLink WA residents?

Ms R. SAFFIOTI: If required, funds will be allocated, whether from the Main Roads minor works budget or from this budget, but funds will be made available should decisions be taken to provide further noise mitigation.

Mr R.S. LOVE: The minister said that there is a list of roads that potentially may have some noise mitigation. I wrote to the minister quite recently about noise problems on Indian Ocean Drive around Woodridge, Redfield Park and Sovereign Hill Drive. I asked for noise monitoring to occur in that area, but the minister declined on that occasion. I again wrote to the minister to reconsider that decision. Is Indian Ocean Drive one of those roads that is being considered?

Ms R. SAFFIOTI: I do not think so, but I cannot remember whether we looked at conducting further noise monitoring. The view was to not undertake further monitoring, but we can look at it again in the future.

Mr R.S. LOVE: The minister's response mentioned a small piece of asphalt that had been put down near the entry to one of the rural subdivisions, but it is not that section of asphalt that is the culprit; it is the Indian Ocean Drive road safety improvement program, which is basically re-laying the whole of Indian Ocean Drive with new pavement along that section. That is the concern that people have.

Ms R. SAFFIOTI: We will follow up and see whether we need to do any further noise monitoring.

Mrs A.K. HAYDEN: I refer to page 603 and the total appropriations under the heading "Appropriations, Expenses and Cash Assets". Can the minister identify where in the budget the funding has been allocated for the design and development works of the intersection of Kargotich and Thomas Roads in Oakford?

Ms R. SAFFIOTI: It is on page 615 under the line item "Minor Works (Includes Black Spot and Urgent Minor Works)".

Mrs A.K. HAYDEN: Can the minister give me a breakdown of the funding by dollar figure and the amount allocated for this project, including whether any federal as well as state funding has been provided for it?

Ms R. SAFFIOTI: We will provide that by way of supplementary information. As I recall, funds have been allocated as part of the black spot program. We will get further information about the funds allocated and the source of funds for the Kargotich and Thomas Road roundabout.

Mrs A.K. HAYDEN: I thank the minister for that. In the table of minor works that the minister pointed to is a breakdown over the years from 2020 through to 2024. Can the minister provide me with the commencement date of construction and whether a contract has been awarded or gone out to tender?

Ms R. SAFFIOTI: We will provide by way of supplementary information details on the construction of the Kargotich and Thomas Road roundabout.

[*Supplementary Information No A18.*]

Mrs A.K. HAYDEN: For some clarification, is that a second supplementary information number or will that be part of the first one, because I did not get a number for the first one?

Ms R. SAFFIOTI: It is after the first one. We will provide the source of funding, the amount of funding and the predicted construction timetable.

The CHAIR: It is all under the one supplementary information number.

Mrs A.K. HAYDEN: I thank the minister. Can the minister advise me whether land acquisition is required and whether any consultation has been undertaken to date?

Ms R. SAFFIOTI: I am not aware of those details, but I suspect that some land might be required. We do not have those details yet. We are still doing the investigations.

Mrs A.K. HAYDEN: The minister does not have that information yet. I refer to the minister's joint media release with the Premier on 11 June in which the minister said that this was underway to improve the intersection and that the project was set to commence in 2021. Is it still on the same time frame?

Ms R. SAFFIOTI: What is the member referring to?

Mrs A.K. HAYDEN: I am referring to the minister's media release of 11 June.

Ms R. SAFFIOTI: What does it say?

Mrs A.K. HAYDEN: It says that the design and development works are underway —

Ms R. SAFFIOTI: For?

Mrs A.K. HAYDEN: For Kargotich Road. Would the minister like me to read it out in full?

Ms R. SAFFIOTI: Yes.

Mrs A.K. HAYDEN: It reads —

Design and development work is also underway to improve safety at the intersection of Kargotich Road, which was listed as a State Black Spot in 2018.

The project, set to commence construction next year, —

The media release is dated June 2020, so we can assume that is 2021 —

will see installation of a new roundabout.

Ms R. SAFFIOTI: That sounds correct.

Mr V.A. CATANIA: I refer page 604 of budget paper No 2, volume 2 and the seventh significant issue impacting the agency. Indulge me if this is not the correct division to ask this question. I presented to Parliament a petition on road signage that was signed by over 5 000 Western Australians to inquire into how road signage can deliver better road safety. The petition referred to the number of people who have lost their lives in incidents and accidents that have occurred, particularly in regional WA, because of the impact of road signage being blown down or not being adequate for the conditions that lay ahead. The minister agreed to hold a formal inquiry outside the Parliament process. I want to know how that is progressing, because it has been a while since the petition was presented to Parliament. Who will be on that inquiry and will industry be represented on a panel to provide information to make sure that we get the best practices and outcomes possible for a safer road network?

[11.10 am]

Ms R. SAFFIOTI: We are trying to finalise who will chair the group that will undertake the review. I have indicated to the member previously that industry will be represented, which I support, on the relevant task force, working group or whatever it is when a decision is finally made. We are trying to get someone who is independent of government. We are working on that. Some names were put forward but they were not suitable. Hopefully, we will finalise that in the next two or three weeks.

Mr V.A. CATANIA: Will the task force or group be formed and the chair announced prior to Parliament rising?

Ms R. SAFFIOTI: I suspect so; absolutely.

Mr M. HUGHES: I refer to page 615 of budget paper No 2, Main Roads' asset investment program, and specifically the total cost figure. I note that expenditure in the last year, 2019–20, was \$1.256 billion. Now that the minister has overseen the funding and delivery of Main Roads projects for a full three financial years, can she advise how the value of road construction delivered by Main Roads last year, and in the last three years, compares with that of the Barnett–Grylls government, which had budgeted to deliver for those years in its last set of forward estimates, which were published in the 2016 budget year?

Ms R. SAFFIOTI: I thank the member for Kalamunda. It is safe to say that this is unprecedented spending on roads throughout regional and metropolitan WA. We have never before seen such a vast array of road projects and number of contracts, particularly in regional WA. We wanted to, and I think we are doing it, focus on a number of regional road projects that had stalled and regional road safety. We want to focus on the many major regional road projects that have never been delivered, such as the Albany ring-road; the Bunbury Outer Ring Road; the Tom Price–Karratha road, which is Manuwarra Red Dog Highway; and the Great Northern Highway and Kimberley road projects. We will have more news on regional road safety soon. We have already committed \$100 million this financial year to regional road safety improvements, the widening of regional roads and the installation of audible edge and centre lines to improve safety. That project is underway. Of course, we received further funds in the federal budget and we are hoping to make further announcements about that soon. It is important because there has been commentary about what is happening in the city but there has not been much reflection of what is happening in regional WA. I looked at what the last Liberal–National government budget predicted for regional road spending in the forward estimates and compared it with our actual delivery. The numbers are incredible. The expectation was that in the 2017–18 financial year the former government would spend \$439 million in regional WA; we spent \$484 million. The former government's expectation, or forecast, was that in 2018–19 it would spend

\$192 million on road spending in regional WA. We spent \$628 million. Again, the forecast was \$192 million, but we spent \$628 million. The former government's estimates for 2019–20—the year just passed—show an allocation of \$139 million on regional road projects, but we spent \$653 million on regional road projects. We are very proud of our regional road spending—very proud. We are working with local governments and the federal government to spend record amounts. Compared with the forecast of the former government, in the last budget year alone, we spent \$500 million more than it expected to spend in regional WA.

Mr M. HUGHES: Given the commitment to regional roads, can the minister specifically comment on the Exmouth roads package —

Mr Z.R.F. KIRKUP: That is very specific to Kalamunda!

The CHAIR: Thank you.

Ms R. SAFFIOTI: It is, because he is supportive of regional tourism and regional road safety.

Mr M. HUGHES: — and how it will improve access and amenities for tourists while also increasing road safety in Exmouth?

Several members interjected.

The CHAIR: Thank you, members.

Ms R. SAFFIOTI: They are so nasty. Listen to them.

The CHAIR: Minister, please reply to the question.

Ms R. SAFFIOTI: There is an allocation of \$20 million for Exmouth roads, including Yardie Creek Road and Minilya–Exmouth Road. I hope to visit Exmouth very soon to look at how we will roll out that road safety package. As the member for Kalamunda knows, promoting regional tourism and regional road safety should be a priority for every government. I am really glad that the member has an interest in regional road safety. Of course, road safety in the peri-urban areas of Kalamunda is also a massive priority for the member for Kalamunda. We are working to include projects such as the Roe Highway—Kalamunda Road interchange, for example, to help ease congestion and promote road safety throughout the member for Kalamunda's electorate.

Mr V.A. CATANIA: For clarification, of the regional roads money that is being spent, how much of it is federal government funding? The minister talked about the Tom Price–Karratha road, but the federal government put \$235 million into that road. She also talked about the Minilya–Exmouth Road—I am glad that she mentioned it—but \$16 million came from the federal government after the federal Minister for Infrastructure, Transport and Regional Development, Hon Michael McCormack, visited Exmouth and saw the road for himself and got it on the agenda. That \$20 million, of which the state government put in \$4 million, is still not enough to fix those roads. The minister failed to mention that that \$4 million has been allocated to reroute the road across the lighthouse for a tourism development, which I fully support because it is desperately needed in Exmouth. It is my understanding that that money will fall short of what is needed to complete the road. Will there be any further money in the budget for the rerouting of the road around the lighthouse? It is my understanding that there is no money for Yardie Creek Road—in fact, it is Yardie road because “yardie” means creek—even though one million-plus visitors go down that road each year.

Ms R. SAFFIOTI: I thank the member for that question. I will address it in two parts. The first part acknowledged that the state has been very successful in negotiating funds from the commonwealth. It is important to note that in the Liberal–National government's last budget of 2016–17, there was a federal Liberal government. I do not know why the former Liberal government could not secure funds. The only thing that changed from 2016 to 2020 was the change in state government. The former state Liberal government could not get any funds for regional roads from a federal Liberal government. I do not know why that is the case.

Several members interjected.

The CHAIR: I will allow a follow-up question. Thank you very much, members. Minister, please finish.

Ms R. SAFFIOTI: The member wanted to make a point about the funding split for regional roads. I am making the point that when the former government did its last budget of 2016–17, there was a federal Liberal–National government and a state Liberal–National government. Now, there is a state Labor government and we have more funds for regional roads. It has been hugely successful of the state Labor government to negotiate that.

In answer to the second part of the question, we are always looking at allocating further funds to that area. We are working on proposals and projects to further improve road safety and road conditions throughout the Exmouth region.

Ms L. METTAM: I refer to page 614 and the asset investment program, specifically the line item “Tonkin Highway Corridor Upgrades—Tonkin Highway Gap; Grade Separations at Hale, Welshpool and Kelvin Roads; and Stage 3 Extension”. Will the minister provide a breakdown of the cost of each of the separate components of the project, together with the amount of commonwealth funding for each project? How much of the project costs relate to works necessary for Metronet and can the minister also confirm that the project costs have increased by \$230 million since the midyear review?

[11.20 am]

Ms R. SAFFIOTI: I think information about the Tonkin Highway gap project was contained in a media release. From my recollection, the contract price was \$400 million and the project price was \$500 million. Information on how much of that project relates to the Morley–Ellenbrook line was contained in a media release on Sunday. I think it is \$178 million. The government is going through procurement processes and we will release the individual costs. As I said, there is information in two media statements—we can get copies for the member—that identify the contract, the total budget cost and the cost attributable to the Morley–Ellenbrook line.

Ms L. METTAM: Can the minister confirm that this project has blown out by \$230 million since the midyear review? Will the minister also explain why the cost has blown out?

Ms R. SAFFIOTI: As I said, the project changed in scope to include works associated with the Morley–Ellenbrook line, so it is self-evident why the price has increased to include those works.

Ms L. METTAM: Was the minister not aware that those works were required as part of the Morley–Ellenbrook line at the time of the midyear review?

Ms R. SAFFIOTI: We are always looking at how we can maximise efficiency in delivering our projects and at how we can manage contracts to get better value for money for taxpayers and minimise disruption for residents. That is why decisions were made to include some of the facilitating works as part of the Tonkin gap project.

Ms L. METTAM: Is the minister saying that a cost blowout is creating value for money for the taxpayer and providing a greater deal of efficiency?

Ms R. SAFFIOTI: No, I am not saying that. The member does not understand the budget numbers. I have outlined what those budget numbers are. I am not saying that at all.

Mrs A.K. HAYDEN: Further to the question about the Tonkin Highway corridor upgrades, of the \$1.39 billion allocated across the forward estimates to 2024, can the minister indicate what dollar figure has been allocated to the Tonkin Highway stage 3 extension within this budget paper and identify the amount and the year?

Ms R. SAFFIOTI: It was approximately \$500 million.

Mrs A.K. HAYDEN: And the year?

Ms R. SAFFIOTI: It is across forward estimates.

Mrs A.K. HAYDEN: I just want to clarify that. We know that it is a \$505 million project with \$404 from the federal government thanks to Andrew Hastie, a fantastic federal local member, and \$101 million from the state government. Can the minister advise where under that \$1.391 billion the \$505 million is allocated and under which budget year between 2020–21 through to 2023–24?

Ms R. SAFFIOTI: It is over the forward estimates. It is fully contained in those forward estimates.

Mrs A.K. HAYDEN: Is the minister agreeing to not advise which year?

The CHAIR: Sorry, member, the minister is still replying. I gave you the call too early.

Mrs A.K. HAYDEN: I did not hear her over you giving me the call, Chair.

Ms R. SAFFIOTI: To explain those years, it is 2020–21, 2021–22, 2022–23 and 2023–24. They are the years it is allocated against.

Mrs A.K. HAYDEN: Can the minister tell me where the \$505 million sits in each year and when the first dollar has been allocated within these forward estimates? I do not want to be told “over the forward estimates”. I want to know when the governmental allocated the funds for the Tonkin Highway extension.

Ms R. SAFFIOTI: It is funding allocated now because we are doing the preliminary works and site investigations now. Funding is being spent now. We are negotiating with the commonwealth on the approval and we want to get it as soon as possible. This is a good chance to correct the record on this, because I think there was a tweet that said there was no funding in the forward estimates for this project, but it is all in the forward estimates.

Mrs A.K. HAYDEN: That is why I am asking the minister to identify it, but she cannot identify in which year the government will start. That is why there is a lot of uncertainty in the community. Could the minister simply point to which year the government will spend money on the Tonkin Highway extension and when she expects that money to be finalised? When will the construction be finished? Will it be within the forward estimates up to 2024?

Ms R. SAFFIOTI: Yes, that is what I said. It would be within the forward estimates. We are spending money now. As I recall, under the previous Liberal Party plan, it was not required until 2050.

Mrs A.K. HAYDEN: But the minister cannot tell me where the government has it?

Ms R. SAFFIOTI: I have said that the funding is wholly within the forward estimates, as opposed to what the member said.

Mrs A.K. HAYDEN: My understanding is that the minister is now committing that the Tonkin Highway will be completed by 2024. If the government is going to be using all of the money by then, it has to be completed. Has the land that needs to be acquired been acquired? If not, why not? Has the consultation process started and can I please get detail on that?

Ms R. SAFFIOTI: I think we answered before the question about the land that has been acquired. I will see whether I can get further information. Some land has been acquired and will continue through the approvals process. We are waiting for federal government approval and then we can finalise the relevant land acquisition.

Mrs A.K. HAYDEN: Can the minister advise how many landowners still need to be consulted with and the land that needs to be acquired?

Ms R. SAFFIOTI: I think there are three remaining landowners.

Mrs A.K. HAYDEN: How many landowners in total had land acquired for this project?

Ms R. SAFFIOTI: I am just getting more information. There are three remaining. By way of supplementary information, we can tell the member whose land has been purchased.

The CHAIR: Will the minister reword exactly what she will provide?

Ms R. SAFFIOTI: I will provide by supplementary information the land that has been purchased and the land remaining to be purchased.

[Supplementary Information No A19.]

Mrs A.K. HAYDEN: Approximately how much will the land acquisition cost as part of this project? Does the minister have a dollar value on the land acquisition?

Ms R. SAFFIOTI: We will include that in the supplementary information provided for the previous answer.

The CHAIR: That information will be included in supplementary information A19.

Mrs A.K. HAYDEN: I understand the project is now under a controlled action and that the state government had a deadline to provide the required documents to the federal government by August 2020. Have all those documents been sent to the federal government and are now completed?

Ms R. SAFFIOTI: We are providing those documents to the federal government. By way of supplementary information, we can advise when they were sent.

[Supplementary Information No A20.]

Mrs A.K. HAYDEN: The minister said that she is still providing the documents, so has the government not met the August 2020 deadline?

Ms R. SAFFIOTI: I said that by way of supplementary information I would give the member the date on which information was provided.

Mrs A.K. HAYDEN: Great; thank you.

Thomas Road between Tonkin Highway and South Western Highway is under local government management. Obviously a lot of works will be required on Thomas Road with the Tonkin Highway upgrade and further upgrades at the South Western Highway end. Is there any plan for the state government to take Thomas Road over for change of management?

[11.30 am]

Ms R. SAFFIOTI: It is something that will be considered. Each year, the state considers all different roads that are put forward, and transactions are undertaken wherein the state takes over high-volume roads and I suspect that in future that would become something that we would consider.

Mrs A.K. HAYDEN: Can the minister confirm whether she has met with the local shire, the Shire of Serpentine–Jarrahdale, to start these discussions and does she have a date in mind?

Ms R. SAFFIOTI: I have recently met with the shire to discuss the Byford rail station and the road improvements across the suburb, so we meet regularly with the Shire of Serpentine–Jarrahdale to discuss its road and rail needs.

The CHAIR: Further question, member for Darling Range.

Mrs A.K. HAYDEN: It is not a further question; I am just trying to get an answer to my first one. Has the minister actually met with the shire about the change of management for Thomas Road and has a date been set?

Ms R. SAFFIOTI: Each year we consider the role and nature of roads. As I said, the Shire of Serpentine–Jarrahdale has a significant demand and request because nothing was done for eight and a half years. Under the previous government, projects such as the Byford rail extension was not planned to start until 2050. The Tonkin Highway extension was not being considered until 2050. There are a lot of issues to work through because there is a lot of work and a lot of funds allocated —

Mrs A.K. Hayden interjected.

The CHAIR: Member! The minister will reply and then you can ask further questions.

Ms R. SAFFIOTI: There is a lot of work and a lot of challenges because nothing was done for eight and a half years.

Mrs A.K. Hayden interjected.

The CHAIR: Members! Thank you.

Ms R. SAFFIOTI: There are challenges and there are a lot of issues to address, but we are confident. We have over \$1 billion of infrastructure spend through that whole area. There is a lot of work to do and we love the fact that we are spending money in what was a much neglected region.

Mrs A.K. HAYDEN: Obviously, the minister has not discussed this with the shire because she would not answer that question. If the minister has not discussed it with the shire and major works are happening on Thomas Road, surely as a responsible government, considering that it has not spent one cent in the seat of Darling Range since the government's disgraceful member took office —

The CHAIR: Member!

Mrs A.K. HAYDEN: — and then left, when will the minister have a conversation with the shire about taking over the management of Thomas Road? It is a major route with a high volume of vehicles and a lot of work has been proposed, under this government, to be done sometime over the next 20 years.

Ms R. SAFFIOTI: As I said, we have had constant discussions. Honestly, over eight and a half years, nothing was spent in that shire by the previous government. We have over \$1 billion of infrastructure, so there are a lot of issues to talk about such as the Byford rail extension, the Thomas Road improvements —

Mrs A.K. HAYDEN: You have not even delivered the first one—the Tonkin Highway extension. You promised that in 2017 and you have not done that.

The CHAIR: Member, the minister is replying to your question.

Mrs A.K. HAYDEN: No, she is not.

Ms R. SAFFIOTI: As I recall, the previous government committed to it in 2013 and then the next Minister for Transport said that it was not something that the government was going to pursue.

Mrs A.K. HAYDEN: You are in government, minister. What are you doing for the people of Darling Range? You have not delivered one cent.

The CHAIR: Member, the minister is replying to your question.

Ms R. SAFFIOTI: The previous government —

Mrs A.K. HAYDEN: You are in government; you have done nothing.

The CHAIR: Member!

Ms R. SAFFIOTI: The previous government delivered nothing for eight and a half years. Here we are, planning works and building stuff. Honestly, it is an embarrassment for the previous government, and that is why Hugh Jones is getting good support out there because he has obviously agitated somebody.

Mrs A.K. HAYDEN: The people of Darling Range are frustrated —

Mrs J.M.C. STOJKOVSKI: With you!

Mrs A.K. HAYDEN: With you!

Ms R. SAFFIOTI: No. That is not what I hear!

The CHAIR: Members! Thank you very much! Members, the member for Darling Range has the call and is asking a follow-up question and then we will go to a new question.

Mrs A.K. HAYDEN: Thank you. The minister referred me to the freight rail realignment for South Western Highway being —

Several members interjected.

The CHAIR: Minister! Members!

Mrs A.K. HAYDEN: Are you listening, minister?

Ms R. SAFFIOTI: Yes.

Mrs A.K. HAYDEN: I do not think you are.

The CHAIR: Please ask your question, member for Darling Range.

Mrs A.K. HAYDEN: During questions in the Public Transport Authority division, the minister referred me to Main Roads for the freight rail realignment under the Tonkin Highway corridor upgrade, so I will ask those questions here because the minister has her advisers with her now. Can the minister advise how much money has been allocated for the freight rail realignment for south west rail and over what years?

Ms R. SAFFIOTI: We are going through the planning study and as we have no decision yet on the route, those funds will be part of the overall budget for the Tonkin Highway extension. We will go through all that work but because we have not decided on the freight alignment route, those issues are still being considered as part of the consultation.

Mrs A.K. HAYDEN: For confirmation, has no funding been allocated in this budget for the freight line?

Ms R. SAFFIOTI: That is incorrect. What the member is saying —

Mrs A.K. HAYDEN: No, I am asking.

Ms R. SAFFIOTI: No, the member is incorrect. I have told her the answer.

Mrs A.K. HAYDEN: Well, can you provide the —

The CHAIR: Members! Members, just pause for a second. The minister is replying. There are further questions. I think the member for Kingsley has a new question and then you have a new question, member for Darling Range.

Mrs A.K. HAYDEN: Thank you.

Ms L. METTAM: I have a question.

The CHAIR: Is it a follow-up question to this one?

Ms L. METTAM: No. I have a new question.

The CHAIR: Okay. One follow-up question to this one, which is the original question from the member for Vasse that we are still on.

Mrs A.K. HAYDEN: It is just a simple, simple question. How much money has been allocated for the freight line—what is the dollar value—and in what year?

Ms R. SAFFIOTI: It is part of the \$505 million.

Several members interjected.

The CHAIR: Members!

Mrs J.M.C. STOJKOVSKI: Minister, I refer to page 612 of budget paper No 2, under the heading “Transforming Freeways—Mitchell Freeway Corridor”. I know the minister is aware that the other Labor members in the northern suburbs and I have been advocating strongly and loudly to her for this over the last number of years. Can the minister outline how the government’s investment in the Mitchell Freeway corridor will ease congestion for residents across our northern suburbs?

Ms R. SAFFIOTI: Again, it is an area that was neglected under the previous government. I cannot remember much happening along the Mitchell Freeway then, so we have a lot of work happening now. One example is an allocation of \$100 million for the smart freeway project on the Mitchell Freeway, which includes lights at 16 ramps. Members know how well this smart freeway works, which was criticised by Liberal Party members, who, as I recall, also attacked the contractor, BMD. The government has allocated \$100 million for the smart freeway project along the Mitchell Freeway for the 16 ramps from Hester Avenue to Vincent Street. It is incredible. We will make sure that the congestion that we reduced on the Kwinana Freeway can be replicated on the Mitchell Freeway.

I thank the team at Main Roads for their work on the Kwinana Freeway and the smart freeways projects. It is one of those projects that people stop me at the kids’ sports and everywhere to say thank you for the smart freeway because it has saved them so much time on a day-to-day basis, and we want to make sure that people in the northern suburbs benefit, too.

The widening of the Mitchell Freeway as part of the Hodges Drive–Hepburn Avenue project is another project that I know is dear to the member’s heart. We will be constructing that around the same time as the smart freeways to make sure we minimise disruption.

Another project is the extension of Mitchell Freeway to Romeo Road, which will really help benefit everyone in that northern corridor. I note that my good friend the member for Butler and the member for Wanneroo, who has just walked in, are quite interested in that one. We also have transformational projects along the Yanchep rail line that will completely change the lives of people living in that corridor.

Ms L. METTAM: Can the minister advise when the tenders will be announced for the smart freeways project? When will work commence? What is the anticipated completion date?

Ms R. SAFFIOTI: I think we can start the procurement process at the end of this year. I suspect that the works will take between two and three years, which is what I would expect them to take. But we will also do it alongside the Hodges Drive to Hepburn Avenue widening project so that we can maximise the benefit.

Ms L. METTAM: I refer to the line item that refers to the Hodges Drive–Hepburn Avenue project. Given that this project has been badged as part of the smart freeways initiative, is this likely to cause further delays to the commencement of the Hodges Drive–Hepburn Avenue widening project?

[11.40 am]

Ms R. SAFFIOTI: We think that it would be sensible to do them together. We do not want to go in, do major works, leave, and then come back to do more major works. Therefore, we want to deliver these projects together. We will award the Hodges Drive–Hepburn Avenue project tender late this year. We will not hold up the Hodges Drive to Hepburn Avenue project; we will bring forward the Mitchell Freeway smart freeways initiative.

It would have been better to have timed those two programs together, but different parts may be delivered at different times. The idea is to schedule the program of works and do the works together to minimise disruption, and not leave and come back again. That is what we did, for example, as part of the Kwinana Freeway widening project. We incorporated parts of the Metronet Thornlie–Cockburn Link works so that we would not have to come back later. Where we can, we minimise disruption by timing the work of projects together.

Ms L. METTAM: Can the minister confirm when she anticipates the Hodges Drive–Hepburn Avenue project will be completed?

Ms R. SAFFIOTI: We are awarding it in January, so we will have it completed within two years.

Mrs A.K. HAYDEN: I refer to page 615 and the item near the bottom of the table, “METRONET–Byford Rail Extension–Thomas Road Bridge”. An amount of \$51.961 million has been allocated over the budgets from 2020–21 through to 2023–24. Can the minister provide a breakdown of that cost—how much is state and how much is federal funding, and how much is allocated to the bridge over Thomas Road?

Ms R. SAFFIOTI: The estimated total cost of the Thomas Road bridge is \$51 million. That is the amount. What was the second part of the question?

Mrs A.K. HAYDEN: Can the minister please provide the breakdown of state and federal funding, and how much will be allocated to the bridge?

Ms R. SAFFIOTI: It says —

Mrs A.K. HAYDEN: Is that the full amount for the bridge?

Ms R. SAFFIOTI: Yes, it is \$9 million for the bridge. It is in the allocation. The federal government has given us a pool of money for the Byford rail extension, so I suspect we will just use that pool of money. It is about 50–50 for the Byford rail extension, so it is about half of that.

Mrs A.K. HAYDEN: I note that \$51.961 million has been allocated to the Thomas Road bridge, but that there is no further funding in this budget for the Byford rail extension.

Ms R. SAFFIOTI: That is incorrect.

Mrs A.K. HAYDEN: Can the minister point to where in the budget there is funding for the Byford rail extension?

Ms R. SAFFIOTI: As I said before, under part 9, for projects that are under development—I think the member was sitting there so I am sure she would have heard it—funding is allocated as part of a pool of funds. The Morley–Ellenbrook line, the Midland rail station, the level crossing renewals and all those projects are put under a pool of funding and that pool of funding is then distributed.

Mrs A.K. HAYDEN: In a media release in August the minister said that the works would start in November this year. Considering there are only eight days left in October, can the minister explain in detail what works will commence on site for the Thomas Road bridge?

Ms R. SAFFIOTI: I will announce that when we come out to turn that sod.

Mrs A.K. HAYDEN: It is great that the minister will announce it like she announced the bridge, but does the minister not think that the people who live along that road should be consulted and know exactly what will happen in eight days’ time that will affect their homes?

Ms R. SAFFIOTI: They have been consulted and they will continue to be consulted. This gives me a chance to clarify a comment made by the member for Darling Range in that area. She said that homes would be bulldozed—I think that was the quote. Yet again, that is another baseless accusation and another mistruth. We could spend the whole of estimates clarifying those statements, but I do not think people would find that enjoyable. No, we are not bulldozing homes. There is a portion of land, I think about one metre wide—I will have to clarify that.

Mrs A.K. HAYDEN: It is 10 metres by 200 metres.

Ms R. SAFFIOTI: Yes. I think the member’s colleague the member for East Metropolitan Region, Hon Donna Faragher, brought in a petition against that landowner on a particular issue. But we are consulting on this matter. We are not bulldozing homes. We are consulting with the affected landowner and all landowners in that area. We have done doorknocking and continued consultation so that people are aware of what is happening.

Mrs A.K. HAYDEN: Through supplementary —

Ms R. SAFFIOTI: That property —

Mrs A.K. HAYDEN: I was talking. Who has the call?

The CHAIR: Can you ask the question, member for Darling Range.

Mrs A.K. HAYDEN: Can the minister provide, by supplementary information, the time line of consultation? I note that a document appeared on the website the other day, after the announcement, that the minister had started consultation. Consultation has been very short and quick. As the minister said, she will not be providing details on the project. The community is very upset about the impact of a bridge on Larson Road and Marri Grove Primary School. Can the minister please advise what consultation she had done, and whether the department was made well aware, prior to the minister's announcement in August, of the project and what works would be underway?

Ms R. SAFFIOTI: I will answer that. In relation to consultation, as members know, we promised a Byford rail line.

Mrs A.K. HAYDEN: This is a bridge.

The CHAIR: Member, the minister will reply.

Ms R. SAFFIOTI: Because the former government did not build anything for eight and a half years, the member for Darling Range does not understand that when rail lines are built, bridges have to be built and other associated civil works need to be done. We cannot just build a rail line. We committed to the Byford rail line.

I recall the member for Darling Range and the Leader of the Opposition standing near the Denny Avenue level crossing, calling on us to hurry up and build the project. "Get on with the project", is what I heard. I think we made a pretty clear commitment that we would build the Byford rail extension, so we have been working on a plan for that extension. As part of extending an electrified rail line to anywhere, level crossings have to be addressed. That is part of the Office of National Rail Safety Regulator's national safety requirements and the operability. A lot of work is required for the removal of level crossings. As a part of that, work was undertaken to identify the Thomas Road work, and a commitment was made to remove that level crossing and build a bridge over that rail line. We went and individually doorknocked everyone involved in that area. Some people do not support it. I totally understand that, because people do not like change; it is in an area of rural living and it is a change. But Byford is a growing community with enormous infrastructure demands. Some people do not support it and some do. There have been claims that homes will be bulldozed, which is totally incorrect. There is one affected landowner. We are trying to do what we can to make sure that no property is acquired, but that is still up for further discussion and further planning, particularly with Western Power.

Larson Road is another interesting road on which we will be doing further work as part of the planning for the rest of that project. We are also consulting with Marri Grove Primary School. There will also be changes to local road networks. That has happened with every major road project across the metropolitan area. For example, when stage 1 of NorthLink WA was done, there was an impact on local access; with stage 2, there were changes to the road networks in Bennett Springs, Ballajura, Noranda and Morley. Landowners' access to local roads was affected by the work on the Wanneroo Road–Ocean Reef Road intersection and the Wanneroo Road–Joondalup Drive intersection. We try to work through and manage those things, and offer other improvements across the local road network to support connectivity.

We know these changes are difficult for some people, particularly those who enjoy the current rural amenity, but we made this major commitment in 2017. The opposition supported it then and asked the government to do the work more quickly. There is also a view that we need to keep going and create as many jobs as possible. We support that. This project will create jobs, but it is also an essential part of the Byford rail extension.

Mrs A.K. HAYDEN: A yes or no answer, minister: has an environmental assessment been done over the area for the Thomas Road bridge?

[11.50 am]

Ms R. SAFFIOTI: Yes.

Mrs A.K. HAYDEN: Can I get a copy of that through supplementary information?

Ms R. SAFFIOTI: Can the member put that on notice?

The appropriation was recommended.

Meeting suspended from 11.49 to 11.56 am

Metronet Projects Under Development —

Ms S.E. Winton, Chair

Ms R. Saffioti, Minister for Planning.

Mr P. Woronzow, Acting Director General.

Mr A. Kannis, Project Director, Metronet.

Mr P. Abromeit, Policy Adviser.

[Witnesses introduced.]

The CHAIR: This estimates committee will be reported by *Hansard*. The daily proof *Hansard* will be available the following day. Members may raise questions about matters relating to the operations and budget of the off-budget

authority. Off-budget authority officers are recognised as ministerial advisers. It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information she agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 30 October 2020. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online question system.

The member for Vasse has the call.

Ms L. METTAM: I refer to chapter 6 of budget paper No 3, "Asset Investment", and the table "Metronet" on page 137. Will the minister provide a breakdown of the projects, together with the funding allocated to each project and the expected commencement and completion times? I am happy to receive that by supplementary information.

Ms R. SAFFIOTI: Sorry, member, that table refers to projects under delivery, which was in the Public Transport Authority part, not this part. This part is projects under development. There is a one-line provision of projects under development. We have just dealt with projects under delivery in the PTA section, which included an expected time of commencement. All those details were in budget paper No 2. It contains an asset investment table that has all those projects. We have just dealt with that, and we are now onto projects under development, which are contracts that are not yet in the delivery phase. They are the projects that are listed there.

Ms L. METTAM: I refer also to page 638 of budget paper No 2 and the line "New Works". Can we have a breakdown of those projects, together with the funding allocated to each project and the commencement and completion times for them?

Ms R. SAFFIOTI: As I have said a few times, both today and previously, we allocate funds under a pool called projects under development, and we then go through a procurement phase. Again, as part of the Langouant recommendation for how we manage projects through a procurement process, it is clear that costs should be attributed later in the process. We therefore show an estimated total cost when a project is noted as under delivery. For example, in the midyear review, the Morley–Ellenbrook line contract, which was signed last week, will become a project under delivery. That will be separated from this pool and funds will be allocated. Because of our approach to responsible procurement, we have not allocated funds for Metronet; moreover, we do not show an ETC until a project is under delivery.

Ms L. METTAM: The minister must have an idea of the costs of the projects the government is committing to deliver. Given that the contract has now been signed for the Morley–Ellenbrook line, I note the statement that went out on the weekend about that \$700 million contract, with a \$400 million contingency. That is a significant contingency, illustrating pretty poor planning. Why is the contingency so significant?

Ms R. SAFFIOTI: It includes other indirect costs. The amount of \$700 million is the direct cost. It includes other indirect costs, including contingency. I get the point that there is a view that maybe our contingency is a little bit high.

Ms L. METTAM: A little bit high—\$400 million is extraordinary.

Ms R. SAFFIOTI: That is not correct.

Ms L. METTAM: That is not high?

The CHAIR: Member, you will direct your questions through me. Please do not interrupt the minister when she is giving a response. You can ask further questions.

Ms R. SAFFIOTI: In all these projects, there is a contract price for the signed contract, and then there are all the other indirect costs, which include contingencies. For example, it may include other planning costs, escalation, or other associated costs. As the statement says, in all projects—I think there is the Armadale–North Lake Bridge; I do not have someone here who will remember those numbers—the direct costs are X and the actual contract costs are X, and then there are all the project management costs. The ETC covers all the other associated costs for the contract. That includes contingency, but it is not \$400 million worth of contingencies.

Ms L. METTAM: If it is not \$400 million worth of contingencies, why is it stated as \$400 million?

Ms R. SAFFIOTI: It said contingencies and other costs, as I recall.

Ms L. METTAM: Given the contract for the Morley–Ellenbrook rail line was announced 10 days after the budget was released and construction is supposed to be completed in 2023–24, why is this project not included specifically in the forward estimates?

[12 noon]

Ms R. SAFFIOTI: The budget cut-off is well before the day the budget is presented. The contract had to be signed before the budget cut-off. The budget was presented on 8 May and the cut-off was 7 September. We had not concluded the contract at that time.

Ms L. METTAM: The construction for this line was meant to have started in 2019. Why has it taken so long to get to this point? Even this year, the minister was unable to do it. The federal government committed \$500 million towards this project in 2018. After four budgets, why do we not see any dedicated funding for this signature project?

Ms R. SAFFIOTI: There is funding in the budget. I will make a couple of key points. The Bayswater works have started. The Tonkin Highway gaps project work has started. I did not want to get into a debate about the Ellenbrook rail line because I do not think it does the Liberal Party any service, but if the member wants to talk about the Ellenbrook rail line, I will talk about the Ellenbrook rail line. In 2008, the Liberal Party made a commitment to deliver the Ellenbrook rail line. The Liberal Party had no intention of delivering the Ellenbrook rail line. Time and again, I asked questions about it and the Liberal Party absolutely misled the people of Ellenbrook. In 2013, the then Premier said it was —

Ms L. METTAM: The minister has misled them as well; construction was meant to start in 2019.

The CHAIR: Members, I will not have interruptions from either side to members providing questions or answers.

Ms R. SAFFIOTI: In 2013, the then Premier said it was a second-term commitment. The Liberal Party did nothing. When we won government, the cupboards were bare. The then upper house member for East Metropolitan Region —

Ms L. METTAM: This does not relate to the budget.

The CHAIR: Member, if you would like to make a point of order, that is the correct way to do things.

Ms L. METTAM: I have a point of order. This does not relate to the budget we are discussing at the moment.

The CHAIR: Thank you, member. I do not think that is a point of order. I believe the Ellenbrook rail line was part of the question but I will direct the minister to make her answer succinct.

Ms R. SAFFIOTI: I think the question was about why it takes a long time to plan a project. I will keep going because it gives insight into what happened. The upper house member for East Metro said there were not enough people living in Ellenbrook to justify an Ellenbrook rail line. She is now the member for Darling Range and she argued that there are not enough people living in Ellenbrook.

Mrs A.K. HAYDEN: At that time.

Ms R. SAFFIOTI: It was four years ago.

Mrs A.K. HAYDEN: It was 10 years ago; if you are going to make accusations, get your facts right.

The CHAIR: Member for Darling Range, I call you to order for the first time.

Ms R. SAFFIOTI: About five years ago, the member stood in the upper house to say there were not enough people to justify a rail line to Ellenbrook.

Mrs A.K. HAYDEN: I have a point of order. The minister is misleading Parliament and I warn her that her facts are not correct.

The CHAIR: That is not a point of order, member for Darling Range. Minister, please continue but complete your answer.

Ms R. SAFFIOTI: Even though the member represented the area, she said there were not enough people to have a rail line. Given that the member made two election promises about it, when we won government, I assumed some preliminary work had been done on the rail line and that at least one document would have been lying in government somewhere on how to deliver the Ellenbrook rail line.

Ms L. METTAM: Does the minister have one?

Ms R. SAFFIOTI: We were in opposition, member.

Ms L. METTAM: The minister is in government now!

Mrs A.K. HAYDEN: Does the minister have one now that she is in government?

The CHAIR: Member for Darling Range and member for Vasse —

Ms R. SAFFIOTI: Honestly, I could debate this all day and I will. The member for Darling Range said there were not enough people. We won government, but no work had been done. We started the planning from scratch. In 2019, we started with the Bayswater works and the Tonkin Highway works got underway. The main contract has now been signed. We are delivering our commitment. Why has it taken a few years? It takes two or three years to get all the planning and approvals underway. The previous government did nothing.

I can compare and contrast that to the Forrestfield–Airport Link project. The Liberal Party made that election commitment in 2012 when it was in government. It was not started for five years. We started the Forrestfield–Airport Link and the former government made that commitment in 2012. I am proud that we are delivering for the people of Ellenbrook because everyone in Ellenbrook knows that only the Labor Party will deliver the Ellenbrook rail line.

Ms L. METTAM: Why has the \$700 million project been awarded to another foreign multinational company? Were any Australian-owned or Western Australian companies considered in the tender process?

Ms R. SAFFIOTI: I thank the member for that question. Again, it gives me an opportunity to clarify the opposition's policy on this. Everyone was given an opportunity to tender for the project. We have a record number of projects out there currently. Every contractor is welcoming the work that they are getting. The opposition spokesperson has directly attacked BMD Constructions and Laing O'Rourke, which are Australian-owned and overseas. The opposition attacked the companies and their workers. The industry thinks that the opposition's policy is extreme and unsustainable. I am going to ask the member whether she would rule out any overseas-owned companies from tendering a project?

[12.10 pm]

Ms L. METTAM: Our questions are to the minister. She should answer the questions.

The CHAIR: Member for Vasse, I call you to order for the second time because you did not pay any attention to me. Please wait for your turn to ask a further question. That is what further questions are for.

Ms R. SAFFIOTI: I said that all companies were eligible to bid. There are a few months to go until the election. The Liberal Party's policy is to rule out any overseas-owned company bidding for a Western Australian contract. That includes Clough, Multiplex and Downer. They are the companies that will not be able to bid. That is the policy of the Leader of the Opposition and the shadow Minister for Transport.

Australian-owned contractors are supporting the work that we are doing. We have support from the major construction industry bodies. As I said, everyone cannot believe the amount of work that is currently out to market. We are delivering. Thousands of Western Australians are employed because of the work program that we have in place. The opposition has a policy of not allowing any company with overseas interests to bid for WA projects. Is that correct?

Ms L. METTAM: That is not the question I asked.

Ms R. SAFFIOTI: Is it correct?

Ms L. METTAM: The minister is not answering the question. The minister refuses to answer the question. Why can she not answer the question?

Ms R. SAFFIOTI: What was the question?

Ms L. METTAM: I have asked the question.

Ms R. SAFFIOTI: Ask it again.

The CHAIR: Minister, thank you. Please do not invite an interjection. Minister, if you could continue.

Ms R. SAFFIOTI: I thought I had answered the question. I said that all companies were eligible to bid.

Mrs A.K. HAYDEN: Further to that question, the minister keeps referring to the new works and Metronet projects under development as being under a pool of funds. Can the minister advise whether all the announcements that she has made under the Metronet projects are fully funded and costed within that pool of funds?

Ms R. SAFFIOTI: Yes.

Ms L. METTAM: Can the minister provide a final estimated cost per kilometre of the Morley–Ellenbrook line?

Ms R. SAFFIOTI: I think it is about one-third of the Forrestfield–Airport Link. I will provide that detail by way of supplementary information. I will do a comparison between the FAL project and Morley–Ellenbrook, plus a comparison of the Morley–Ellenbrook project with every other interstate rail project. I think that will show that we are delivering value for money for our rail projects. The other states cannot believe the value for money that we are delivering. Cost per kilometre, I think the Thornlie–Cockburn Link and the Yanchep rail extension were about \$40 million. I will provide that information.

Ms L. METTAM: Will that include operating costs?

The CHAIR: I seek clarification from the minister. Could you please say exactly what information will be provided?

Ms R. SAFFIOTI: I will provide the capital cost per kilometre. It will not make any economic sense to provide the operating cost in that comparison, and it will be hard to provide the interstate comparison.

[*Supplementary Information No A21.*]

Ms L. METTAM: Can the minister also provide the anticipated operating cost of the Morley–Ellenbrook line?

Ms R. SAFFIOTI: As I said, we are working through that. We are working through a number of aspects operationally, including other bus services, so I will not be able to provide that by way of supplementary information, but I will provide it as soon as it is available.

Ms L. METTAM: I am wondering why it is not available. The minister spoke about the population and projected growth numbers in the Ellenbrook area. This is obviously a signature project. We are four years into this government. Why is the government unable to provide that information?

Ms R. SAFFIOTI: For example, when the Liberal Party committed to the Forrestfield–Airport Link project, it did not provide any operational funding. We have provided the operational funding for rail projects. We just picked up the pattern of behaviour from the opposition.

Mrs A.K. HAYDEN: Under this pool of funding, has the design for Bayswater station and the track been finalised?

Ms R. SAFFIOTI: We are in the process of finalising that. We are also going through a procurement process. With the procurement process, in particular since FAL, we have gone into alliance contracting. It is an iterative process in a sense. The final design and other associated works continue to be designed with the successful contractor through the contract rather than through a design and construct or just a construct. Different methods are used but it allows us to go to market earlier, get early contractor involvement and then have a joint approach to help deliver the project. Of course, the contractor is still responsible for delivering the project but we have a process whereby the final design is then worked on by the construction company together with the government through further community consultation.

Ms L. METTAM: Has a thorough investigational study been completed into how the scheduling of each line will be undertaken so that no service is compromised, including the Midland service?

Ms R. SAFFIOTI: Is the member talking about Ellenbrook or Midland?

Ms L. METTAM: It is a further question on Bayswater station.

Ms R. SAFFIOTI: I was talking about Byford station.

Mrs A.K. HAYDEN: No, I asked questions about the design of Bayswater station and the track.

Ms R. SAFFIOTI: Sorry, I thought the member was referring to Byford. The design for Bayswater station has been finalised. I was talking about Byford. My previous comments relate to Byford station. I thought the member would have spoken about Byford station.

Ms L. METTAM: Has a thorough investigational study been completed into how the scheduling of each line will be undertaken so that no service is compromised?

Ms R. SAFFIOTI: We are continuing to do that work, including signalling at Ellenbrook. We will provide thousands of people with new connections that they never had or would never have dreamt of under the previous government. We believe that this will be an improved service and more people will be able to access rail lines in WA.

Ms L. METTAM: Has the minister heard concerns from engineers that it is not possible for all the lines to run through Bayswater station due to conflicting scheduling? What additional costs will be associated with having 16 to 18 lines going between Bayswater station and Perth?

Ms R. SAFFIOTI: If the member had seen the beautiful computer animation of Bayswater station, she would have realised that a number of tracks will go through Bayswater station and there will be a number of platforms. As I said before, we will have improved signalling to the west. When I was talking about Byford station, I said that we will have improved signalling to facilitate the extra railcars on the rail line.

Mrs A.K. HAYDEN: When the minister so politely gave me an update on Byford station, I note that she said that involvement with the contractor was made early to ensure the design work occurred, and that this is the new way of running these contracts. Why was there no early contractor involvement with the Thomas Road bridge project?

Ms R. SAFFIOTI: Operationally, we were required to involve contractors early on the Thomas Road bridge project, in particular, to facilitate connectivity while the Byford works are underway. We did not want to close off every road while building the extension to Byford. We also saw it as a huge opportunity to improve safety in that area and also as a recovery program to ensure that we have as many projects underway to create thousands of jobs for Western Australians.

Mrs A.K. HAYDEN: I note that the Byford rail area is under environmental assessment. Is the minister confident that that assessment will come through okay and that the bridge will be justified?

Ms R. SAFFIOTI: Yes. We are operating along an existing rail line so it is a bit different from the Morley–Ellenbrook line which will go through areas that currently do not have a rail line. It will be the same as the Thornlie and Yanchep projects, which are in areas that did not have rail lines. We are going alongside an existing rail line corridor.

Ms L. METTAM: In relation to Bayswater station, what is the additional cost of upgrading the signalling control system between Fremantle and Midland to accommodate what will be an additional 16 to 18 trains an hour by the time services from Ellenbrook begin? Can this be done in isolation from the rest of the PTA urban network?

[12.20 pm]

Ms R. SAFFIOTI: This project was already budgeted for; it was just not within the forward estimates. It was in the out years—probably years five or six. The funds were just outside of the forward estimates, so we are bringing that expenditure forward into the forward estimates as part of the Public Transport Authority's 10-year asset investment program. I do not think it was as far out as 10 years; it was just beyond the forward estimates, and we are bringing

those works forward. As I said, the Burswood stadium connection into the city will carry 25 railcars per hour. That is a pretty hefty load for that rail line, but that was seen as doable with improved signalling and management. That is 25 railcars per hour. More level crossings have been closed to support that. We are well aware of the challenges, but we will address that through improved signalling.

Ms L. METTAM: The minister says that these costs are in the forward estimates, so what is the cost to provide this additional upgrade of the system?

Ms R. SAFFIOTI: We will provide that amount by way of supplementary information, just so that I can get the correct figure. It is important to note also that that was an upgrade to the technology and electricity for the entire network. It is something that was seen as a cross-network requirement. We are bringing it forward to help support the Morley–Ellenbrook line and also the Forrestfield–Airport Link and the continuation of the Midland line.

The CHAIR: I ask the minister to detail exactly what information she will provide.

Ms R. SAFFIOTI: We will provide the provision for the upgrades to the network between Perth and Bayswater to support additional railway lines on the track.

[Supplementary Information No A22.]

Ms L. METTAM: As part of that supplementary information, can the minister also provide when the upgrade will be required?

Ms R. SAFFIOTI: Yes, I can do that.

Ms L. METTAM: I refer to page 137 of budget paper No 3 or budget paper No 2, volume 2. Can I ask a question regarding the Forrestfield–Airport Link?

Ms R. SAFFIOTI: Not really, because it is not in this division. The member can ask, but it is not in this division; it was under the PTA.

The CHAIR: It is up to the minister.

Ms R. SAFFIOTI: If the member wants to ask it, that is fine.

Ms L. METTAM: Can the minister confirm when the first trains are expected to run?

Ms R. SAFFIOTI: They are expected to run at the end of 2021.

Ms L. METTAM: I refer to the significant safety issue on this project. Is there provision to address the safety and compensation issues for cases such as Mr George Deliu, and can the minister guarantee that Mr Deliu's matter will now be resolved after waiting for more than a year for support?

Ms R. SAFFIOTI: I have commented on that matter previously and addressed that question in the Parliament, so I will not go into that again. As I said, a process is underway between the contractor and the individual. I make the point that the member talked about the delay of the project. As I said, when this road incident occurred, we said that road safety was the number one priority and that is why we pushed back the construction timetable to ensure there was no pressure to finish it in an unduly quicker manner than it should be.

Mrs A.K. HAYDEN: I again refer the minister to the Metronet projects under development on page 638 of the *Budget Statements*. When does the minister expect that the people of Byford will be able to board the train in Byford?

Ms R. SAFFIOTI: I think our commitment was for 2023, and that still holds for the project delivery.

Mrs A.K. HAYDEN: I note that the original estimated cost for the Byford rail extension was \$291 million, but that it appears it has blown out to \$481 million. Can the minister advise whether that figure is accurate and confirm the actual full costing, and please provide an explanation for these additional costs?

Ms R. SAFFIOTI: As I said, we do not put out estimated total costs until we are finalising the contracting process. It was a commitment to deliver the railway line to Byford and Ellenbrook and I am absolutely committed to delivering that project. There was also a call from the Shire of Serpentine–Jarrahdale to ensure that the location of the station was in the new town centre that it is planning, and we were very keen to accommodate that. Having that station in the centre of the town does, of course, incur some costs. However, as I said, I am absolutely committed to delivering this project and I think it will be great for the people of Byford.

Mrs A.K. HAYDEN: Can the minister clarify that the original estimated cost of \$291 million will be far more, obviously, and is now up to \$481 million?

Ms R. SAFFIOTI: As I said, the final cost will be further detailed as we go through the procurement process.

Ms L. METTAM: I refer to the radio systems replacement project on page 61 of budget paper No 3.

Ms R. SAFFIOTI: I am sorry, but that is not within this division.

Ms L. METTAM: It is under the Metronet projects under development.

Ms R. SAFFIOTI: No. It is a PTA line item.

Ms L. METTAM: Can we clarify that?

Ms R. SAFFIOTI: I think what has happened is that the member is confusing the automatic train control project with the radio replacement project.

Ms L. METTAM: Can I ask about the ATC?

Ms R. SAFFIOTI: Okay.

Ms L. METTAM: Where is that project at? The Huawei contract has fallen over. Why is the PTA working towards a new closed tender for the radio systems replacement project?

Ms R. SAFFIOTI: I am sorry, but the member cannot ask those questions. I refer the member to page 737 of the Public Transport Authority's "Annual Report 2019–20". In reference to the section the member referred to in the budget papers, we have outlined through the media that we wanted a tender process that ensured that people who were able to participate in these projects in Australia would bid, and that is why that happened. As I said, we went through that during the division on the PTA and that would have been the appropriate time to ask that question.

Mrs A.K. HAYDEN: I return to the Metronet projects under development and good ol' Byford rail. In an earlier question, I referred to the environmental assessment process. Can the minister give me the time line of that—when it started and when it is due to be completed?

Ms R. SAFFIOTI: It started recently, I think in the midyear.

Mrs A.K. HAYDEN: Was it June or July?

Ms R. SAFFIOTI: In the past few months.

Mrs A.K. HAYDEN: The minister does not know.

The CHAIR: Member for Darling Range, that is not helpful.

Mrs A.K. HAYDEN: I am trying to write it down.

The CHAIR: Member for Darling Range, you are not helping.

Ms R. SAFFIOTI: We will go through the environmental process; that is what we do. We did it for all the other projects and, as I said, I am proud that Labor is delivering this commitment after it was failed to be delivered, or even planned, in the eight and a half years of the former Liberal government. I am glad that someone like Hugh Jones is advocating for such a project. He is out there promoting it, which is fantastic.

[12.30 pm]

The CHAIR: Thank you, minister! That is what I meant when I said that it is not helpful when you throw little barbs —

Mrs A.K. HAYDEN: We are as bad as each other. Well, I am not that bad.

The CHAIR: Member for Darling Range, you poked the bear that time.

Mrs A.K. HAYDEN: I would not like to poke the bear. I would never call the minister a bear, but I would not poke the bear.

My original question was: when did the government start the environmental assessment process for the Byford rail line and when is it due to be completed?

Ms R. SAFFIOTI: It was started a few months ago. It is up to the environmental agencies but we hope to have it done as soon as possible. We want to build the rail line as soon as possible because, again, WA Labor is building the Byford rail line, and is that not great? It is so good compared with the complete neglect of the previous government for eight and a half years. I am so glad that we can deliver it.

Mr M. HUGHES interjected.

Mrs A.K. HAYDEN: Member for Kalamunda, it is nice to see you here.

Mr M. HUGHES: They did nothing for the past eight years, six months and five days to be accurate.

The CHAIR: Member for Kalamunda!

Several members interjected.

The CHAIR: Members! We have half an hour until lunch. Let us keep it going nicely.

Mrs A.K. HAYDEN: We do not have an end date for the environmental assessment process for the Byford rail line. The government is continuing to go ahead with the Thomas Road bridge, which is for the Byford rail line, even though the environmental assessment has not been completed. Construction is starting in a couple of days, as the minister admitted earlier. If the environmental assessment for the Byford rail line is delayed, will the minister delay the Thomas Road bridge construction and ensure that the bridge is required and that people are not unnecessarily affected?

Ms R. SAFFIOTI: As I outlined before, the Thomas Road bridge project has environmental assessment. The rest of the Byford rail line does not. Do members know what? It will be so good to have a member for Darling Range who works for their community and does not try to pick a fight on every matter. The member for Darling Range did not deliver anything when she was in government because she never cared about delivering outcomes.

Mrs A.K. HAYDEN: So we have a minister who sits here and says she delivers stuff but she has delivered zero in four years.

The CHAIR: Member for Darling Range!

Mrs A.K. HAYDEN interjected.

The CHAIR: Member for Darling Range, I am going to call you order again. You are lucky that I did not give you two then. Would you like a further question?

Mrs A.K. HAYDEN: I would love one!

Will the minister please advise whether the Byford rail will be delivered before the end of this term in government, along with the other Metronet projects she has not delivered, or will it all be pushed over to another four, eight or 10 years because there is no planning in the budget and no money allocated to prove that she will deliver anything that comes out of her mouth? The people of Darling Range are sick and tired of the lies of the minister and the Labor Party.

The CHAIR: Member for Darling Range! That was not a further question. You might like to rephrase it and try again.

Mrs A.K. HAYDEN: No, I am happy with it, thanks.

The CHAIR: I am not sure whether the minister needs to answer it because I do not think there was a question there.

Ms R. SAFFIOTI: I think that was a bit harsh. Even coming from the member for Darling Range, it was a bit harsh.

Let us go through it. Throughout this whole session, the member for Darling Range has been asking us to stop works on the Thomas Road bridge and Byford rail. People who know the member, particularly the people of Darling Range, can compare and contrast the current member for member for Darling Range with —

Mrs A.K. HAYDEN: Barry Urban!

The CHAIR: Member for Darling Range, I call you to order for the third time.

Ms R. SAFFIOTI: I think the sensitivity —

The CHAIR: Minister, thank you. Member for Darling Range, the minister did not interrupt you when you had your little preamble. You are on three strikes. I know you are hungry, but I am going to try to keep you here until 1.00 pm.

Ms R. SAFFIOTI: The member for Darling Range's sensitivity shows exactly where she thinks she is in the psyche of the people of Darling Range. Only someone who is under pressure and thinks that they are going to lose their seat would have performed like that for the past three and a half hours. If the member for Darling Range was confident, she would not have performed like that. If the member for Vasse understood how the budget papers operated, she would have received answers to a few more questions.

Ms L. METTAM: I refer to page 638 and to the automatic train control project. Has a business case been prepared for this project? Is there an understanding of what the estimated cost of the project will be, and when will it be delivered?

Ms R. SAFFIOTI: A business case has been submitted and endorsed by Infrastructure Australia. I think it is a 10-year project. We will provide information about the budgeted cost by way of supplementary information.

The CHAIR: Thank you, minister. Can you let us know exactly what information will be provided?

Ms R. SAFFIOTI: Details about the business submission, approval by IA and the estimated total cost.

[*Supplementary Information No A23.*]

Ms L. METTAM: In relation to the train radio systems replacement project, which is part of the ATC, what is the renewed time line for the delivery of the project?

Ms R. SAFFIOTI: Given the performance of the member for Vasse and the member for Darling Range during these estimates, that question does not relate to this section, and all the courtesy that I have been providing has gone because of the awful performance of the member for Darling Range in this estimates hearing. I have been trying to be cooperative and provide information but it has just been gutter politics.

Ms L. METTAM: I refer to page 630 of budget paper No 2, volume 2.

Ms R. SAFFIOTI: Member, we have gone through the division. That is a project under delivery. It is in the Public Transport Authority budget. There is an estimated total cost. I am sorry, I will answer questions but I am not going to teach members how to read budget papers.

The CHAIR: Member, any other questions?

Ms L. METTAM: The minister stated that she would answer the question.

The CHAIR: Member, we are seeking questions on the Metronet projects under development.

Ms L. METTAM: I refer to page 638 and the statement of projects that are under development. By way of supplementary information, can the minister outline the costs associated with these projects and what the delivery time frames are?

Ms R. SAFFIOTI: I am sorry, but that exact question was asked by the member for Darling Range about an hour ago and I outlined the process.

The CHAIR: That completes the examination of the Metronet projects under development.

Division 44: Planning, Lands and Heritage — Service 1, Planning, \$97 512 000 —

Ms S.E. Winton, Chair.

Ms R. Saffioti, Minister for Planning.

Mr V. Davies, Acting Director General.

Mr T. Hillyard, Chief Property Officer.

Mr M. Hanrahan, Chief Finance Officer

Mrs K. Bonus, Chief Planning Officer.

Mr D. Caddy, Chairman, Western Australian Planning Commission.

Mr D. McFerran, Principal Policy Adviser.

[Witnesses introduced.]

[12.40 pm]

The CHAIR: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information she agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 30 October 2020. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online questions system.

I give the member for Vasse the call.

Ms L. METTAM: I refer to page 695 of budget paper No 2, the table "Spending Changes", and the amendments to the Planning and Development Act 2005. What is the \$2.76 million in 2021 and the \$1 million the following year specifically allocated towards?

Ms R. SAFFIOTI: That is the additional resources to implement the planning and reform amendments; namely, the amendments to the Planning and Development Act. It is the additional cost to implement the new State Development Assessment Unit and associated reforms.

Ms L. METTAM: If the allocation is for the operation of the State Development Assessment Unit, what is the expenditure for other than FTE?

Ms R. SAFFIOTI: Sorry, can the member explain what she is after?

Ms L. METTAM: Can the minister outline what proportion of the funds is dedicated to FTE and what those funds are for?

Ms R. SAFFIOTI: It is \$1.5 million in 2020–21 and \$792 000 in 2021–22. That is 12 months and six months of funding, in a sense, for additional staff; that is, \$2.3 million over those two years is dedicated for FTE. The rest of the cost is for things such as corporate overheads, business case systems development and professional advice, so potentially further assistance in finalising some of the reform initiatives. This relates to the entire act reform. Employee expenses would include the SDAU but may include other works such as implementing planning reform; for example, new regulations and other works that have been required, extensive community consultation, consultation with relevant industry bodies, and further advice on some of the reform initiatives. It includes not just the SDAU but also other initiatives.

Ms L. METTAM: Was that allocation predicated on the original project threshold of development projects of a value of \$30 million and above? The legislation now applies to developments with a value of \$20 million for metropolitan and \$5 million in the regions.

Ms R. SAFFIOTI: Yes, it was, but as has been the instruction internal to the department, we have said that if any resource allocation issues arise, we will do whatever is required to ensure that the unit is staffed correctly and properly, and we are doing that. There is a unit, but we want to ensure that all the other associated parts are running correctly. We are trying to make sure that the Main Roads Western Australia referral process is quicker and also better targeted, as well as the referral process across agencies and the role of design review panels. There is activity across agencies and also across government to help that. Additionally, we also anticipate—I think it is in the budget papers—additional revenue through application fees for many projects.

Ms L. METTAM: How many development applications have been lodged with the SDAU? Can the minister provide that information by way of supplementary information, or table it?

Ms R. SAFFIOTI: We cannot table information. I will go through it. Three applications have been formally lodged, and there have been nine intents to lodge and 22 requests for pre-lodgement. That is the current status as of 21 October.

Ms L. METTAM: How many development applications have been referred to the SDAU pathway via the minister or the Premier's recommendations?

Ms R. SAFFIOTI: Zero.

Mrs J.M.C. STOJKOVSKI: We have been talking about the amendments to the Planning and Development Act. Can the minister outline the progress that has been made this year and the works expected to be undertaken in the next 12 months?

Ms R. SAFFIOTI: A unit has been established in record time and is receiving applications. The government also wants to finalise a number of different regulations. They have been out for consultation, in particular with the Western Australian Local Government Association and industry. We are finalising those regulations, which are all about cutting red tape and creating consistency across the state. The feedback has been pretty positive. We intend to finalise those soon as well. With the SDAU established, plus the finalisation of the regulations and other reform initiatives across government, such as Design WA, a lot of reform initiatives are in place and we are well on the way to helping and supporting sensible and better developments across our suburbs.

Mr R.S. LOVE: I refer to page 695 and the table "Spending Changes". Under "Election Commitment" an amount of \$20 000 this year and \$35 000 in each of the forward estimates is allocated to the Swan Valley Planning Bill 2020. An exact replica of that appears in the Western Australian Planning Commission documents in the next section, which we will not have time to get to. Is that the same amount of money? Is that money doubled up? What is the actual figure?

Ms R. SAFFIOTI: It is a transfer of funds from the Planning Commission to the Department of Planning, Lands and Heritage.

Mr R.S. LOVE: I refer to page 125 of budget paper No 3. The Swan Valley Planning Bill is mentioned as a major spending change since the midyear review. A figure of \$125 000 has been approved for sitting fees for the proposed Swan Valley committee, which will come into effect under that planning bill. Would that cost, along with the other costs outlined in this section, normally be borne by local government in providing those same sorts of services? Will there be any charge to any of the property owners in the Swan Valley planning area to offset the cost to the state of the activities that have been vacated, if you like, by local government in that area of planning?

[12.50 pm]

Ms R. SAFFIOTI: There will be no additional costs. As I said, application fees would then be coming to us, not local government, so it is a redirection of existing fees being payable but no additional fees.

Mr R.S. LOVE: To confirm, there will not be any charges contemplated to provide the services for the Swan Valley area?

Ms R. SAFFIOTI: No.

Mrs A.K. HAYDEN: Can the minister advise what the \$125 000 in 2020–21 to 2023–24 is actually attributed to?

Ms R. SAFFIOTI: The member for Moore just raised the relevant section of budget paper No 3, which says —

Mrs A.K. HAYDEN: That is right; the Swan Valley Planning Bill.

Ms R. SAFFIOTI: Yes. The member for Moore just asked about this exact issue. It is for the sitting fees.

Mrs A.K. HAYDEN: Can the minister advise whether it is for the Swan Valley leadership group or the statutory planning group?

Ms R. SAFFIOTI: It is primarily for the Swan Valley Planning Committee. When we talked about the bill, we looked at a voluntary situation for the leadership group, but the money could be for the leadership group, too. I do not think the legislation prevents that happening. It is primarily for the planning committee because it is a statutory role, but there may be contemplation for the leadership group, too, as we finalise that, if that bill is passed by the upper house.

Mrs A.K. HAYDEN: If money is going to the Swan Valley leadership group, has the minister appointed the group as yet? Does she have a prepared list of names of who is likely to be in this group?

Ms R. SAFFIOTI: No, I have not. As I said, payments to the leadership group are being considered; I did not say it was definite. It is being considered and we are waiting to know what happens with the bill. Given what is happening in the upper house, hopefully the bill gets passed by the opposition by the end of the year, but I am not sure what is happening given some of the delays on other legislation. Hopefully, the bill will be passed; otherwise it will not be passed before the election.

Mrs A.K. HAYDEN: Considering that this was an election commitment in 2017, why has it taken so long to prepare the Swan Valley Planning Bill? What kind of developments have been approved by the Swan Valley over the previous four years that would have been prevented by this bill if the government got it in earlier as it committed to?

Ms R. SAFFIOTI: We asked the late John Kobelke to undertake a review of the Swan Valley. As the member knows, Mr Kobelke has passed away. We released the action plan and then we brought in the legislation. It has been with the upper house. The upper house does not pass bills very quickly, so, hopefully, it passes the bill by the end of this year. The bill has been sitting there.

Mrs A.K. HAYDEN: Hopefully, the upper house makes it a priority.

Mr M. HUGHES: I have a question.

The CHAIR: I am well aware, member for Kalamunda. The next person on my list was the member for Darling Range, but she is happy that was called. Member for Vasse.

Ms L. METTAM: I refer to page 697, “State Planning Policy 3.6—Infrastructure Contributions”. How long has this state planning policy review taken and why? How much has this process cost to date?

Ms R. SAFFIOTI: I will get some confirmation on the review. The review has been complex because we are trying to get a policy that works for developers, landowners and councils, so it has been hard to get the right balance. We did consultation last year. Of course, COVID hit and we turned our attention to other elements of planning reform. We hope to finalise that by the end of the year. I do not have costs, but I think it has just been part of the overall budget of government, so there is been no additional appropriations for the department for this developer contribution policy.

The CHAIR: I am just alerting members to the time. We still have the Western Australian Planning Commission if members want to go there, so be aware of that.

Ms L. METTAM: Could I request the entire list of SPPs that the department has reviewed over the course of the last four years?

Ms R. SAFFIOTI: We can provide a list of SPPs that have been reviewed over the past four years by way of supplementary information.

[Supplementary Information No A24.]

Ms L. METTAM: How many SPPs have also been finalised in this period? I am seeking that information.

Ms R. SAFFIOTI: I will provide by way of supplementary information the SPPs that have been finalised over the past four years.

[Supplementary Information No A25.]

Ms L. METTAM: What proportion of the planning budget has been spent on sundry issues related to the minister’s action plan for planning reform and to what degree has reform in the planning portfolio been accomplished in this term?

Ms R. SAFFIOTI: It is a pretty open-ended question.

The CHAIR: I know, minister. I ask you to try to keep it brief. There are five minutes to go!

Ms R. SAFFIOTI: In a sense, we are trying to implement reform in how we deal with developments across government. There is a broad spectrum of planning instruments and policies and the member mentioned SPPs. We have been revising SPPs to be more contemporary and better able to deliver planned suburbs. We have completed the Design WA suite of documents. We have released apartment and medium-density designs. Precinct design has been launched for public comment—water, SPP. Numerous documents are out for consultation and are also being implemented.

Then, of course, there is planning reform itself. We are looking at the strategic assessment pathway and how we can have a smoother, more transparent and more sustainable planning system for larger projects.

We have issues such as how we make sure there is certainty about schools. It is a contentious issue. An issue we have all had to deal with within our electorates is when we have our land being put aside for schools and we need a time frame of implementation. How that land is positioned and where those schools are put are also contentious issues. Across the entire agency, I would say that we are trying to always improve how we better manage the developments.

We have the Creative Community Consultation Toolkit, which we are also working on to make sure that we have a better, more transparent way of how we deal with a community, so there are a lot of elements.

In relation to the question of the proportion of the department's activities, I would say that we try to do it whether we are implementing a scheme amendment or looking at a structure plan. In everything that we are doing, we are trying to make sure we have a better planning system that creates active precincts and better connected communities.

Mr R.S. LOVE: While we are talking about planning and referring, could the minister outline when she thinks the review of the Residential Design Codes Volume 1 might be undertaken and completed, and the bushfire planning review? Where are both those projects at? When are they expected to be completed?

Ms R. SAFFIOTI: Residential Design Codes Volume 1 will go to the commission in November. On bushfires, we had started that reform, but, unfortunately, there were the bushfire events over east. We were using the CSIRO to give us scientific evidence about changing the maps and were able to redefine some of the maps within the metropolitan area. But we are continuing to work across government to implement that reform. Basically, we engaged CSIRO in response the royal commission, but it had to put that work on hold. We are restarting that work. Early next year there will be some movements on reform for that issue.

Mr R.S. LOVE: When does the minister expect that might be complete?

Ms R. SAFFIOTI: There was a staged implementation. I am sorry; I do not have all the information in front of me. The maps, which is the key thing, are being implemented in the first quarter of next year.

The appropriation was recommended.

Division 45: Western Australian Planning Commission, \$120 519 000 —

The appropriation was recommended.

Meeting suspended from 1.00 to 2.00 pm

Division 8: Commissioner for Equal Opportunity, \$3 185 000 —

Ms J.M. Freeman, Chair.

Mr J.R. Quigley, Attorney General.

Dr J.C. Byrne, Commissioner for Equal Opportunity.

Mr J. Lee, Principal Policy Adviser.

[Witness introduced.]

The CHAIR: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. The Chair will ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information he agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 30 October 2020. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online questions system. Gesundheit, minister.

I give the call to the member for Hillarys.

Mr P.A. KATSAMBANIS: Thank you, Through the Attorney General, I welcome the Commissioner for Equal Opportunity. I do not have a lot questions but I have a few. My first question relates to page 117 of budget paper No 2 and the first issue under the heading "Significant Issues Impacting the Agency". In October 2018, the Attorney General announced a review of the Equal Opportunity Act to be conducted by the Law Reform Commission of Western Australia. This is the first time the act has been reviewed for at least a decade. I understand that that review commenced at some stage in 2019. Is the Attorney General or the commissioner able to provide an explanation on the progress of this review and when it is anticipated the review will be completed?

Mr J.R. QUIGLEY: Although the initial instructions to the Law Reform Commission about this matter were made in early 2019, as the member pointed out, a number of factors have resulted in delays to this review and its associated report. In light of the Australian Law Reform Commission's review of religious exemptions and equal opportunity legislation, it was necessary to delay Western Australia's review of equal opportunity legislation to ensure that any findings made by the commission were not supplanted by commonwealth developments on this subject, bearing in mind also the constitutional constrictions of section 109 to deal with inconsistent laws with the

commonwealth. In addition, a further delay has occurred this year due to the COVID-19 pandemic and the need for a range of matters related to the equal opportunity legislation, not just those associated with religious exemptions, to be considered as part of commission's review. Also, the chair of the Law Reform Commission, Dr David Cox, finished his term only a couple of months ago and a new chairperson has been appointed in the person of retired Supreme Court Justice Hon Lindy Jenkins, who will be leading this review. Her appointment went through Executive Council only a month ago. I am advised that the commission anticipates that the discussion paper will be released by the end of March 2021 for public comment.

Mr P.A. KATSAMBANIS: A discussion paper will be released in March 2021. After the discussion paper has been released and consultation has occurred, is there an anticipated date on which a final report is likely to be completed?

Mr J.R. QUIGLEY: I have not discussed that with the incoming chairperson. If the member knows the reputation of Justice Jenkins, she is a very hard worker and very competent, and this is one of her first jobs. I think that she would be onto the job pretty quick.

Mr P.A. KATSAMBANIS: We will wait and see on that.

Mr P.J. RUNDLE: Does the minister have an idea of the cost of the review to the state government?

Mr J.R. QUIGLEY: No, I do not. Due to the reorganisation of the Law Reform Commission under the previous government, that question is best saved for the division on the Department of Justice. Under the previous government, the administrative supports of the Law Reform Commission were reorganised into the Department of Justice. If the member asks that question during the division on the Department of Justice, I think he will get a more helpful response.

Mr P.J. RUNDLE: I refer to page 117 and significant issues impacting the agency. The second point notes that the complaints management system will come online during this financial year. Has the changeover from the previous obsolete system been completed?

Mr J.R. QUIGLEY: I invite the commissioner to respond to that question.

Dr J.C. Byrne: Thank you. First, I want to mention that I am profoundly deaf, which is why I have transcript in front of me. I thank the Chair for the accommodations made for my disability. I greatly appreciate that. The complaints management system has been delayed. We went to tender, and the prices were far too high. We are now talking with the Department of Justice about using its integrated court management system with appropriate modifications for our simpler requirements than those for courts. That is now underway and a project officer will be appointed this financial year.

Mr P.J. RUNDLE: Have any funds been allocated for staff training to ensure that they are fully conversant with the new system?

Dr J.C. Byrne: Yes, we have a budget of \$180 000, which will include the cost of training and modifications.

[2.10 pm]

Mr P.A. KATSAMBANIS: I refer to outcomes and key effectiveness indicators on page 118 of the *Budget Statements*. One of the outcomes is the percentage of complaints finalised within six months and 12 months. I note that the percentage of matters finalised within six months is significantly below the budgeted target, and the percentage finalised within 12 months is much higher than the budgeted target. Has anything changed, either in the case load or in the way cases are managed in the commission, that leads to things taking longer?

Dr J.C. Byrne: There are two factors to this. During the COVID restrictions, there was a period when we had to work out arrangements to work from home, and that required reorganising the way we dealt with the administration of complaints. It is now more online. That caused a slight delay, but not all the delay—a slight delay. I would say, though, that reorganising the way complaints were done has improved our productivity now that we are back in the office—one of the small benefits of COVID. The other factor is that every year there has been a steady increase in the complexity of complaints, with people being slower to respond. That complexity means that the respondent and the complainant often take longer to respond to requests. Often solicitors are involved, and often there are a number of exchanges so that instead of just one exchange from the respondent and one from the complainant, we are now doing a fair bit of back and forth, and that is causing it to take longer. I take the view that the increased time to deal with complex complaints is not really an issue in itself, so long as both the complainant and the respondent are engaging and continuing to move forward towards conciliation. Nonetheless, the complexity of complaints is the main reason for the increased time to resolve them.

Mr P.A. KATSAMBANIS: Have the resources allocated to the commission proved to be sufficient to deal with this increased complexity in the case load?

Dr J.C. Byrne: Yes. We are not seeking additional resources. We are improving productivity where we can, in a different way—by doing things electronically, for example. The conciliation people are certainly flat out, but I do not think it has been a factor in the increased time.

Mr P.A. KATSAMBANIS: We have traversed this area before. I am always interested in changes in the nature of the case load. Have there been any marked increases or decreases in certain types of cases compared with other types of cases? For instance, are we seeing any more bullying or religious discrimination claims? Has there been any change in that area?

Dr J.C. Byrne: I would say that there are fluctuations from year to year, but I cannot detect a trend about the number of complaints or a particular area. I should note that bullying of itself is not a ground under the act. If that is what it is about, a person should go to the Fair Work Commission. If bullying is part of another complaint such as sexual harassment, it can be considered. We have a very low number of complaints of religious discrimination, probably only one or two per cent—four or five complaints—a year. There was certainly an uptick during the plebiscite, when there was a lot of public debate and focus, but it has dropped back again. It is rare to get a complaint about religious discrimination.

Mr P.A. KATSAMBANIS: My new question is again on page 118. I refer to services and key efficiency indicators and the first service, “Provision of Information and Advice Regarding Equal Opportunity and Human Rights”. The budget papers refer to the need to make sure that there is dissemination of relevant and appropriate information on the act and relevant laws and human rights issues. Does the commission deliver training or advice to other government bodies about equal opportunity matters? If that is the done, how is that handled?

Dr J.C. Byrne: Yes. We have two full-time training officers and they deliver the training courses to other government departments and the private sector. It is on a fee-for-service basis; we charge them for that. Mostly, they request a particular type of training—for example, sexual harassment training can be a request by a government department or the private sector. In addition to this organisation-type training, we run free training courses for the public. For example, if a conciliation officer goes to conciliate a complaint in a country area, the local people know in advance that Equal Opportunity will be there and there will be a two-hour session and anybody can come to it, so we get the word out that way. Yes, we do quite a lot of training to government departments and others.

Mr P.A. KATSAMBANIS: I am not sure whether the commissioner has this information on hand or whether he can provide it as supplementary information, but is he able to tell me whether the commission has delivered any equal opportunity training to Lotterywest at any time in the last three years?

Dr J.C. Byrne: I am not aware of providing Lotterywest training. It is a small organisation. We mainly provide private training to big organisations. However, I can take that question on notice and respond.

Mr J.R. QUIGLEY: Yes, we will take that as a supplementary.

The CHAIR: Minister, you have to say what the supplementary information is, but it is okay. Commissioner, can you outline what you believe the supplementary information is?

Dr J.C. Byrne: It is whether the Equal Opportunity Commission has provided training to Lotterywest in the last three years.

[Supplementary Information No A26.]

Mr P.A. KATSAMBANIS: With the indulgence of the minister, could there also be an outline of which areas of equal opportunity that training may have covered?

The CHAIR: I have already allocated that number. Does the member want another piece of supplementary information?

Mr P.A. KATSAMBANIS: I see the commissioner nodding. If that could be separate supplementary information, I would appreciate it.

The CHAIR: Just to be clear, the member for Hillarys is asking that the commission give information about whether it did training to Lotterywest on equal opportunity legislation. We have already given that a supplementary information number. Now the member is asking for additional supplementary information outlining or detailing the training that was given.

Mr P.A. KATSAMBANIS: Yes, the specific areas.

The CHAIR: Is the minister happy with that?

Mr J.R. QUIGLEY: I am happy.

The CHAIR: Can the commissioner repeat that for me so it is clear what he will be giving?

Dr J.C. Byrne: The first of the two questions, supplementary information A26, was: has the Equal Opportunity Commission provided training to Lotterywest in the last three years? The second, A27, was: if so, what was the nature of the training provided?

[Supplementary Information No A27.]

The appropriation was recommended.

[2.20 pm]

Division 9: Commissioner for Children and Young People, \$2 851 000 —

Ms J.M. Freeman, Chair.

Mr J.R. Quigley, Attorney General.

Mr C. Pettit, Commissioner for Children and Young People.

Mrs N. Hall, Director, Policy, Monitoring and Research.

Mr J. Lee, Principal Policy Adviser.

[Witnesses introduced.]

The CHAIR: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. Estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

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The CHAIR: Member for Hillarys.

Mr P.A. KATSAMBANIS: Thank you, and welcome, commissioner. My first question is in reference to page 126, budget paper No 2, "Outcomes and Key Effectiveness Indicators". I note there that there has been a significant increase between the budgeted amount and the actual amount of participation of children and young people in the "Speaking Out Survey", and in surveying generally that the commissioner has done, and there has been better data capturing. How did that occur? What factors enabled the commissioner to access more opinions of more young people than was budgeted for?

Mr J.R. QUIGLEY: I will defer to the commissioner.

Mr C. Pettit: Thank you, minister, and thank you, member. Obviously, when we did the "Speaking Out Survey", we were trying to get as many voices of children and young people as we could across the state, so the program we devised was one where we travelled to a smaller numbers of schools but across the entire state, so that we could catch a larger number of children within each of those locations. That is why these numbers have grown.

Mr P.A. KATSAMBANIS: Does the commissioner use a combination of online and face-to-face consultations, and does he have a preference for which of the two is, firstly, more appropriate and, just as equally important, as useful in gathering data and information?

Mr C. Pettit: No, I do not have a preference; in fact, it depends on the type of question we are asking and also, more often, on the children and young people themselves. What we try to do is find a way that will capture their voice the best we possibly can. We use a range of techniques from face to face to using technology to also going directly online. All three have their appropriateness in terms of the data that we collect. We find that this group of children that we now have coming through our schools and so forth are more adaptive to technology, so we are able to explore the technology far greater than we have, perhaps even five years ago.

Mr P.J. RUNDLE: I have a further question. We see an increase between the budget and the actual spend for 2019–20, but then the budget figure has decreased from last year. Can the minister or commissioner explain the process behind that?

Mr J.R. QUIGLEY: I defer to the commissioner.

Mr C. Pettit: Unfortunately, the nature of our job is that it changes year on year, depending on the number of consultations that we have. For example, we are planning next year, in the latter half of this financial year, to talk to nearly 10 000 young people, so that will change the nature of what we do in terms of reporting next year. It varies with the number of children we can get to and whether they respond. What we did three years ago was change these performance indicators to try to get a better representation of what we do as an organisation. These figures were based on historical data, and we made a point, through Treasury, that we would give it three years and then we would review each of them, and we would perhaps go through a process for the next budget to change them again. That has been agreed to, and that three-year period finishes at the end of this year, so we have planned in December to have a full review. That review involves our staffing to start with and historical data. Then we will involve both

the Office of the Auditor General and Treasury to make sure that we get some sort of reasonable data. The unfortunate thing is if we are going to do a survey like Speaking Out every three years, we will have a blip every three years when we go to far more children than we do in other years. It will always be up and down.

Mr P.J. RUNDLE: Has the commissioner found that the COVID situation has limited his ability to consult with young people and the like? How has the commissioner coped with that?

Mr C. Pettit: We were, like everyone, caught with the COVID-19 pandemic. Our usual practice was no longer necessarily as strong as it could have been, and that was face to face more than anything else. We have had to adapt like everyone else. What we found was that, initially, it was hard to get hold of young people through an online process because of safety concerns and all the other bits that come with it. But we have worked around that and we have started to devise methods by which we can reach out to children and young people fairly quickly through technology, as well as still do face-to-face contact. It has forced us to change. With COVID, in particular, we reached out to anyone who would like to respond to us, and around 800 young people responded to us almost immediately about how they were feeling with the COVID pandemic. We actually tracked their feelings and thoughts all the way through for about a three-month period and put out a document that is online and available if anyone wants to look at it.

Mr P.J. RUNDLE: Does the commissioner have a percentage that represents the regional and remote young people that he attempts to get to, or what is the actual percentage of regional and remote contacts compared with kids in the metropolitan area?

Mr C. Pettit: We definitely try to reach as many regional locations as possible, and we do that through personal visits more than anything else. We certainly oversubscribe because of that and the fewer numbers of children in the regions. At the moment, about 25 per cent of our total population of children under the age of 18 are outside the metropolitan area, and that is about the proportion that we get in any surveys that we do. When we structure surveys, which means making sure that they are representative, obviously we have to make sure that there is a direct proportion of children from the country as opposed to the city. We then also break that down to Aboriginality and other factors.

Mr P.A. KATSAMBANIS: My questions will relate to significant issues impacting the agency in the sense of paragraph 1.2, which states —

monitoring and advocacy to strengthen the wellbeing of all Western Australian children and young people ...

And paragraph 1.3, which states, “prioritising the needs of children and young people”, and the more general relationship to government goals of consultation, research and promotion of the wellbeing of children and young people, as well as the “Speaking Out Survey”.

The CHAIR: Have you got the page number?

Mr P.A. KATSAMBANIS: Yes; it is page 125. It is essentially the work that the agency does. What I would like to ask is: in that “Speaking Out Survey”, was there anything that stood out in relation to young people’s mental health and wellbeing, such as issues around suicide or thoughts of suicide? Perhaps, also, as the second part to that, what interrelationship does the commissioner have with the service delivery agencies in government when he makes findings? How does he advocate for it? What protocols does he have in place to communicate those findings to all those agencies, be it police, child protection and the like, in order for them to get an understanding of what is coming to the commissioner from young people?

[2.30 pm]

Mr J.R. QUIGLEY: I defer to the commissioner.

Mr C. Pettit: Thank you. We are still mining a wealth of data from the “Speaking Out Survey”. In February 2020, we put a report to Parliament, but it was a very high level report in terms of the findings. We are still mining that information, but four things stuck out. In answer to the member’s question, mental health was one of the four—it was one of the top of the four issues—that children and young people identified having an issue with.

In terms of the second part of the member’s question on suicide, we did not specifically ask that question, in part because we were restricted by the ethical approach we had to take. It is a question that a number of organisations, including the Department of Health, were keen to look at, and we are looking at how in the future we might uncover some of that information through children. In fact, we have two projects, in the Kimberley and the Pilbara, that when opened up fully, particularly in remote locations, will explore that very notion.

We communicate that information with agencies in a range of ways. Obviously, we provide a briefing to all the key agencies, and have done that to all the heads of significant agencies that children have told us there are problems with, and we have gone through all the data. We shared the report with them. Through mining the information, we have gathered four areas that we are really keen to progress. One area is mental health. We have produced—they came off the press only yesterday—four data insights that are more detailed. They will be released pretty soon to the general public and also members of Parliament. One of the data insights is around mental health and it will have far greater fine-grained detail to assist agencies. We have worked with the Mental Health Commission and

given it information. The commission has come into our office and used the data on a number of occasions. The agreement was that the data would be available to all agencies. The commission used the data in an attempt to form its youth strategy into the future based on what children and young people have said. We advocate in a range of ways, but the data speaks for itself, and we are keen to promote it as much as possible.

Mr P.A. KATSAMBANIS: I want to explore a couple of things in relation to the data. Is the data broken down by geographical subsets? If something stands out as being different—I hesitate to use the word “alarming”—or a deviation from the mean, if you like, in one particular geographic area, how quickly can that be communicated to other agencies?

Mr C. Pettit: In the first instance, the “Speaking Out Survey”—SOS 19, which was obviously done in 2019—was a proof of concept, so we only managed to contact nearly 5 000 young people. As part of the ethics process, there was a need for us not to break down the data. However, we learnt from SOS 19 that we would like to go back into the field and do it again, hopefully, pretty much post-COVID, in early 2021, assuming everything goes forward. We have already had full ethics approval from all agencies and within our own ethical approach. Within that structure, it has been recommended to us to do exactly as the member suggested—that is, have regional breakdowns. We are also now looking at how quickly we can manage that data. Because of the work we did with the pilot, we can translate that data a lot, a lot quicker than we did with the first one. We are hoping to have not only school-level data available to schools, but also regional data available more broadly within the space of the reporting project, which is around the end of June next year if all things go well.

Mr P.A. KATSAMBANIS: I accept that the 2019 survey was a proof of concept, but I think there is a realisation that having that finer based and more targeted data will lead to better outcomes, and that is where service delivery is going anyway more generally. The commissioner in his answer to the first part of my question mentioned that based on the preliminary or ongoing mining of the data he wants to do further work on mental health. Can the commissioner expand on the areas of mental health he wants to do more work on and whether he can do that within his existing budgetary framework or would need additional funds?

Mr C. Pettit: Obviously, any agency would love to have more funding, but we work with the cloth that we are given. Certainly, mental health has become a priority for us because that is what the voice of children has told us. We are looking at how we can expand on that, and we have just released three reports online around where mental health and wellbeing for children sits in schools and beyond that. We are working with all three education systems and the Mental Health Commission. We have also looked at the provision of mental health for very young children and the need for that to be a priority in the next 12 months or so, given the feedback we have.

In terms of the member’s direct question, the real focus at the moment is to make sure that people understand that mental health is a problem that young people are facing across the board and that it needs to be recognised in a way so that it can then be funded and the correct programs can be appointed. We really want to go back and check really carefully the SOS 19 data on the mental health of young girls, particularly older young girls, because they expressed a deep concern about how they are feeling in life at the moment. We are looking at two areas there—that is, mental health and how females are treated within the community.

Mr P.A. KATSAMBANIS: Has the commission done any work around the availability of mental health support services for young people in a general sense and then broken down in a more regional sense? The corollary to that question is that if the commission has not done specific work on that, has anything come out of the “Speaking Out Survey” that raised questions or alarm bells about the availability more generally or regionally of that clearly needed assistance?

Mr C. Pettit: The short answer is, no, we did not get into the regions. As I said, SOS 19 did not allow us to do that. Obviously, as an agency we have been monitoring the mental health and wellbeing of children for some time. In fact, there were a series of reports from our predecessors in 2011 and 2015. We recently reviewed our 2015 report recommendations and sent a report to each of the agencies saying, “This is where we think it’s at.” We have had conversations about how they might improve from that point. A key issue is how we support children in regional locations in a way that perhaps has not been recognised as well as it could have been to this point. That is a conversation we are having with the Mental Health Commission and others to hopefully build into the youth plan next year.

Mr P.J. RUNDLE: I refer to page 125 and line 2.1, which states —

monitoring the implementation of the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse, and supporting agencies to embed the child safe principles within their organisations, including appropriate responses ...

Can the commissioner explain who the supporting agencies are and what form this takes?

Mr C. Pettit: The supporting agencies are all the agencies that have direct involvement predominantly with children—not only direct involvement, but all agencies that have some sort of involvement with children. From the time the royal commission started we worked alongside it until the day it concluded. We have led, on behalf of the state, the previous government and this government, the child safe organisation principles, helping agencies

work through how they can change their culture. At the moment there is no mandatory obligation for that to happen, although in time it will happen because that is part of the recommendations. We are working towards helping each of those agencies change their practices to provide a safer environment based on the 10 child safe principles. In fact, the work we have done has just been recognised by the federal government, which asked us to do some work for it, which will also help the state. It was recognised in federal Parliament this morning by the Prime Minister.

[2.40 pm]

Mr P.J. RUNDLE: So the supporting agencies are those agencies that are involved with young people, like the Commissioner for Children and Young People. How much direct engagement does the commission have with these outside organisations that are part of the royal commission, if you like?

Mr J.R. QUIGLEY: I defer to the commissioner.

Mr C. Pettit: I will clarify: when I talk about agencies, I am talking about government and non-government agencies. The non-government agencies are at the forefront of this and are doing some amazing work. I just want to acknowledge that they have really jumped in and tried to make a significant difference around child safety. With regard to government agencies, we work with all of them. They acknowledge that they have to change some of their work practices, and many of them are actually putting different policies in place. They often come back to us to check and see whether they are, in fact, lining up with what we believe is the right way to go.

The appropriation was recommended.

Division 10: Office of the Information Commissioner, \$2 145 000 —

Ms J.M. Freeman, Chair.

Mr J.R. Quigley, Attorney General.

Ms C. Fletcher, Acting Information Commissioner.

Mrs M. Fitzgerald, Executive Officer.

Mr J. Lee, Principal Policy Adviser.

Mr D. Emerson, Senior Policy Adviser.

[Witnesses introduced.]

The CHAIR: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information he agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 30 October 2020. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online questions system.

The member for Hillarys.

Mr P.A. KATSAMBANIS: My first question refers to page 132, under "Outcomes and Key Effectiveness Indicators". The last of the indicators is "Applications for external review resolved by conciliation". I note that the actual number delivered in the past year was lower than the budgeted amount as a percentage, and significantly lower than the actual amount in 2018–19. Can we have an indication of why fewer applications for external review were resolved by conciliation? Perhaps as a part B, if they are not resolved by conciliation, what is the next step?

Mr J.R. QUIGLEY: I defer to the commissioner.

Ms C. Fletcher: Yes, thank you for the question. The member refers to the 2019–20 actual figure for the rate of external review matters resolved by conciliation being at 64 per cent. The budgeted target was 70 per cent, and compares with the actual result for 2018–19, which was 82 per cent. The two differentials that I will attempt to explain are as follows. It is acknowledged that the actual result for 2019–20, 64 per cent, is below the budget target of 70 per cent, and is to some extent significantly down from the actual result of 2018–19, which was, in our view, a very good achievement for that period.

I do not think the result can be explained in precise terms or in any scientific way, but perhaps in this way. In our last hearing in front of another committee I attempted to explain that we were concerned in previous periods about the issue of timeliness, so we attempted to go about things a little differently in the last reporting period. That

brought about some changes in process, and one of those was to resolve matters in a different way, such that after we had issued a preliminary review where we invite parties to respond to the commissioner's review with further submissions, in some cases we were able to resolve matters where nothing of substance came back to the commissioner that would have any impact on that preliminary review. We resolved matters by making the decision that the matter was now lacking in substance. We have increased our usage of those significantly in the last 12 months, which impacts on the conciliation rate to an extent. That is one factor that has impacted on that. We have significantly increased that way of resolving matters, and I think it has made an impact.

There is an issue in terms of some older matters that are yet to be finalised and which, I think, may well have impacted. We have some outstanding matters that have grown in age, and I think the inability to resolve some of those matters of complexity, that have grown old, has also contributed to the drop in the conciliation rate. Those, for me, are perhaps the two standout factors.

Mr P.A. KATSAMBANIS: If matters are not resolved by conciliation, what is the next step?

Ms C. Fletcher: Sorry, I did not answer the second part of the member's question. The next step is, of course, to have a decision of the commissioner.

Mr P.A. KATSAMBANIS: Just for completeness, I recognise that sometimes when dealing with very small caseloads, one outlier case can throw out the percentages. What sort of numbers are we talking about each year in this area? Are we talking about hundreds or dozens of applications?

Ms C. Fletcher: The annual report reveals that in the last period we are talking about, the 2019–20 actual, we received 166 new matters.

Mr P.J. RUNDLE: I refer to page 133 and the income section of the table under the heading "Advice and Awareness". Income under 2019–20 actual is listed as \$30 000, which obviously relates to the FOI in WA conference. Is that an annual event, and to whom is it open? Is it open only to agency staff or is it public?

[2.50 pm]

Ms C. Fletcher: The FOI conference was our second such conference. The first was held two years earlier in 2017, and the second was two years later in 2019. We do not yet have a particular date in mind for another one. It is very unlikely that the office can sustain doing one every year as it is a big drain on resources. It is a worthwhile drain on resources, I might add that comment, but not something that we could do annually. We may well do another one in two or three years; we have not planned an exact date for that yet. In terms of who it is open to, it is predominantly aimed at agencies to educate those who are responsible for FOI work. However, it is not limited to only those types of people attending. We also open it to others who are interested in FOI. We have had some people attend who have an academic interest in FOI, but, predominantly, it is largely agency members. It is really an educative opportunity for those in the public sector who work with FOI.

Mr P.J. RUNDLE: Is it open to a member of the public or an electorate officer to come along—that is no problem? Also, how many people, roughly, attend the conference?

Ms C. Fletcher: I can answer the last question more accurately than I can the first. I think around 330 people attended, which is not a precise answer, but certainly well over 300 people attended. As to the issue of electorate officers or members of the public, I may have to take that question on notice, because my feeling is—I do not want to mislead anybody—that although we entertained those sorts of people, I am not absolutely certain whether we had any or whether we closed it to members of the public. I would have to take that question on notice if the member wanted an answer to that.

The CHAIR: Is the minister happy to take that as supplementary information?

Mr J.R. QUIGLEY: Yes.

The CHAIR: Through the minister, can the commissioner outline for the *Hansard* exactly what he will be providing?

Ms C. Fletcher: The Office of the Information Commissioner is to provide information about whether members of the public or others, such as electorate officers, were able to attend or did attend the second FOI in WA Conference in 2019.

[*Supplementary Information No A28.*]

Mr P.A. KATSAMBANIS: I refer to page 133 of budget paper No 2. The first item under the heading "Services and Key Efficiency Indicators" is "Resolution of Complaints". I note that for 2019–20, the average cost per complaint and external review finalised was higher than the budgeted amount. Is there an explanation for why the cost was higher than the budgeted amount, and what impacted on that outcome?

Ms C. Fletcher: The actual 2019–20 was \$7 759 per resolution of complaint unit, if I can call it that—the term we tend to use within the organisation is "external review"—versus the budgeted amount of \$7 206 per unit, the discrepancy being in the region of \$500. To be perfectly frank, the exact reason for that is not something I am able to explain, except that the underlying calculations for the budget are based on the FTE that we have for that year.

Addressing the 2019–20 budget figure, it is based on the FTE we have for that year, and the previous year’s unit cost. If in the actual period there is a variation in the FTE, that may well impact upon that final cost. In the 2019–20 period, we had a variation in FTE. The member will see in the table that for the line “Employees (Full-Time Equivalents)”, the budget number was nine and the actual number was eight. It may well be that that accounts for that higher cost; that may well be a factor. I hope I have indicated that correctly. A more precise explanation for that differential may be something that I need to take on notice. I have my chief financial officer here, who happens to be my executive officer, so I do not know whether the member would like me to seek further information.

Ms M. Fitzgerald: The budget targets are estimated based on the number of units that are estimated to be finalised in the following year based on FTE count. There is a variance if the FTEs change or the number of matters we actually get change. That will be why there is a difference, because we had an FTE reduction in that year, and the number of matters that were received were not quite what we had estimated.

Mr P.A. KATSAMBANIS: I think that answers it; we do not need to take any further supplementary information. Based on the variables and the parameters that have been described, the budget allocation for 2020–21 indicates that the average cost per complaint and external review finalised will drop quite significantly. Is that an indication that the commissioner is expecting more applications in this current financial year compared with the previous financial year, or is there another explanation for that drop in the average cost, given that the total cost of service is going up and the average cost is going down? One would presuppose that there will be far more cases. Am I reading that correctly?

Ms C. Fletcher: I think the explanation lies almost in the opposite to what we just explained about the figures for 2019–20. Based upon the actual figures for this year, we have worked out a unit cost for resolution of complaints and we have predicted that there will in fact be an increase in the number of external review matters. I think we said that this year there were 166 new matters, and we are anticipating over 200 if the trend continues. That figure incorporates a productivity dividend, or the number of matters each was able to resolve or finalise, I should say, in this previous period. I think the efficiency that appears to be projected for 2020–21 is due also to the fact that we have recently taken on two new external review staff, and their contribution to getting through that projected workload will achieve some efficiencies for us. I think that is the answer, unless there is anything further my chief financial officer would like to add.

Mr P.A. KATSAMBANIS: I am comfortable with that explanation.

The appropriation was recommended.

[3.00 pm]

Division 31: Office of the Director of Public Prosecutions, \$43 316 000 —

Ms J.M. Freeman, Chair.

Mr J.R. Quigley, Attorney General.

Ms A. Forrester, SC, Director of Public Prosecutions.

Mr L. Beeck, Manager, Finance Services; Chief Finance Officer.

Mr R. Monte, Budgeting and Contract Manager.

Mr J. Lee, Principal Policy Adviser.

Mr D. Emerson, Senior Policy Adviser.

[Witnesses introduced.]

The CHAIR: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee’s consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

The Attorney General may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the Attorney General to clearly indicate what supplementary information he agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the Attorney General’s cooperation in ensuring that it is delivered to the principal clerk by Friday, 30 October 2020. I caution members that if the Attorney General asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online questions system.

Member for Hillarys.

Mr P.A. KATSAMBANIS: Welcome, Director of Public Prosecutions. If I can take the liberty of saying, on behalf of everybody, that we would all like to commend you on the amazing body of work that you have put in, particularly

in relation to the most high-profile case that you have dealt with this year, and have been for some years, in relation to Bradley Robert Edwards. Well done to you and all of your staff. The Western Australian public held you in the highest regard but they hold you in an even higher regard now. Well done on that.

Ms. A. Forrester: Thank you, member.

Mr P.A. KATSAMBANIS: I want to focus on that case for one moment. I refer specifically to the line item “Special Prosecution Division” under the spending changes on page 473 of budget paper No 2. Is the allocated amount of \$2.854 million exclusively related to that case or does it represent some other division that I am, to this day, not aware of?

Mr J.R. QUIGLEY: I will defer to the director.

Ms. A. Forrester: Yes, it relates solely to the tail end of the Edwards prosecution and the proceedings that are still ongoing, which at the moment is sentencing.

Mr P.A. KATSAMBANIS: Is there a total cost so far, either to the Office of the Director of Public Prosecutions or the case generally?

Mr J.R. QUIGLEY: Do we have a cost so far?

Mr P.A. KATSAMBANIS: A total cost so far.

Mr J.R. QUIGLEY: For this division, we can give the costs of the prosecution. The department will give it for the courts and of course the director of Legal Aid during the Justice division.

Mr P.A. KATSAMBANIS: I am happy to get it that way. Let us get it for this division. What are the total costs so far?

Mr J.R. QUIGLEY: Certainly. I will defer to the director. It is there in the papers.

Ms. A. Forrester: At the end of the last financial year, it was \$6.146 million. Sorry, that was the budgeted expense. I will just check with my advisers. It was \$5.1 million at the end of the last financial year. This year has obviously not yet been accounted for.

Mr P.A. KATSAMBANIS: So, \$5.1 million is the actual to the end of —

Ms. A. Forrester: Yes.

Mr J.R. QUIGLEY: The sum of \$5.104 million is the actual at the end of the year. That was the cumulative from 2017–18 through to 2019–20.

Mr P.A. KATSAMBANIS: Sure. Is that \$2.854 million in addition to the \$5.104 million? If that is the case, is that anticipated to be the highest level of total cost or are we considering that there may be costs beyond this current financial year?

Mr J.R. QUIGLEY: The member can ask this again in the division on Justice and Legal Aid. It will depend upon when this matter finally resolves; Mr Edwards has not yet been sentenced.

Mr P.A. KATSAMBANIS: I do not think they would be at liberty to tell me that.

Mr J.R. QUIGLEY: And also there would be considerations about whether he attempts to appeal and how far that sort of a process might run, whether it is through the Court of Appeal or whether he seeks special leave beyond the Court of Appeal. All those unknowns make it very hard to estimate the future cost.

Mr P.A. KATSAMBANIS: Yes, certainly. I do not want to ask how long is a piece of string, but clearly, from what I have been told, on top of the \$5.104 million there is a further allocation of \$2.854 million for this year.

Mr J.R. QUIGLEY: Because the trial did not finish until into this year.

Mr P.A. KATSAMBANIS: Yes, it is still going. Obviously, we cannot anticipate what else might happen post-trial. Is \$2.854 million an allocation that has been provided to cover off between now and sentencing, or has the allocation taken into account the potentiality of any further work of the Office of the Director of Public Prosecutions post-sentencing?

Ms. A. Forrester: Yes, member; the allocation has taken into account the possibility of further work, but also the significant end costs of a prosecution of this nature. It is no secret that we had a whole floor dedicated to this. That will need to be packed up. A case like this is not packed up easily, or without significant organisation, because it will be one of those cases that we may need to go back to in the future.

Mr P.A. KATSAMBANIS: There is a lot of interest in this. I know exactly what the director is talking about. I have never been involved in a criminal case of this size, but I have been involved in plenty of civil cases of a significant size. Perhaps with the Attorney General’s indulgence, could we get some further detail on the record about end costs, for the general public who may not necessarily be as cognisant of those sorts of procedures; as much as can be put on the record, obviously?

Mr J.R. QUIGLEY: I do not know that we can provide end costs. The director is capable, for the public interest, to talk about the end tasks that must be undertaken. Post-conviction tasks must be undertaken.

Mr P.A. KATSAMBANIS: I was not asking for the actual cost of those.

Mr J.R. QUIGLEY: I think it is better to talk in post-conviction —

Mr P.A. KATSAMBANIS: What would be incurred—not financially, but what would be involved procedurally in ending the case?

Mr J.R. QUIGLEY: Correct.

Mr P.A. KATSAMBANIS: Between the two of us, have we got there?

Mr J.R. QUIGLEY: That is right. I will defer to the director because she has intimate knowledge.

Ms. A. Forrester: There are very sensitive record-keeping requirements in relation to that. We had any number of prosecutors involved at various times. Each of them would have made notes on various parts of the brief. All of that sort of material needs to be kept. It is not the sort of case that only one fresh copy of the brief can be kept and we can throw the rest into the shredder. We need to ensure we have captured every single piece of paper that has notes on it. We need to ensure that all the material that has been disclosed by the police is properly sorted and ordered. It all ends up having to go into storage at Iron Mountain because at the moment there are hard-copy briefs for everything. We also need to cover the electronic storage of the material and make sure all the exhibits are properly secured. Obviously, with the one acquittal, there is always the option of going back one day, so there would be every need to make sure that this case is meticulously filed, packed up and stored, with integrity, in a secure way so that if we ever need to go back to it, we can.

[3.10 pm]

Mr P.A. KATSAMBANIS: As raised by the director, there was an acquittal. I do not want to be accused of asking how long is a piece of string, or of mirror gazing, but what else can be done to bring that case to its ultimate finality? Has advice been provided by the office to the Attorney General and other agencies?

Mr J.R. QUIGLEY: Are we talking about the case in which there was an acquittal?

Mr P.A. KATSAMBANIS: The acquittal—yes.

Mr J.R. QUIGLEY: As a result of amendments to the Criminal Code brought in some years ago, the prosecution can be reinstated by leave of the court only if there is fresh and compelling evidence. I do not want to speculate or hypothesise about what that fresh and compelling evidence might comprise, but in the eyes of the investigators and the prosecution service, that is clearly still a live case. That is why the director, in her earlier answer, detailed the need and imperative to make sure that everything relating to the case so far is meticulously documented and kept in good order in case an application for the presentation of a fresh indictment ought to be made in the future.

Mr P.J. RUNDLE: I also acknowledge the efforts of the Director of Public Prosecutions and her team. Well done.

Ms. A. Forrester: Thank you, member.

Mr P.J. RUNDLE: My question is also about the spending changes on page 473. For the line item “Impact of Additional Police Officers”, over the forward estimates the allocations are \$1.815 million, \$3.745 million and \$5.799 million, so up to around \$12 million. Can the Attorney General detail what will be provided in the form of resources and numbers? I assume that this is part of the government’s commitment to another 800 police officers. Can the Attorney General enlighten us?

Mr J.R. QUIGLEY: I will start by talking about how we go about that. As indicated, in previous years we commissioned what is called the pipeline of justice. In the past, governments have increased police numbers, which resulted in more arrests, and a need for more magistrates, more legal aid staff to represent the accused, and more accommodation for courts and for convicted prisoners. That was all reactive, so the justice system was always under immense stress, particularly the Office of the Director of Public Prosecutions, in trying to always catch up with the extra work that had been placed upon it by the provision of extra police numbers. Promising increases in police numbers is always an attractive policy for political parties going into elections. When we get to the Legal Aid and Justice divisions members will see the marvellous computer model we have. We can input data to predict what we will need further down the pipeline. An extra 150 police officers were added during the COVID recovery; and, through the budget itself, a further 800 police officers will be added. Over the four years, that will be an extra 950 police. If that input is done at the start of the pipeline, we can predict what we will need further down the pipeline. It is a marvellous model and a detailed piece of work by the Departments of Finance and Treasury, and the agencies. That is reflected in the significant uplift in the budget allocation for the director’s office. That uplift will come about without the director subsequently having to come to government to beg for resources. The director will be able to forward plan, knowing what financial resources will come down the pipeline. I will defer to the director to further explain to the member the planning that she and her office is going about to meet the demand that will be thrown on them by the extra police and the extra workload from our new high-risk offenders’ legislation. At this point, I will defer to the director.

Ms. A. Forrester: The funding over the forward estimates provides an estimated FTE of 43 new staff. The fact that the budget provision starts in the next financial year and not this one means that we have some advance warning;

therefore, we can start planning by way of advertising and recruiting staff, making arrangements for space for those staff, and training them and getting them ready, so that when we start to get increased numbers, we will be able to meet those demands quickly.

Mr J.R. QUIGLEY: If I can add to that, this is what the pipeline of justice has produced. In 2011–12, there was a diminution in the director’s office, with nearly \$1.7 million sliced off the budget. In 2016–17, there was an uplift of \$5.8 million. Through our last budget of this term of government, the total uplift is \$55.5 million. The member can see the extra resources that the McGowan government has put into the Office of the Director of Public Prosecutions. Please compare that \$55.5 million with the last government’s \$5.8 million.

Mr P.J. RUNDLE: Thanks for the history lesson, Attorney General!

When I look at the budget totals for the DPP, Justice and Legal Aid, it is up around \$30.6 million over the three departments. Is there any interchangeability between those different departments? Do resources switch from one department to another during a given year, or will the 43 new FTE that will be allocated to the DPP stay within that department?

[3.20 pm]

Mr J.R. QUIGLEY: That is correct. They do not transfer to other departments. This is a very highly specialised area. We have had some challenges in the past, because the previous government said that if someone resigned from the department, they could be replaced at only 40 per cent of their salary. This meant that when a senior prosecutor went to the bench, the department could hire only someone earning 40 per cent of the senior prosecutor’s salary, which resulted in, if I can use an American phrase, the juniorisation of the office. The department lost senior people to the Supreme, District or Magistrates Courts and could hire only people on 40 per cent of those senior people’s wages. On assuming office, one of the first things we had to do was declare prosecutors to be frontline servants of the state in the same manner as police. We do not lose policemen and replace them with someone earning only 40 per cent of their wage; we had to do the same with the Office of the Director of Public Prosecutions. I can remember the stress that the office was under when we first came into government. That was addressed. Those people then have to be kept there and trained, because criminal trials in this state have become a lot more complex, especially in the 20 years since I last practised. I said 40 per cent; it was 60 per cent of the wage, so a 40 per cent reduction. Trials have become a lot more complex with the advent of DNA and other evidence. It is imperative to try to keep a stable workforce and keep it trained to the highest level. They are not interchangeable between offices.

Mr P.J. RUNDLE: Do those associated police officers undergo other training during their tenure in relation to legal skills et cetera? Is there any allocation of training at all in the department?

Mr J.R. QUIGLEY: There are a number of programs within the office. All legal practitioners are required to maintain continuing professional development, and the Office of the Director of Public Prosecutions is no exception. It has a very high quality program for the professional development of all its staff.

Mr M.J. FOLKARD: I refer to the line “Impact of Additional Police Officers”, which is at page 434 of budget paper No 2, volume 2 under the heading “Spending Changes”. Bear in mind that I was one of the 1 000 officers who hit the system last time, and I witnessed the train wreck that occurred then. I note that \$11 million has been allocated to the DPP to deal with the expected increase in activity from the hiring of an additional 800 police officers. How was that sum arrived at?

Mr J.R. QUIGLEY: As I have explained, we now have this justice pipeline model, which is able to predict increased workload. As I said before, that is crucial. As I also mentioned before, the total increase in funding is actually \$11.359 million. That will provide 43 full-time equivalent positions at the office of the DPP. That is not this year; that is over the forward estimates. The determination of this funding has been scenario tested through the office of the DPP’s own cost–demand model, and this is the first such determination under the McGowan government’s justice pipeline model. I will let the director expand on that a little further, if she is able to.

Ms. A. Forrester: There is little I can add to it at this stage. The 43 FTE is an approximation; it is based on a funding amount, and obviously we have different levels of staff, but that is based on an average staff level. We will work out the correct mix of seniority of staff to address the work that comes in. The justice pipeline model has been very effectively applied in this case in response to a longstanding problem.

Mr M.J. FOLKARD: Will that grow as the officers come through the system?

Ms. A. Forrester: Will what grow? I am sorry, member.

Mr M.J. FOLKARD: Will the number of FTEs grow as the 800 officers hit the system over the next couple of years?

Ms. A. Forrester: Yes. The way the numbers work, having regard to the funding as it is rolled out over the forward estimates, is 14 in the first year when the provision is made, an additional 14 in the following year, and an additional 15 in the final year, so it will grow incrementally.

Mr P.A. KATSAMBANIS: I refer to page 476 of budget paper No 2, volume 2, “Outcomes and Key Effectiveness Indicators”. The third outcome is “Application for a declaration of confiscations filed within four months of the drug trafficker declaration”. The budgeted target is 60 per cent. In 2018–19, the actual was 6.3 per cent. In 2019–20,

the actual was 16.9 per cent. I do not have any figures before that. When I see figures like this, I ask a series of questions, because I do not know what is driving that. One, is it resourcing? Two, is it the increased complexity of the workload? Three, is that budgeted figure just something that some Treasury bureaucrat has plucked out of the air, and it has no real relevance to the changing nature and complexity of the work that the office has to do in this confiscation regime? We all agree that is an important part of the office's work. I have some other questions on that as well. I just want to get an understanding of whether this target figure is even relevant.

Mr J.R. QUIGLEY: I will defer to the director on that as she sets the targets.

Ms. A. Forrester: It is a 250 per cent improvement, I guess.

Mr P.A. KATSAMBANIS: Yes, and it is still 75 per cent away from the target.

Ms. A. Forrester: I know; it is very low. We are working on it. In effect, it is an arbitrary figure because we cannot file an application until we get certain information from WA police, and WA police needs to find the information. That can take a long time or it can take very little time. Unfortunately, I think that at the moment one of our issues is that we prioritise them in order of when they come up, and sometimes that means we do not pick up all the easy ones and file them on time. We are talking to WA police about that at the moment in an effort to get the ones that can be lodged quickly, or at least more quickly. But this is a historical KPI that has been in since the act's inception. As a result of the review, it is no secret that the act is very difficult to administer. It is becoming more difficult to administer every year. It is an out-of-date KPI, and we are reviewing that as well, because it does not perhaps match the reality of these applications anymore.

Mr P.A. KATSAMBANIS: This question is in relation to confiscation. I refer to page 477, "Services and Key Efficiency Indicators". The second point is "Confiscation of Assets". The income shown for that line is \$3.489 million. Can I take it that that is the amount recovered through confiscation, or is that just some budget allocation income figure? That is what I want to clarify.

Mr J.R. QUIGLEY: I defer to the director.

Ms. A. Forrester: That is a budget allocation from the confiscations fund. That is not the income that has been seized in any given year.

Mr P.A. KATSAMBANIS: Can I get an indication of what has been seized in the last financial year and what is anticipated in this financial year, and where that might be recorded in the budget papers?

Mr J.R. QUIGLEY: I will defer to the director.

Ms. A. Forrester: It is contained in our annual report. For the last financial year, it was \$15.419 million. It is not possible to estimate what will be taken in this financial year.

[3.30 pm]

Mr P.A. KATSAMBANIS: Is it then possible to find out what it was in 2018–19, if the director has that information there?

Ms. A. Forrester: I can do that. In 2018–19 it was \$10.681 million. All the figures for 2015–16 are contained in the annual report.

Mr P.A. KATSAMBANIS: I will just conclude this with a further question. The last figure on page 477 under efficiency indicators is the ratio of cost to return, which is 22.6 per cent for 2019–20. That is actually the ratio that refers to that \$15.49 million in proceeds, derived by dividing that by the \$3.489 million in actual allocation. Conceptually, that now makes sense, so thank you for clarifying that.

The CHAIR: I give the call to the member for Roe.

Mr P.J. RUNDLE: I have no questions on confiscation.

The CHAIR: Have we finished the division?

Mr P.A. KATSAMBANIS: No, I have not quite finished. I still have a question on confiscation. Is the figure of \$15-odd million that the director mentioned reflected in the statement of cash flows?

Ms. A. Forrester: Do you mean to my account?

Mr P.A. KATSAMBANIS: Yes.

Ms. A. Forrester: No, it goes into consolidated revenue.

Mr P.A. KATSAMBANIS: That is right. It does not hit the director's books.

Ms. A. Forrester: Sorry, it goes into the proceeds account. My apologies.

Mr P.A. KATSAMBANIS: It goes into the proceeds account through the act, but it does not hit the director's books at all.

Ms. A. Forrester: No, not at all.

The appropriation was recommended.

Division 32: Corruption and Crime Commission, \$27 627 000 —

Ms J.M. Freeman, Chair.

Mr J.R. Quigley, Attorney General.

Mr R. Warnes, Chief Executive.

Mr J. Lee, Principal Policy Adviser.

Mr D. Emerson, Senior Policy Adviser.

[Witnesses introduced.]

The CHAIR: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. The Chair will ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information he agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 30 October 2020. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online questions system.

I give the call to the member for Hillarys.

Mr P.A. KATSAMBANIS: Welcome. My first question refers to page 484 of budget paper No 2, and the service summary, specifically the first point "Assessing All Allegations of Serious Misconduct". The budgeted allocation in 2019–20 was approximately \$6.4 million and the actual figure came in at approximately \$4.1 million, which is a significant decrease. What drove that difference?

Mr J.R. QUIGLEY: I will defer to the chief executive.

Mr R. Warnes: That is largely attributed to a decrease in the Corruption and Crime Commission's total cost of services. It is largely due to the Department of Treasury's decision to remove the government office accommodation from the application of the Australian Accounting Standards Board 16, which covers the organisation's lease costs. That cost is attributed across both the assessing and the investigating parts of the commission. The member can see that the bottom line figure of \$28.4 million in 2019–20 decreased into the next budget to \$27.7 million. The cost is attributed across both our assessment and investigation functions, but it is a consequence of that government decision.

Mr P.A. KATSAMBANIS: The government tends to change the accounting standards of the CCC a lot, does it not? Every time I have asked the question of the CCC about accounting, there has been a change in accounting standards. The chief executive cannot help that. I have no further questions on that but I do have a new question.

Mr P.J. RUNDLE: I refer to page 485 and outcomes and key effectiveness indicators. The budgeted 2019–20 figures for the first line item "Number of allegations received" is 4 500, but the actual number of allegations received was 5 743. That looks like a pretty concerning figure. Does the Attorney General have any comments on that?

Mr J.R. QUIGLEY: There are some influences such as the number of allegations received by having an increased public profile, the media attention, an increase in engagement with government agencies and increased auditing within agencies on specific issues. In 2019–20, the number of allegations received by the commission was higher than the target by 1 243 and higher than the previous year by 707. This higher number of allegations received, in part, reflects a bulk notification from the North Metropolitan Health Service and the high-profile cases that the commission has been involved in in the last year or so. The 2020–21 target has been adjusted based on the historical trend of allegations received.

Mr P.A. KATSAMBANIS: What was the broad subject matter of that bulk notification from the North Metropolitan Health Service?

Mr J.R. QUIGLEY: We all remember well the criminal cases that fell from that. If the member wants a broad description of those cases, I will defer to the chief executive. I do not want to go into the specifics of what the Corruption and Crime Commission is currently looking at.

Mr R. Warnes: The bulk of the notifications—not just from north metro, but a large number—were attributed to section 440 and the unlawful access of information systems. For that period, we received 424 notifications in total. They did not all come from north metro. Some of them came from other departments that had audited their systems or looked at unlawful access to their computer systems. They are obligated to notify us when they find those things.

Mr P.J. RUNDLE: The number of allegations received was 5 743, resulting in 59 investigations. Can the Attorney General explain the filtering process that takes a large number of allegations down to such a small number of investigations?

Mr J.R. QUIGLEY: I will defer to the chief executive.

Mr R. Warnes: Even though we received 5 700-odd allegations, not all of them necessarily invoke a serious misconduct action from us. Every allegation that comes through is assessed. We undertake no further action if the allegation does not make the thresholds. We can refer it back to the appropriate authority. Agency heads are the responsible authority, so we can refer the matter back to them to take appropriate action. We can refer it back and cooperatively investigate with them, and on a large number of applications we have done that. Alternatively, there are occasions on which we take the case on ourselves. Clearly, we cannot investigate every matter that comes through. If we refer a matter back to the responsible authorities for investigation, we tell them that they need to let us know when they have arrived at an outcome so that we can then look at the outcome for each matter that they have notified us of. In some cases, we will provide some further oversight of those matters and we will essentially be on their shoulder to thoroughly look at the degree to which they have investigated those matters and the outcome that they have arrived at. Even though we might not do the investigation using our extraordinary powers, we will keep close to what they are doing.

[3.40 pm]

Mr J.E. McGRATH: I am interested in that response. How do people make these allegations? Do they write or phone? If they just phone in and say they know someone who has been corrupt and they have evidence against that person, what does the commission require of those people? I am interested in the member for Roe's question. Most members of the public would not know how this works.

Mr R. Warnes: A large number of the allegations are derived from the responsible authority. Government, chief executives and directors general are obligated to notify us when they have a suspicion of serious misconduct. We have found over recent years that an increasing number of allegations are coming from the public. Our statistics tell us that about 45 per cent, maybe close to 46 per cent, of allegations we receive come from members of the public. They will come in the form of a telephone call or an online disclosure through our online portals. Usually when they come through the phone, we question the person about the evidence and obviously the names of the people. We take as much detail as we can to allow our assessors to make a determination of whether it is a serious misconduct matter, a minor misconduct matter or there is just not enough evidence to substantiate it. We get a number of anonymous claims, and some of them are very vague. Again we will assess them, but the threshold is that we have to have some evidence that pushes us into a determination of investigation.

Mr P.J. RUNDLE: The next part of my question is about the length of time. I get feedback that it seems to take an inordinate time for some of these inquiries to be looked at. I guess my question is about the resourcing of that. I notice on the next page of the *Budget Statements* there is an average time in days to complete an investigation, which for some reason in 2019–20 drops to 246 days from a budgeted amount of 350 days. That would tell me that is improving, but the feedback I get is that it is taking longer. That seems to contradict the information here. Does the commission feel it is resourced well enough to investigate the multitude of 5 700-odd allegations?

Mr R. Warnes: I think as an agency we will say we never have enough resources to investigate every matter that comes through to us, which is why the current acting commissioner will look at the priorities we have with our limited resources and extraordinary powers. We have a time limit for what we try to commit to for any assessment we come through. There has been criticism sometimes, and our earlier reporting showed that we were taking longer to make our assessments. That is now back to our standard of 84 per cent within 28 days. Investigations can be complex or simple, so it is really difficult to set a specific time frame on them. The Department of Communities case that the member knows about is a very complex one using lots of financial information and lots of powers to determine what occurred. Other investigations can be simpler. The tactic of the commission could sometimes be to bring people in earlier for an examination to establish the facts. Sometimes it takes a long time collecting the information and other evidence before someone is brought in on examination. Some are easy and some are hard. On average, we try to make sure that we do things within 12 months. As the former commissioner has said, some cases, such as the Department of Communities investigation with Mr Whyte, will go for 18 months to two years.

Mr P.J. RUNDLE: I am curious about why the budget target has been put up from 246 days in the actual for 2019–20 to 350 days in 2020–21.

Mr R. Warnes: The budget targets always stay the same. The actual figure the member is quoting of 246 days is the actual that we realised. Sometimes that is because we get through investigations faster than we had planned through different means, but our budget target has always been around 350 days. We aim to investigate within 12 months.

Mr P.A. KATSAMBANIS: My question relates to cost of services on page 488. In the expenses column under accommodation, the budget accommodation figure for 2019–20 was \$1.135 million and the actual was \$2.404 million. How did that differential happen? I note for completeness that the actual figure looks more like the actual figure of 2018–19 than it does the budget figure of 2019–20. Why was that budget figure allocated in the first place and why is there such a differential between the budget figure and the actual?

Mr R. Warnes: That probably relates to the earlier question about the decision for our lease costs not to be attributed against the Australian Accounting Standards Board leasing standard. Again, it is our government office costs as a rental expense rather than using them as an asset in accordance with that new leasing standard. It just reflects that drop.

Mr P.A. KATSAMBANIS: Does that not indicate an increase in the actual cash cost of leasing? This is an income statement; this is not a financial position statement or anything like that. It is simply an income statement, so it is money in, money out, if you like. I just want clarification that there was not an increase in rent paid or accommodation costs more generally.

Mr R. Warnes: I probably have to take the difference as supplementary, but the member can see that the rental cost in the cash flow statement in the out years remains pretty consistent.

Mr P.A. KATSAMBANIS: Yes, that is why I want to see that particular figure. I would appreciate it if that could be provided as supplementary information, if the minister agrees to it.

Mr J.R. QUIGLEY: Yes.

The CHAIR: Mr Warnes, can you outline what you are going to provide as supplementary information?

Mr R. Warnes: I am going to explain the accommodation costs associated with page 490 of the *Budget Statements*, and why in 2019–20 they are lower than the actual costs for 2019–20.

[*Supplementary Information No A29.*]

Ms A. SANDERSON: My question relates to significant issues impacting the agency on page 484 and the newly legislated powers to pursue unexplained wealth. Is the minister able to outline the value of the property seized under the new function to date? Can he give an update on how the operations are progressing?

Mr J.R. QUIGLEY: As the member recalls, in 2018 the McGowan government legislated to give the Corruption and Crime Commission the power to pursue unexplained wealth. The estimated value of property currently subject to freezing orders under the new unexplained wealth powers is \$13.53 million. I believe there are some updates on two unexplained wealth matters, one involving Mr Paul Whyte. I will allow the chief executive, if he would be so kind, to perhaps expand on that and on those figures.

[3.50 pm]

Mr R. Warnes: As the member will know, Mr Whyte was charged with 530 corruption crimes, illegally gaining a benefit to himself and others to the amount of over \$22 million. Assets were immediately restrained and frozen by the commission. On 21 October, the Supreme Court made a criminal benefits declaration against Mr Whyte arising from those charges. The criminal benefit acquired by Mr Whyte, to the exclusion of others who have also benefited, is assessed and declared at around \$11 million. The assets we have now confiscated by court order in the Supreme Court and avoided having to go through litigation include one unencumbered property of Mr Whyte, and another encumbered property that Mr Whyte owned. The unencumbered property is worth \$3 million. That is the Valuer-General's pricing; it could be higher or lower. The encumbered property had an estimated value of \$1.26 million. Again, it could be higher or lower, depending on when it goes to market. His interest in the government superannuation fund to the value of \$1.4 million is in the process of being confiscated. His recent interest in his father's deceased estate in Scarborough, and moneys in interests in horses have all been subject to a Supreme Court order. That is a rough estimate of around \$4.6 million.

Mr P.A. KATSAMBANIS: Apart from the actions against Mr Whyte, have there been any other recoveries?

Mr J.R. QUIGLEY: I defer to Mr Warnes.

Mr R. Warnes: In relation to Mr Whyte or to anyone else?

Mr P.A. KATSAMBANIS: Action against other than Mr Whyte.

Mr R. Warnes: Last week, again through a Supreme Court order, we were able to deal with another matter. It was a matter that was referred to us by the Western Australia Police Force organised crime squad. It referred a matter of possible unexplained wealth at the conclusion of a criminal investigation that it undertook, which did not lead to criminal charges. We investigated whether three people subject to that work by the organised crime squad had acquired unexplained wealth. The assets were immediately frozen by the commission. Through our analysis, the investigation pointed out that they did have unexplained wealth, and on 19 October—so that is last week—without the need to litigate again, the matter was resolved by the defendants accepting that they had unexplained wealth. Assets to the value of \$630 000 have been settled and confiscated. That includes a Ferrari, another exotic car, luxury watches and cash to the value of nearly \$100 000.

Mr P.A. KATSAMBANIS: Without asking for specifics or in any way compromising your work, are we able to find out whether there are any other applications that are currently on foot that have not been resolved in this space, and whether there are any other live investigations; and, if so, how many?

Mr J.R. QUIGLEY: I will let Mr Warnes answer that. It is fairly sensitive. I have a briefing note on it, but Mr Warnes will explain it to you.

Mr R. Warnes: The direct answer to the member's question in terms of the number of ongoing investigations is that we have eight afoot at the moment.

Mr P.A. KATSAMBANIS: Do you have any court applications that have not been resolved that are currently continuing?

The CHAIR: Through the minister.

Mr R. Warnes: Not with the court at this stage; no.

Mr P.A. KATSAMBANIS: Okay.

Mr R. Warnes: Sorry; if I could clarify that.

The CHAIR: Yes, Mr Warnes.

Mr R. Warnes: Is that in terms of applications to declare, as I have just explained the other two examples with Mr Whyte and the other matter?

Mr P.A. KATSAMBANIS: Yes.

Mr R. Warnes: They are not at that point. We have got applications in hand. There is a freeze and one to take control of assets.

Mr P.A. KATSAMBANIS: Fair enough, but that relates to those eight matters that are on foot?

Mr R. Warnes: Yes.

The appropriation was recommended.

Division 35: Parliamentary Inspector of the Corruption and Crime Commission, \$659 000 —

Ms J.M. Freeman, Chair.

Mr J.R. Quigley, Attorney General.

Hon J.A. Chaney, SC, Acting Parliamentary Inspector.

Mr S. Kerr, Executive Director, Corporate Services Division, Department of Justice.

Ms S.E. Burnside, Acting Assistant to the Parliamentary Inspector.

Mr J. Lee, Principal Policy Adviser.

Mr D. Emerson, Senior Policy Adviser.

[Witnesses introduced.]

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The Attorney General may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the Attorney General to clearly indicate what supplementary information he agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the Attorney General's cooperation in ensuring that it is delivered to the principal clerk by Friday, 30 October 2020. I caution members that if the Attorney General asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online questions system.

I give the call to the member for Hillarys.

Mr P.A. KATSAMBANIS: Thank you and welcome. I refer to page 508 and significant issues impacting the agency. The only one listed is the retirement on 31 March of the Parliamentary Inspector of the Corruption and Crime Commission, the late Hon Michael Murray. We all pay regards to him for his service and contribution to the state and offer condolences to his family.

Can the Attorney General update us on the process underway to appoint a new parliamentary inspector?

Mr J.R. QUIGLEY: Certainly. It has gone through Executive Council and the new parliamentary inspector is Mr Matthew Zilko, SC. For many years, Mr Zilko, SC, was the chairperson of the Legal Practice Board and actively practised as a barrister. From memory, he was over 40 years in practice. He comes highly recommended by the nominating committee. His appointment followed a similar process to the one that the Commissioner of the Corruption

and Crime Commission goes through. The position was advertised nationally, followed by candidate interviews with the nominating committee. The committee recommended three names to the Premier, who in turn nominated Mr Zilko to the Joint Standing Committee on the Corruption and Crime Commission. Only last week, through Exco, Mr Zilko's appointment was confirmed. His commission commences in a few weeks because he is finishing an arbitration hearing that he has been involved in.

Mr P.A. KATSAMBANIS: Can the Attorney General confirm that he will be operating full time?

Mr J.R. QUIGLEY: Mr Zilko will be operating as a full-time Parliamentary Inspector of the Corruption and Crime Commission.

Mr P.A. KATSAMBANIS: Will the two part-time commissioners continue?

Mr J.R. QUIGLEY: They will continue as reserves, if you like. We have a full-time commissioner now.

Mr P.A. KATSAMBANIS: Excellent.

The appropriation was recommended.

Meeting suspended from 3.58 to 4.15 pm

Division 17: Mines, Industry Regulation and Safety — Services 1 to 3, Commerce, \$287 493 000 —

Ms J.M. Freeman, Chair.

Mr J.R. Quigley, Minister for Commerce.

Mr D. Smith, Director General.

Ms K. Berger, Deputy Director General.

Ms L. Chopping, Commissioner for Consumer Protection.

Mr S. Abdoolakhan, Executive Director, Building and Energy.

Mr R. De Giorgio, Chief Finance Officer.

Ms M. Haasnoot, Executive Director, Corporate Services.

Ms C. Bam, General Manager, Service Delivery Support.

Mr J. Lee, Principal Policy Adviser.

Mr R. Sao, Principal Policy Adviser.

[Witnesses introduced.]

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The member for Hillarys.

Mr P.A. KATSAMBANIS: I refer to page 251 of budget paper No 2, volume 2, and the heading, halfway down the page, "WA Recovery Plan". At paragraph 15.1 there is a discussion about the response to the national cabinet recommendations in relation to the Residential Tenancies (COVID-19 Response) Act 2020 and the Commercial Tenancies (COVID-19 Response) Act 2020, which we passed in this place earlier this year. With regard to the extension of the emergency period under the Residential Tenancies (COVID-19 Response) Act 2020 and the Commercial Tenancies (COVID-19 Response) Act 2020, which has now been extended to 28 March 2021, was that based on the advice of the Chief Health Officer?

Mr J.R. QUIGLEY: This was a decision taken by cabinet, not by the Chief Health Officer. This was a decision taken by cabinet to keep residential relief in alignment with what South Australia and Victoria had just announced. They and other states had decided to align it with the JobKeeper program, which finishes in March. As we have explained to industry, it is not the government's intention in any manner, shape or form to extend it beyond 28 March 2021, but the decision by cabinet was taken at a time when the situation in Victoria was dire and we had to take action

to protect tenants in Western Australia in the face of what could have been, and still could be, a nasty second wave. By doing what we did, we are able to do it by regulation. If we had not done it, we could find ourselves with the Parliament prorogued, the government in caretaker mode, and no way to protect tenants in Western Australia. The Real Estate Institute of Western Australia and its chairperson have been to see me and are very comfortable with the fact that the period will not be extended unless there is a calamitous second wave that absolutely disrupts the Western Australian economy, in which case we would have to come back to Parliament.

[4.20 pm]

Mr P.A. KATSAMBANIS: Has the government considered perhaps curtailing and reining that extension back in, given that the Victorian situation seems to have changed significantly for the better—still on foot, but significantly for the better—and also given some of the issues that are arising in the residential housing market, particularly around the availability of rental housing stock, which seems to be at a record low at the moment?

Mr J.R. QUIGLEY: No, we have not looked at winding it back. There is certainty; everyone knows it will go through until 28 March. I want to stress that this rental relief is only for existing tenants who are able to demonstrate that they come within the COVID JobSeeker definition; for example, they have demonstrated hardship that will enable them to qualify for JobSeeker and prevent eviction. This does not mean that landlords cannot evict people who are not paying their rent. However, they first have to go through a mandatory period of conciliation at the department. It is not until the department issues a certificate that the landlord has negotiated in good faith that they can go to the courts to seek eviction. Also, a number of exemptions apply; for example, landlords can evict if they wish to resume residency in the premises or when there is more than fair wear and tear or serious damage to the premises.

The member raised the issue of property vacancy rates having reached a low. The vacancy rate has just been reported at 0.96 per cent, or 2 926 properties. This data is taken from listings on the Real Estate Institute of Western Australia website. That is a drop of 254 properties from the previous month. The other thing I want to stress is that there is no cap on what investors can charge for a new lease. Therefore, they should not be reluctant to enter the market. They can buy a property and lease it out for whatever they like—whatever the market will bear. The rental relief is a freeze on rent rises for existing leases only. At the expiration of those leases, tenants can roll over into a periodic tenancy at the same rent, but only until 28 March. It is still open for investors to enter the market, knowing that, first, they can lease out their investment property for whatever they like; and, second, that come 28 March, there will be no inhibition on rent rises. Anyone who is renting out a property in October would not be looking to put up the rent by March.

Mr P.A. KATSAMBANIS: I do not know. The minister is a landlord; he can tell me.

Mr J.R. QUIGLEY: I am not a landlord at the moment; the member can look at my declarations. When people lease out a property, they lease it out for longer than six months before there is a rent increase. No, member, for those reasons we are not looking at curtailing the residential COVID rent relief prior to 28 March; and, in the same vein, we are not looking to extend it, either. I have to say that Mr Collins and the executive who attended upon me were relieved and comforted by the firm government statement that we will not extend it. It would have to take a massive second wave and disruption to the employment situation in Western Australia before the government would consider that step. When the member talks about Victoria, it is dicey, is it not? I hear there are further little outbreaks in Victoria today, including in an apartment block. We are dealing with a dynamic situation. We are very fortunate in Western Australia not to have had any community transmission. We can look at this retrospectively and ask what the point is; but we have had no community transmission. As the Premier has said in question time when the Assembly has been sitting, we were looking at the situation of facing a recession; everyone thought that.

Mr P.A. KATSAMBANIS: How much of the allocation of \$30 million that was made in conjunction with the legislation for the residential rent relief grant scheme has been paid out so far, and —

Mr J.R. QUIGLEY: Not a lot. I will pass that over to the Commissioner for Consumer Protection, if I may.

Mr P.A. KATSAMBANIS: Can I finish my question, though?

Mr J.R. QUIGLEY: Sorry, yes!

Mr P.A. KATSAMBANIS: How much has been paid out so far, and what is anticipated to be paid out between now and the end of this financial year?

Mr J.R. QUIGLEY: Put it this way, it will not be paid out until the end of the financial year, but it will go through only until 28 March. We did not have to top up the fund, because it had not been drawn down. I will pass over to the Commissioner for Consumer Protection, if I may, who will have the exact figures to hand.

Ms L. Chopping: The figures as of yesterday total \$6 508 246.48. In terms of the anticipated amount to be expended, it will be entirely dependent upon the economic and hardship circumstances that Western Australian tenants find themselves in. It is not possible to predict how many people will come forward for applications.

Mr P.A. KATSAMBANIS: Given that a significant amount of money has not been taken up, understanding that it will run only until March next year, and understanding that unless circumstances change drastically, there will be no great take-up, what will happen to the funds that were allocated? Will they be redirected; and, if so, where? Will they be returned to consolidated revenue?

Mr J.R. QUIGLEY: I will have to defer to the “director of unspent funds” within the department’s budget.

Mr D. Smith: As far as I am aware, no decision has been made on that. As the commissioner indicated, it will depend upon what remains in the fund. The eligibility criteria for the grant have been expanded; also, eligible tenants can apply for a second grant. At this stage, we are operating the scheme on the basis of the parameters that are determined by government, and government will assess that at a later point.

[4.30 pm]

Mr P.A. KATSAMBANIS: No current decision has been made about what to do with those funds.

Mr J.R. QUIGLEY: The low take-up reflects the strength of our economy.

Mr P.J. RUNDLE: On behalf of the many upset landlords who have rung me up, minister, would I be able to get the number of applicants who have applied?

Mr J.R. QUIGLEY: The number who have applied for hardship or landlords who are upset because they cannot raise their rent?

Mr P.J. RUNDLE: No; the number of people seeking rent relief.

Mr J.R. QUIGLEY: The first thing the member should be advising his constituents is to contact the commissioner—she can give the member the contact number now—for conciliation.

Mr P.J. RUNDLE: I have it all here in the minister’s press release, so it is not a problem. I would like to know the number of applicants, and that will do me.

Mr J.R. QUIGLEY: I defer to Ms Chopping.

Ms L. Chopping: As of yesterday, 4 652 applicants had been paid that \$6 508 246.48. There had been 8 872 completed applications received. That does not necessarily mean that is the number of people who might have requested rent relief in another form through a rent rebate, a rent renegotiation or a rent waiver from their landlord.

Mr P.J. RUNDLE: I refer to the spending changes on page 249 and the second paragraph under “Significant Issues Impacting the Agency”. The \$300 000 spent on the establishment of the Collie regional licensing processing centre, which was transferred from the Collie industry attraction and retention fund, allows for 10 public sector positions. Can the minister tell me how many of these positions are currently filled and whether the state government saved any money in converting the contract work into permanent public service positions; and, if so, how much?

Mr J.R. QUIGLEY: I defer to Ms Chopping.

Mr D. Smith: I will take that.

Mr J.R. QUIGLEY: The director general will take that one.

Mr D. Smith: The Collie regional licensing processing centre, which only opened earlier this month, undertakes some licence processing work that had previously been done in Perth. The funding in the budget reflects the funding that came, as the member indicated, from the Collie industry attraction and development fund, but the Department of Mines, Industry Regulation and Safety has also made a contribution from its ongoing budget, including the conversion of some previous contract positions into full-time positions. As part of the government’s program for that, we were able to identify the opportunity to create some full-time positions. Eleven full-time and part-time employees were engaged and were operational from 31 August. They have been through a training program. Those savings were achieved in that conversion. We converted money that we had previously spent on contractors into permanent positions.

Mr P.J. RUNDLE: Does the minister expect to roll this scenario out into other regional centres, or is Collie the only focus?

Mr J.R. QUIGLEY: I will defer to the director general.

Mr D. Smith: Our focus for the immediate future is the Collie centre. It has been a significant change in approach for us to identify both the capacity to establish positions and the conversion of contractors into new positions. It has provided us with an opportunity to do that. We did not have to tap people on the shoulder in positions in Perth and say, “Do you want to move to Collie?” We were able to establish them as new positions. We may have the opportunity to do that again in the future, but we have not got any plans to do that. The Collie facility itself has some scope for expansion, should there be an opportunity to do that. We will certainly be exploring that option as we build experience with Collie.

Mr P.J. RUNDLE: How many of those employees have moved from the metropolitan area?

Mr D. Smith: I believe eight are from Collie or its close environs. The other employees are from a bit further afield but I do not think that any are from Perth.

Mr P.A. KATSAMBANIS: Paragraph 10 on page 250 refers to the Building and Construction Industry (Security of Payment) Bill 2020. The budget refers to the exposure draft, but that bill has now been introduced.

That bill now provides for retention moneys to be held in trust, but it does not provide the originally promised protection to subcontractors for payments in a series of cascading trusts, which had been discussed in the lead-up to the drafting of the bill. I note that paragraph 10 refers to the Fiocco report. The Murray report, federally, also recommended such trusts. When was the decision made to limit the trust protection to retention money only? Why was this decision taken as opposed to the recommendations made by Fiocco and Murray?

Mr J.R. QUIGLEY: Sure. If the member looks at the Labor Party's manifesto, the election promise made by Labor going into the last election was to protect subcontractor retention money and have retention trusts. We have delivered on that in the bill that has been introduced to the Assembly but not yet debated, as the member is aware.

Mr P.A. KATSAMBANIS: Yes, it has been introduced.

Mr J.R. QUIGLEY: It has been second read but not yet debated. We have fulfilled our election promise by the introduction of the bill. Whether it will pass within this Parliament is very problematic, but it will be first-up next March, if it is not passed before prorogation. When we came to office, it is true that my predecessor, Minister Johnston, commissioned John Fiocco to conduct a review of the Construction Contracts Act and the method of payment and trusts. It is also true that Mr Fiocco recommended we follow the Murray report, and the Collins report to the Liberal building minister in New South Wales, that there be a series of cascading trusts to cover all payments within the industry. Once the Fiocco report was published, I had come into the ministry. The cascading trusts did not form part of the election promise but went further than the election promise, so I discussed this with all sectors of the industry. I came to realise that once money is paid into a trust, there can be a dispute about whether the work being claimed has been done properly.

Therefore, there had to be a method of dispute resolution. In these construction contracts, the money has to be kept flowing, because if it is not, someone is going to go broke just because of cash flow. In Western Australia, we were faced with an anachronism called the west coast model, which gave the contracting parties primacy to decide time for payment, whether there could be progress payments and what would trigger those progress payments. Without that all being clarified by legislation, the risk was that if we had cascading trusts, money could get glugged up in the system. Although, as in the reports of Collins, Murray and Fiocco, it may be done with good intent and academically, the practical effect would be that unless the problem with payment schedules and the way to sort out payments was cleared up first, money would just get locked up in trusts and people would go bust. I did not want to be a party to that, especially in this climate of economic disruption due to COVID. We went back to the unions and the construction houses and told them that it was not off the table, but we would first have to do a massive reform of the construction industry payment system. We have done a lot of reforms; for example, payment claims can be lodged and there is a set, very short, time—10 or 15 days—within which the contractor has to respond to the payment schedule.

[4.40 pm]

Mr P.J. RUNDLE: This is a second reading speech!

Mr J.R. QUIGLEY: The member is asking me to wind it up. I will wind it up on the basis that he understands that we first had to address the anomaly that existed in Western Australia. Beyond that, I want to take it back to the national Building Ministers' Forum to try to promote the rest of the cascading trust scheme nationally.

Mr P.J. RUNDLE: Page 249 relates to the same thing. The government has allocated \$2.876 million for implementation and administration. The government obviously assumes that the bill will go through and everything is sweet, despite the fact that the minister has just acknowledged that there is no way that Parliament will recommence in March. What will that money be spent on?

Mr J.R. QUIGLEY: When we were drawing up the budget, we had to make provision for that. We are hopeful that this will get through very early next year. It is a very big priority of the government. In the olden days, all the people who were doing the work were employees and their wages were secure. There are some big contractors but there are a lot of mum-and-dad subcontractors with a Toyota Hilux and the like. They have to be protected from companies that phoenix. The Building Commissioner has to be given extra powers to make sure that people who run companies into the ground and do not pay their subbies do not just close up shop and phoenix into a new entity. There will be a lot of new functions for the department and especially for the Building Commissioner.

Mr P.J. RUNDLE: The line item is "Implementation and Administration". Can the minister define exactly what that is for? I assume that none of it is about retention moneys or whatever, and that it is just to administer the new legislation.

Mr J.R. QUIGLEY: I will ask the executive director of building and energy to be a little more specific in this regard.

Mr S. Abdoolakhan: The first part of it will be for new staff when the bill goes through. We will need new staff to administer the new legislation. New provisions are being proposed in the legislation. We will have to run investigations and take enforcement actions. There are also new provisions for registration. Resources will be allocated to reviewing the registration requirements such as making sure that people who have a history of insolvency

are not reregistered or are deregistered. We have allocated funds for staffing to administer the new powers in the legislation. The second part is training to deal with the new legislation, the development of single-form contracts, new education videos and an education campaign for industry.

Mr P.J. RUNDLE: I refer to “Royalties for Regions Funding Update” under ongoing initiatives on page 249. From 2020–21 to 2022–23, there is a consistent budget allocation of \$3 000, then there is a jump to \$228 000 in 2023–24. Is there an explanation for that?

Mr J.R. QUIGLEY: I will ask the director to address that, if he would be so kind.

Mr D. Smith: The item “Royalties for Regions Funding Update” relates to funding that we receive—as do other agencies, I believe—for district allowances paid to our regional employees. I may ask the chief financial officer to correct me if I have this wrong, but the \$3 000 is the increase in this budget across the forward estimates. There has been an adjustment—presumably for an increase in those district allowances, which, from memory, is driven by a formula. The last year is the first time that 2023–24 has appeared in a budget, so it has the whole amount rather than just the increase over the previous years.

Mr P.A. KATSAMBANIS: I refer to the eleventh paragraph under significant issues impacting the agency on page 251. It refers to the “Building Confidence— Improving the Effectiveness of Compliance and Enforcement Systems for the Building and Construction Industry across Australia” report. Why have the reforms based on that national report, which was handed down in February 2018, not been advanced so far? Why has the government waited for almost three years before even starting on it?

Mr J.R. QUIGLEY: The member is referring to the Shergold Weir report, which came down in February 2018. The “Building Confidence” report was commissioned, as the member knows, by the Building Ministers’ Forum. It made 24 recommendations to improve building industry legislation across Australia. In March 2019, the government, in conjunction with all other states and territories, responded to the “Building Confidence” report and committed to strengthening the building sector through a suite of reforms. The government’s response to the “Building Confidence” report is consistent with the WA Labor platform to ensure high-quality housing and commercial construction. The government has already made strides in progressing regulatory reform. The Department of Mines, Industry Regulation and Safety has released three consultation regulatory impact statements for industry to comment on strengthening registration requirements for high-risk building professionals and improving building safety by introducing greater rigour to the approvals and certification processes in the Building Act. The industry has been responding well to the proposed reforms, particularly in respect of the approvals process for residential and commercial construction, with many supporting the improvements to the building design documentation, third party review of high-risk design work and mandatory critical stage inspections.

The department is working at the moment to finalise the final recommendations to government and will be undertaking a cost–benefit analysis to ensure that these recommendations are fit for purpose. This is scheduled to be completed by the middle of next year. I understand that the department will also be releasing two other CRISs during the next financial year seeking comment on reforms to strengthen registration requirements for builders, project managers and owners’ representatives. Although the “Building Confidence” report identified the need for ambitious regulatory reform across Australia, it acknowledged that regulators must ultimately take time and care in properly considering and developing the reforms in their respective jurisdictions. The government is committed to getting these reforms right by actively working with the industry and community to evaluate any technical and practical issues raised and ensure that they are implemented, and we will do so.

[4.50 pm]

Mr P.A. KATSAMBANIS: Again on page 251, paragraph 14 refers to the response to the Grenfell Tower fire. It references the statewide audit that was conducted by the Building Commission of high-rise, high-risk privately and publicly owned buildings. There were 27 publicly owned buildings requiring remedial work. Fortnightly updates were being published on the department’s website, but the last one that is publicly available is dated March. Can we get an update on whether all the remedial action for the publicly owned buildings has been completed; and, if not, when is it likely to be completed?

Mr J.R. QUIGLEY: I ask the executive director to fill the member in on that, please.

Mr S. Abdoolakhan: The department has not been running the audit ourselves; we have been coordinating the responses of different departments. I can advise that the reports have been updated as we have been receiving new information from the different departments. To date, 10 buildings have been rectified. We are getting progress updates from the different departments and we will be updating the website as we get more details from those departments.

Mr P.A. KATSAMBANIS: Of the 27 buildings, 10 have been upgraded and the remedial works have been done. Is there a time frame for the rest of these buildings to be remediated? Obviously, we saw the catastrophic consequences that could occur. Thankfully, they did not occur here, and we do not want them to occur. Is there a time frame? These are publicly owned buildings. When are we likely to see them all remediated so that the risk is heavily reduced?

Mr J.R. QUIGLEY: I defer to the executive director again about the time frame.

Mr S. Abdoolakhan: We have not set any time frame, but all the different departments are managing their risk and their buildings effectively. They have other risk mitigation measures in place to manage the risk in the meantime. Replacing the cladding on buildings will take time and will disrupt operations in some of the buildings—that is why there is no set time frame—but in the meantime there are management plans in place to manage the risks.

Mr P.A. KATSAMBANIS: Are these management plans or risk mitigation strategies publicly available?

Mr S. Abdoolakhan: No, they are not publicly available.

Mr P.A. KATSAMBANIS: Moving to the privately owned buildings, because there was a significant number of those, is there any update on the compliance with the remedial action required on the privately owned buildings?

Mr S. Abdoolakhan: Of these buildings, 20 have been rectified—work has commenced on them. The others have been progressed and they have been receiving engineering reports. We are receiving regular updates on the progress of the remediation through the local governments and local councils.

Mr P.A. KATSAMBANIS: If 20 buildings have been rectified, how many remain outstanding or partially outstanding?

Mr S. Abdoolakhan: There are 31 buildings outstanding.

Mr P.A. KATSAMBANIS: Further to that, is there a time frame for those privately owned buildings to be remediated or rectified?

Mr S. Abdoolakhan: No; we have not set any time frame. They are working with the local government on the different plans and we are looking at the progress of remediation. So far, there is no concern about how well they are progressing.

Mr P.A. KATSAMBANIS: In the same way that there is an update published on the publicly owned buildings, is a similar update published on a website about the privately owned buildings?

Mr S. Abdoolakhan: Yes, there is. We have been updating them as we get more information; we will be updating them again very shortly.

Mr P.A. KATSAMBANIS: In relation to both the privately and publicly owned buildings, has any information about risk management been communicated by the department to the tenants of the buildings, or has the communication of the department been with only the landlords of those buildings?

Mr S. Abdoolakhan: We have met with all the affected councils and owners of affected buildings and informed them about the situation and what are the next steps going forward, and the management processes being implemented by the owners of the buildings.

Mr P.J. RUNDLE: My question relates to pages 254 to 256. The line item “Employees (Full-Time Equivalents)” appears on each of those three pages. Over those three areas, there is a rise in the last financial year of 90 FTEs, when we take that in total. The notes explain that the department has converted contractor work into permanent positions with no impact on the total cost of service. I assume that part of that is the 10-year roles in the Collie processing centre. What are the positions and roles of the extra 90 FTEs within the department?

Mr J.R. QUIGLEY: I will pass that to the director.

Mr D. Smith: Thank you, minister. As the question indicated, the FTE figures that are reported in the budget reflect the conversion of contract positions to full-time, and Collie positions are an element of that. That has occurred across all three service areas in the department—the resources advice and regulation area, the safety advice and regulation area, and the industry and consumer protection area as well. Various functions and roles were being conducted by contract positions across a range of areas. We went through a rigorous process of identifying within the department functions that were undertaken by those contract positions that could be done by full-time positions. It is not a one-for-one relationship between the contract positions and full-time positions. It was an identification of how we could structure ourselves to do the same work in a different way with a conversion, as the member noted, and no change to our total cost of service. Effectively, we transferred money from our operating budget into a salary budget, but across a range of positions. It was not a one-to-one conversion of a contract role into an FTE role.

[5.00 pm]

Mr P.J. RUNDLE: Where in the budget can I see a demonstration of the savings of the contractor costs? Is there a line item that demonstrates the savings that have occurred?

Mr D. Smith: This measure has not delivered savings and it was not intended to deliver savings. It was about identifying a different way to organise the department to achieve the same outcome. It was done on a neutral-cost basis that did not cost money, or seek to save money, either.

The appropriation was recommended.

Division 29: Justice — Services 1 to 7, Attorney General, \$635 831 000 —

Ms L.L. Baker, Chair.

Mr J.R. Quigley, Attorney General.

Dr A. Tomison, Director General.

Mr N.A. Egan, State Solicitor, State Solicitor's Office.

Miss J. Stampalia, Executive Director, Court and Tribunal Services.

Mr A. Kerr, Executive Director, Corporate Services.

Ms P.M. Bagdonavicius, Public Advocate.

Ms K. Kraszlan, Commissioner for Victims of Crime.

Mrs K. Maj, Executive Director, Strategic Reform.

Dr G.R. Hill, Director, Legal Aid WA.

Mr J. Lee, Principal Policy Adviser.

Mr D. Emerson, Senior Policy Adviser.

[Witnesses introduced.]

The CHAIR: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. The Chair will ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice. I ask the minister to clearly indicate what the supplementary information is that he agrees to provide and I will give it a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 30 October 2020. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online questions system.

I give the call to the member for South Perth.

Mr J.E. McGRATH: I refer to pages 438 and 439 and the outcomes and key effectiveness indicators. The fourth line item on page 439 refers to the rate of return to detention among youth. I note that in the budget for 2019–20 —

The CHAIR: Excuse me, member for South Perth. I hate to stop you, but youth and adult justice services are not part of these services. Would you like me to go through the list quickly to confirm what is a part of this?

Mr J.E. McGRATH: This is not part of this service?

The CHAIR: No, it is not. The member can talk about court and tribunal services; advocacy, guardianship and administration services; trustee services; the National Redress Scheme for institutional child sexual abuse; births, deaths and marriages; services to government; and legal aid assistance. In fact, adult corrective services and youth justice services will be held after dinner.

Mr J.E. McGRATH: After dinner? I will have to come back.

The CHAIR: Yes. Can you hold that thought?

Mr J.E. McGRATH: Okay. Thank you.

The CHAIR: Let us try again. I give the call to the member for Hillarys.

Mr P.A. KATSAMBANIS: Welcome, everybody. I will follow on from the questions that I asked during the session for the Office of the Director of Public Prosecutions on the cost of the Edwards trial. Could we get a figure of the cost to date and the anticipated further cost in this current year, or of the allocation in this current year for, firstly, court services, and, secondly, legal aid?

Mr J.R. QUIGLEY: I will refer to the director of court and tribunal services, Miss Stampalia, who can give us the rundown of the daily cost for the Supreme Court and whether there is a separate estimation for the Edwards trial.

Miss J. Stampalia: Certainly. We refer to a rate for the daily cost of running a Supreme Court trial. Those costs were already included in the cost of running the Edwards trial and there were no additional costs. An additional associate for Justice Hall cost \$80 000, and we also had some extra audiovisual costs, which were a very low amount. Once we know what is happening with the Edwards trial, those costs will be already allocated in the budget for running the Supreme Court.

Mr P.A. KATSAMBANIS: I understand that. What has been the cost of legal aid for Mr Edwards to date and what is the anticipated future cost?

Mr J.R. QUIGLEY: We can say what the cost has been to date. Before I refer to the director of Legal Aid WA, I want to make this comment. The future costs would depend upon an application being made for funding for an appeal. That would also depend upon the commission obtaining independent advice as to the likely outcome of such an appeal. It would not fund an appeal if there was only a chance of it being successful. It would fund an appeal only if there was a reasonable prospect of success on appeal for an identifiable error at the trial. I have prefaced the answer by saying we could not guess what was happening in the future because we did not know what was going to happen now and the matter was not concluded. The sentence is yet to be struck and handed down, and that can always be appealed as well. We do not know what the sentence will be. They are all unknowns. I will now turn to Dr Hill to give an accurate costing of what it has cost the commission thus far.

[5.10 pm]

Dr G.R. Hill: Legal Aid had spent \$3.53 million on the defence up until 6 October, and there has been a bit of a hiatus since 6 October. Ahead of us, of course, is sentencing, and presumably there will be an application for an extension of aid to cover the appearance of the sentencing.

Mr P.A. KATSAMBANIS: Has there not been an application to extend aid through to sentencing at this stage?

Mr J.R. QUIGLEY: I do not know whether the original grant covers sentencing following conviction or not, so I have to turn to Dr Hill.

Dr G.R. Hill: I have not asked as of today's date whether an application for aid has come in. It inevitably will, because it would obviously qualify. It is a matter that has been funded over many months and the sentencing is now a critical part of it. If it is not here, it certainly will be coming.

Mr P.A. KATSAMBANIS: Has there been a specific allocation made in this financial year to Legal Aid for further conduct of the Edwards trial, or is that just incorporated in the Legal Aid funding more generally?

Mr J.R. QUIGLEY: I will go to Dr Hill, because we also have serious cases.

Dr G.R. Hill: Legal Aid gets supplementary funding from Treasury for expensive criminal cases—that is, cases that are over \$26 000. Although there has not been a specific allocation to Legal Aid throughout the whole of that matter, supplementary funding has come to us from Treasury.

Mr P.A. KATSAMBANIS: But today we have \$3.53 million.

Mr P.J. RUNDLE: I refer to the COVID-19 pandemic response under significant issues impacting the agency on page 435 of the *Budget Statements*, and the sixth item regarding the state's proceedings commenced by Mr Clive Palmer and Mineralogy Pty Ltd in the High Court. Has the Attorney General got a cost incurred by the state up until now and a predicted cost for the future?

Mr J.R. QUIGLEY: I will break that down into two parts, if I may. Mr Palmer's challenge to the hard border goes to the High Court with the state as represented by the Solicitor General and State Solicitor. In that respect there is no cost other than travel and accommodation for them. I will let the State Solicitor answer further.

Mr N.A. Egan: The Attorney is correct in the sense that there is no appropriation or budget directed to the border challenge that has been advanced by Mr Palmer, rather it is treated by both my office and the Solicitor General's office as core work. We do not have a dollar figure today as to how many hours have been billed to the matter or indeed what the travel costs are. It is not as though external private solicitors have been engaged to assist the state on the matter.

Mr P.J. RUNDLE: Pursuant to that, with the introduction of the Attorney General's special legislation there was outside counsel. Can the Attorney General let us know what the costing of that was?

Mr J.R. QUIGLEY: I think the question relates to costs incurred in relation to the Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Act. The member's question was to the cost of opinion of outside counsel, but to be candid with the Parliament, the costs go way beyond getting an opinion from outside counsel. Let me explain. Once the bill was introduced into Parliament and whilst it was before the Parliament, Mr Palmer introduced proceedings in the Federal Court to try to injunct the executive and, indeed, injunct the Parliament from passing the bill. He also then sought to initially register the two arbitration awards made by Hon Michael McHugh, AC, QC. Each of them found that Hon Colin Barnett had erred in his decision-making process in relation to the Balmoral South iron ore project. Mr Palmer sought to register those in New South Wales. He was given a date of 28 August, which was way subsequent to the passage of the bill, so he then raced up to Queensland and registered it ex parte in Queensland. That is something that the state then opposed, because this procedure for registering arbitration awards was not complied with under the uniform civil procedure rules of Queensland. At that point, we, on advice of the Solicitor General, immediately briefed Queensland counsel to make an application to set aside that arbitration award. It was not an award for a sum of money; it was a declaration that Hon Colin Barnett had made errors. We said that was not an award that could be registered, and if it could be registered, it could not be registered ex parte.

Those proceedings were represented by Mr Shane Doyle, QC, senior counsel at the Queensland bar, who had a junior and a Queensland firm—from memory it was Clayton Utz—as the instructors. When appearing there in Brisbane, those matters were adjourned to enable the court, should it take further evidence at that point. Mr Palmer gave undertakings that in the meantime he would not continue with the New South Wales proceedings that he had instituted if the matter was adjourned. He gave those undertakings that he would not advance the New South Wales proceedings, so he raced up to Darwin and sought to register them there. We had to then engage a firm in Darwin to resist him there and have those set aside, and they were. Then we go back to Brisbane, where the hearing then went to its final stages and where Mr Doyle, his junior and instructing solicitors appeared. That matter is now reserved. Mr Palmer then also challenged the constitutionality of the Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Act in the High Court and has pleaded in those proceedings that the act is an interference with the chapter III court, the Queensland Supreme Court, where he got the arbitration registered ex parte. We have these other proceedings with Mr Palmer, Mineralogy Pty Ltd and International Minerals Pty Ltd afoot in the High Court, but we are awaiting the outcome of the proceedings in Queensland. That is a rundown of the actions going, which is all in the public domain. It is up to the State Solicitor to give you a breakdown of the costs incurred.

[5.20 pm]

Mr P.J. RUNDLE: Is there a ballpark figure of costs that have been incurred and will be incurred?

Mr J.R. QUIGLEY: Of the costs spent to date, yes. Perhaps the State Solicitor can tell us what it is.

Mr N.A. Egan: I am in a position to provide a breakdown of costs incurred in relation to various matters—if that is the member's question—dating from the commencement of this financial year. The total cost of the Supreme Court proceedings that the Attorney mentioned is \$673 319. That is broken down to approximately \$390 000 of counsel fees. The Attorney mentioned that there were senior and junior counsel in that matter; there was, in fact, one senior counsel and two junior counsel. Clayton Utz's legal fees were \$283 000. The total costs to date of the Supreme Court of New South Wales proceedings are \$74 000. The total costs of the Supreme Court of the Northern Territory proceedings are \$116 978. In those proceedings, Mineralogy agreed to meet the costs of the state; however, agreement has not been reached on what those costs are, so they are in the process of being taxed. In Federal Court of Australia proceedings in Queensland, the total cost of those proceedings to date is \$50 298. That would not include some work in progress which would have been undertaken during the course of this month, which is yet to be billed. That is the total cost to date in relation to those matters.

Mr P.A. KATSAMBANIS: I have a further question on this issue. This is all the action in relation to the state Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Act. I thank the State Solicitor for that very helpful breakdown. But, prior to the introduction of the legislation and, I assume, during the course of the conduct of the legislation, external advice was also sought from Clayton Utz here in Western Australia on a range of matters, including the construction of the legislation. Do we have an indication of the cost of that external advice, separate and distinct from the costs of the concurrent and subsequent legal actions?

Mr J.R. QUIGLEY: I turn to the State Solicitor.

Mr N.A. Egan: Yes, I do have a figure for costs incurred post 1 July, and the total figure is \$191 801.

Mr P.A. KATSAMBANIS: Were any costs incurred prior to 1 July in relation to that matter and the seeking of external legal advice?

Mr J.R. QUIGLEY: No.

Mr P.A. KATSAMBANIS: Okay. As a result of, or in parallel to, the multiple legal actions that the Attorney General referred to, there was an action for defamation brought by Mr Palmer against the Premier of the state, and, rightly, the costs of defending that action will be borne by taxpayers of Western Australia. Can we have an update on who is conducting that defence, which external lawyers are involved in the conduct of the defence, and the costs to date?

Mr J.R. QUIGLEY: I cannot refer that question to a line item in the budget, but I can say that the external law firm is a sole practitioner in Western Australia.

Mr P.A. KATSAMBANIS: That is all fine and good, but can we get an indication of —

Mr J.R. QUIGLEY: No bill has been rendered at this stage.

Mr P.A. KATSAMBANIS: No bill has been rendered at this stage; okay.

Mr J.R. QUIGLEY: A sole practitioner in Western Australia has briefed a counsel from Brisbane for opinion and pleadings.

Mr P.A. KATSAMBANIS: That is okay; we are not criticising or questioning that the matter needs to be defended vigorously, but it is in the public interest to know what the costs are. Has there been any specific allocation of funds for this matter and/or any estimation of what the costs may be in this financial year?

Mr J.R. QUIGLEY: No, there has not been, because we do not know the progress of the matter. A statement of claim was filed. A defence and counterclaim were filed. The member has seen Mr Palmer's newspaper advertisements. It was considered an appropriate response to file a counterclaim to offset that.

Mr P.A. KATSAMBANIS: During the hearing with the Director of Public Prosecutions, I said that we take all this for granted, but can the Attorney General clarify that the claim against Mr Palmer was a counterclaim filed at the same time as the defence was filed? It is pretty much the ordinary course of business in most civil proceedings that when a defence is filed, a counterargument or counterclaim is filed.

Mr J.R. QUIGLEY: That is correct. It is not a separate action brought by the Premier against Mr Palmer; it is a defence and counterclaim.

Mr P.A. KATSAMBANIS: Far be it from me to stand up for the Premier, but I think the record needs to be correct, and what has happened is not unusual.

Mr J.R. QUIGLEY: I will make one comment on the previous questions. As the State Solicitor pointed out, with these actions involving Mr Palmer—for example, the Darwin case, which has cost us over \$100 000—there is an order for costs, which Mr Palmer is refusing to pay by agreement, which will be taxed. In relation to a lot of the other costs that have been detailed here so far, if the state is successful, we will seek to recoup those costs. Mr Palmer's hobby, as he has stated in *Who's Who*, is litigation. The state must meet his many claims and seek costs.

Mr P.J. RUNDLE: I refer to page 434 and the spending changes table. Two-thirds of the way down the table is the line item "National Redress Scheme". The actual is \$71.883 million. The budget estimate is \$430 000. There is then nothing in the forward estimates for the following three years. Can the Attorney General explain those figures?

Mr J.R. QUIGLEY: I will defer to the Commissioner for Victims of Crime, Ms Kraszlan.

Ms K. Kraszlan: The allocation across the forward estimates for the National Redress Scheme—I am looking at line four on page 347—is \$26 million in this year's forward estimates, then \$24 million, \$22 million, and \$20 million. We are hoping that those estimates now reflect the application numbers that we have been seeing over the last 18 months. We were initially appropriated \$80 million in the first year, which was over the number of applications.

[5.30 pm]

Mr P.J. RUNDLE: The department is predicting it to scale down substantially as time goes by, although we are still at \$20-odd million by 2023–24, according to that service summary.

Ms K. Kraszlan: I think the expectation was that in the first year there would be a large number of applications. We have not seen that; we have seen more of a consistent number, and we are working to maintain that consistent number rather than seeing the majority of people applying in the first year. It is a 10-year scheme, so we are looking at the applications coming in averaged across 10 years, rather than all in the first year.

Mr P.A. KATSAMBANIS: My question relates to the heading "Service Summary" on page 437. The first item in the service summary is "Court and Tribunal Services". The actual figure for 2019–20 is just over \$400 million, and the budget estimate for 2020–21 is only \$388 million, which is a \$12 million reduction. Why has this reduction taken place? Why are we spending \$12 million less on court and tribunal services?

Mr J.R. QUIGLEY: The \$17.6 million decrease in the total cost between the 2019–20 budget estimate and the 2020–21 estimate is due primarily to an exemption from reporting the judges' pension liability of \$16.5 million, and a decrease in depreciation and financial interest costs due to the exclusion in the 2019–20 estimate of government office accommodation leases from Australian Accounting Standards Board standard 16, to which we referred earlier. The member might recall that that was also referred to in the Corruption and Crime Commission estimates hearing. That was partially offset by an increase in criminal compensation payments of \$12 million and accused costs payments of \$3.3 million, and also partially offset by an increase in demand for court and tribunal services. There were an additional 38 full-time employees, or a three per cent increase, in the department's court and tribunal services, due primarily to the 2020 amendment of the Fines, Penalties and Infringement Notices Enforcement Act.

Mr P.A. KATSAMBANIS: Which amendment act, sorry?

Mr J.R. QUIGLEY: That was when we did the work and development orders instead of imprisonment.

Mr P.A. KATSAMBANIS: Does the 2020–21 allocation to court and tribunal services factor in any increase in additional judges at either level, or any additional magistrates, in the current financial year?

Mr J.R. QUIGLEY: I will refer to Ms Stampalia.

Miss J. Stampalia: It does not for 2020–21, but those additional resources come on in 2021–22 in relation to the additional police officers that have also been approved in this budget process.

Mr P.A. KATSAMBANIS: In the forward estimates for the next financial year, 2021–22, how many additional judges and magistrates are factored in at this stage?

Miss J. Stampalia: I refer to 2021–22 for the additional police officers. We have an allocation of 0.7 for District Court judges; 2.2 for Magistrates Court magistrates; 0.4 for Supreme Court judges; and 9.8 for staff who support the

judiciary, whether that is personal staff or registry staff. That will increase in 2022–23 to 2.3 for the District Court; 5.4 for the Magistrates Court; 1.4 for the Supreme Court; and 27.2 for support staff. In 2023–24, it will be 4.2 for the District Court; 8.7 for the Magistrates Court; 2.7 for the Supreme Court; and 46.7 for support staff.

Mr P.A. KATSAMBANIS: Are they cumulative? Let us stick with District Court judges; the example will be the same for all of them. In 2021–22, there is a 0.7 allocation for additional District Court judge services, and in 2022–23, there is a 2.3 allocation. Does that mean we get 0.7 in the first year and an additional 2.3 in the next year, so that in total over the two years we get 3.00, or do we get 0.7 in the first year and 1.6 in the second year?

Miss J. Stampalia: For example, the 0.7 in 2021–22 is within the 2.3 in 2022–23. I think the calculation comes from the justice pipeline model. In the way that is calculated with the police resources coming on board, it is 0.7 in year one, and by 2022–23 that number would be 2.3, but the 0.7 is included.

Mr P.A. KATSAMBANIS: So it is 1.6 the following year, and 1.9 the year after that, additional from the previous year. We are on the same page on that. That is what I thought it was, but I just wanted to clarify that. At the end of that three-year period, we will end up with 4.2 extra District Court judges; we will not end up with seven-odd extra District Court judges.

Miss J. Stampalia: No. I would like to correct myself on an earlier question about the Justice of the Peace reforms and the resources in 2020–21. I should say that the 2020–21 figures include two magistrates and three staff.

Mr P.A. KATSAMBANIS: Are the extra resources in relation to the JP reforms the ones that have already been announced?

Miss J. Stampalia: That is right.

Mr P.A. KATSAMBANIS: Have the magistrates already been appointed?

Miss J. Stampalia: Yes.

Mr P.A. KATSAMBANIS: Their appointments have been announced, so I assume they have started.

Miss J. Stampalia: That is right, and the two District Court judges as well.

Mr P.A. KATSAMBANIS: Thank you. That clarifies it and is actually really helpful, so I appreciate that.

[5.40 pm]

Mr P.J. RUNDLE: On page 436 of budget paper No 2, item 20 states —

The Department has commenced the FDV GPS Tracking Trial which is a two-year trial to electronically monitor high risk FDV offenders in the community ...

Can the Attorney General point me to a line item with a predicted cost for this over the forthcoming years?

Mr J.R. QUIGLEY: I will refer the member to Mr Kerr.

Mr A.D. Kerr: It would have been released in an earlier version of the budget papers; it was done as part of the 2017 government election commitment. I am not quite sure off the top of my head what budget papers that would have come in, so it is forming part of our allocation now, but \$10 million was provided to the department to expand its electronic monitoring operations for a two-year trial, and \$5.5 million was provided to the WA Police Force to support that trial.

Mr P.A. KATSAMBANIS: On page 435, under “Other Significant Issues”, paragraph 9 outlines the government’s legislative reform process. We have spoken about this a lot. The Attorney General has been very busy, there is no doubt about that. For nearly all the bills he has brought in he has had bipartisan support, but there is one elephant in the room, as far as I am concerned, and that is reform of our Evidence Act 1906. We are not going to get it this term, are we?

Mr J.R. QUIGLEY: We are not going to get it this term, but there will be a consultative draft at the end of the year.

Mr P.A. KATSAMBANIS: A consultative draft that will be issued as —

Mr J.R. QUIGLEY: We hope to get the consultative draft out at the end of the year.

Mr P.A. KATSAMBANIS: Will that come through the Department of Justice’s website and be put out to stakeholders?

Mr J.R. QUIGLEY: We will get it out to stakeholders, and the member will get a copy.

Mr P.A. KATSAMBANIS: What has been the hold-up?

Mr J.R. QUIGLEY: It is a very large project. We have had a lot of large projects, such as the uniform law for the national legal profession that we wanted to get through Parliament this year so that it starts on 1 July of the next financial year—that was imperative. There has just been so much on. It was not a matter of just copying over the

uniform Evidence Act. There are carve outs. We have a better protected witness regime in Western Australia and such things. I do not think we will achieve mirroring the section numbers, so then it was cross tabulating the section numbers to other states. We are looking forward to the member's support on that.

Mr P.A. KATSAMBANIS: I recognise all that and perhaps I could be so bold to say that I suggested to the Attorney General that he could have given a reference to the Community Development and Justice Standing Committee at the start of the time to assist in the process, but that did not happen and that is okay. I am just being a bit cheeky. But other than internal work, who else has been involved or consulted with in the development of the consultation draft that will come out by the end of the year? Has the profession been involved? Has the judiciary been involved?

Mr J.R. QUIGLEY: There has been a commonwealth Attorneys General working group looking at commonwealth uniform provisions. It has been looking at things such as propensity evidence and coincidence evidence. I think Mr Speakman, the Attorney General for New South Wales, has been leading in that area. By and large, the profession knows roughly what the uniform Evidence Act is because it has been working with it in the course of federal jurisdiction.

Mr P.A. KATSAMBANIS: Of course, yes.

Mr J.R. QUIGLEY: It is a matter of bringing ours into line. It was a matter of then legislating a new act, not amending our old act.

Mr P.A. KATSAMBANIS: I know that the current act has to go in order to achieve what ought to be achieved.

Mr J.R. QUIGLEY: It has to go and it will be repealed. But the work load of the Parliamentary Counsel's Office has been very heavy. As the member said, the government has been very active in law reform. Besides the new uniform Evidence Act, a whole new criminal law mentally impaired accused bill is being developed concurrently.

Mr P.A. KATSAMBANIS: That was my next question! Where are we at with that?

Mr J.R. QUIGLEY: That is nearly complete in its drafting. We have already got approvals for some moneys for its introduction early next year. It is a first-half-of-next-year project. There had to be a lot of consultation with jurisdictions, because we will be legislating in whole new procedures under that act, including special hearings to see that representatives of a mentally impaired accused person who is unfit to plead can, nonetheless, put the prosecution to prove that there is a prima facie case, and that the orders that are to be made are being made in respect of the person who is not convicted, nonetheless they are identified as the right person.

Mr P.A. KATSAMBANIS: Will that be released as a consultation draft?

Mr J.R. QUIGLEY: No, it will not be released.

Mr P.A. KATSAMBANIS: Has there been a working party involved that has had broad stakeholder input?

Mr J.R. QUIGLEY: Not that I am aware of; there has not been a working party. The Council of Attorneys-General, or the Standing Committee of Attorneys-General, as it was then called, in 2017, under the chairmanship of then Senator George Brandis, published national criteria for a criminal law mentally impaired accused act and it asked the states to agree. There was almost unanimity, but there were some minor matters. We decided to run with the national model, as put out by Senator Brandis.

Mr P.A. KATSAMBANIS: Essentially, we are using the national model as a starting point for our legislation?

Mr J.R. QUIGLEY: When I say the national model, there were a few pages of criteria for what the legislation should include, and it should be like a therapeutic model. We have been consulting with both internal and external stakeholders, mental health community centres and the courts in its development. I think that the stakeholders are all well pleased where we are up to. We would like to have it in by now; it is a pressing matter.

Mr P.J. RUNDLE: I refer to page 437 of budget paper No 2, under "Service Summary", three quarters down the page under the seventh point, "Legal Aid Assistance". For the budget 2019–20 it is \$44.9 million, and the actual is \$53.3 million, up by roughly \$8.5 million. The budget estimates for 2020–21 are for \$105 million, which is a doubling. Can someone enlighten me about those massive increases in the budgeted and actual for 2019–20 and the massive increase for budget estimate 2020–21?

[5.50 pm]

Mr J.R. QUIGLEY: The \$53.5 million increase in the total cost of services between the 2019–20 budget and the 2020–21 budget is primarily due to the new National Legal Assistance Partnership Agreement, for which \$50.5 million is allocated. The increase in employee benefits of \$48.8 million is mainly due to the increase of 886 full-time equivalent positions, which were required to address the department's services and increased RiskCover insurance premiums of \$13.7 million, partly offset by lower claims under the National Redress Scheme.

Under the new national legal partnership, the federal government has got us to agree to funding over the out years and divulge funding for the Aboriginal Legal Service to the Legal Aid Commission, which sees the uplift in that figure.

Mr P.J. RUNDLE: Is that money sourced from federal funding or as part of the national partnership agreement?

Mr J.R. QUIGLEY: I will ask the director of Legal Aid, Dr Hill, to give the member the exact breakdown of that.

Dr G.R. Hill: In previous years, the commonwealth funds were not paid to the Department of Justice so they did not show up in the budget statements. It rises from \$53 million to \$105 million because it is commonwealth money. The new National Legal Assistance Partnership Agreement started on 1 July, so this is the first year that it is showing up in those accounts. I should point out that the \$105 million is not just for Legal Aid; it includes community legal centres and the Aboriginal Legal Service. They were all brought under the one funding agreement, with the funds paid to the Department of Justice to distribute. The funding is largely unchanged from one year to another; it is just that the commonwealth money is now counted as well.

Mr P.J. RUNDLE: I refer to the gap of about \$8.5 million between the budget versus the actual for 2019–20.

Dr G.R. Hill: There are two reasons for the difference between the budgeted figure and the actual. First, one-off funding for COVID-19 appeared during the year, which had not been budgeted for but arrived. About \$3 million or \$4 million came through in that financial year. Second, the supplementary funding was mentioned in an earlier answer. We have a budget that we set out with, but when we exceed a threshold for criminal cases or for expensive criminal cases, we get supplementary funding from Treasury to cover that. By the end of the financial year, that is showing up, so that is the difference between the budgeted and the actual amount.

The appropriation was recommended.

Meeting suspended from 5.53 to 7.00 pm

Division 34: Office of the Inspector of Custodial Services, \$3 749 000 —

Ms L.L. Baker, Chair.

Mr F.M. Logan, Minister for Corrective Services.

Mr E. Ryan, Inspector of Custodial Services.

Mr D. Ferguson, Deputy Inspector.

Mr D. Summers, Manager, Corporate Governance.

Mr T. Palmer, Chief of Staff, Minister for Corrective Services.

Ms R. Marton, Senior Policy Adviser.

[Witnesses introduced.]

The CHAIR: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information he agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 30 October 2020. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online questions system.

The member for Warren–Blackwood.

Mr D.T. REDMAN: I refer to the inspection and review of custodial services on page 503 of the budget papers. Clearly, one of the roles of the Office of the Inspector of Custodial Services is to inspect prisons. Has there been an inspection of Greenough Regional Prison following the escapes that occurred, and was that inspection either formal or informal? Work has been done on that prison subsequently. I am interested in the minister's comments on the office's response to that.

Mr F.M. LOGAN: I thank the member for Warren–Blackwood. Yes, the member will remember that after the incident at Greenough Regional Prison, I asked the Department of Justice to evaluate exactly what happened and for that evaluation to be overseen by the Inspector of Custodial Services so that we had independent oversight of the evaluation done by the Department of Justice. That was duly done, published and tabled in Parliament. I believe that since then there has been one more inspection, but I will pass over to the inspector to provide information on that. Meanwhile, the reconstruction is continuing apace. I am going there on Saturday to look at the new fence

that has been put in place around the women's facility. That is virtually completed and now the construction will start on the various components inside what will be a totally separate women's compound prison. It has a very high-security fence.

Mr D.T. REDMAN: Has the construction not been completed?

Mr F.M. LOGAN: No. No-one is in the women's compound at the moment. The prisoners are split between those who are on remand at Greenough Regional Prison—of which there are very few—and the remainder, who are at Bandyup Women's Prison or Melaleuca Women's Prison. With regard to the reconstruction of what will now be the women's compound, the fence is finished and the work inside will begin.

Mr D.T. REDMAN: How long has it been since the breakout?

Mr F.M. LOGAN: It was in July 2018.

Mr D.T. REDMAN: So we are talking about two years, yet the construction works that were to be put in place have not been completed.

Mr F.M. LOGAN: No, they have not because of the design of the facility, the negotiations with the prison officers on what they thought was appropriate for the running of the prison, the issuing of the contract, COVID, and a whole series of other things.

Mr D.T. REDMAN: The minister mentioned that the Office of the Inspector of Custodial Services has been to the prison since the formal report, which was tabled.

Mr F.M. LOGAN: I will pass over to the inspector.

Mr E. Ryan: The minister mentioned the review by the Department of Justice, which was done by Jan Shuard and is referred to as the Shuard review. Subsequent to that, we undertook a review largely of the recovery phase. Jan looked at the causes of the riot and the immediate response, while we looked more broadly at how the prison recovered. Our 125th report, titled "Inspection of Post-incident Management of Prisoners at Greenough Regional Prison", was published and tabled in this place, and provides a report on the outcome of that. We made five recommendations, four of which were supported by the department. The recommendations were largely around having good, systemic processes in place to ensure that following the response and after the dust had settled, essentially, there was a structured plan to make sure that the welfare of prisoners, communication issues, support for the management and those kinds of things were ticked off. They are the recommendations that we made.

Subsequent to that, as the minister has said, unit 4, which is the women's unit, is being largely overhauled, and a hard barrier is being put between the main prison and the women's prison. That is the work in progress. In addition, units 2 and 3, which were significantly damaged during the riot, have been largely refurbished and hardened with harder barriers and facilities. The prison liaison officer and I went to Greenough Regional Prison not long after we tabled the report to see how it was tracking and to meet the senior management team and prisoners. We also held a town hall meeting with all the staff to listen to them and find out how their concerns were going. Subsequently, we have not physically monitored the prison because of the COVID restrictions and the difficulty of getting flights; there is now only one flight there and back rather than one in the morning and another in the evening. However, we have closely monitored the prison and it seems to be—knock on wood—reasonably settled and stable. There have not been a lot of critical incidents among the prison cohort. I hope I am not tempting fate, but it seems to be much more settled. It also has a settled leadership team, which is crucial for any organisation.

Mr D.T. REDMAN: When is the next formal assessment of Greenough Regional Prison expected to take place? My recollection is that they occur about three years apart. Is that the case?

Mr E. Ryan: Yes, it is on a three-year cycle; that is a statutory requirement. Our next inspection of Greenough Regional Prison will probably be in 2022. I do not think that it is in the calendar for next year. I was talking to one of our staff members today about a liaison visit. Hopefully, that will be a one or two-day visit to the prison before the end of the year, if not early next year.

Mr F.M. LOGAN: Can I also add that Nationals WA member Mr Ian Blayney was recently provided with information on the progress of the prison construction because he asked questions about local content and things like that. We have briefed Mr Blayney on where it is up to. I also inform the member that while the negotiations continued on the design of the compound, what it should look like and what should be in there, and about the actual fence itself, which is a completely different style of structure, men were brought into that facility. The facility was repaired and men were put into it, so we did not leave it empty.

[7.10 pm]

Mr S.K. L'ESTRANGE: I refer the minister to page 502 in volume 2 of budget paper 2. At the bottom of that page, under the heading "Explanation of Significant Movements", note 2 states —

The majority of the Office's recommendations were either supported, partially supported, or support existing initiatives. Only 13 of the 57 recommendations were not supported in the 2019-20 Actual.

Can the minister outline what 13 recommendations were not supported and why not?

Mr F.M. LOGAN: The member will find all 13 reasons for that in documents that were tabled in this house. In fact, members can get them all from the bills and papers office. There is always a whole series of reasons why they are not supported. It may well be that a financial cost requires us to go back to the Expenditure Review Committee to ask for a significant amount of money, which is not appropriate at this point; things like that.

Mr S.K. L'ESTRANGE: Of those 13 recommendations, would the minister be prepared to reconsider any, if the budget allowed?

Mr F.M. LOGAN: I would have to think about what those recommendations were, without having them before us, because they go back over the year. Can the inspector think of one that the department knocked back?

Mr E. Ryan: Probably 13!

Mr F.M. LOGAN: Fair enough!

Mr S.K. L'ESTRANGE: They were his recommendations!

Mr E. Ryan: In a perfect world, I do not think there would be a great deal of pushback for all of them, but if I had my way I would look at some of the infrastructure deficits that we have identified. The department agrees—everything cannot be a priority; things have to be prioritised. That is one area that I think would be good, and mental health support.

Mr F.M. LOGAN: Yes. I can give the member an example now, now that I have remembered it, and that is the issuing of iPads or computing facilities for individual prisoners. That issue was raised by not only this inspector, but also previous inspectors. The department has fairly strong views on that from a security point of view. The type of people who would be able to play around with those iPads and get up to no good really does cause some concern. However, we have given a commitment, even though we knocked it back, and a committee is looking at how we can actually deliver easier electronic access to a controlled internet that is probably more like an intranet within the prison itself, so they can get access to legal documents and library documents. Appropriate material would be censored for the purposes of not causing a problem within prisons but provide support for their rehabilitation.

Mr S.K. L'ESTRANGE: Understood. Picking up on the infrastructure side, what would the minister say is the number one infrastructure priority that formed part of those 13 recommendations that cannot be dealt with in the current budget?

Mr F.M. LOGAN: One of the things that the inspector put up—I think he put it up as part of the Bandyup inspection—was the mental health facility. The inspector was quite firm about that, as other people outside also have been, such as non-government organisations, the Mental Health Commission and others. They have been quite firm about the fact that there are no facilities available for women with severe mental health problems when they are in prison. That was a recommendation from the former inspector, but has been raised informally with me by the current inspector as well. At the time, we could not agree with it. Even though we went to the Expenditure Review Committee to ask for funding for that, we did not get it approved. Other funding was approved, but not that. I am happy to say that not only has that funding now been approved, the designs are now underway for the new mental health unit, which will be part of unit 1A at Bandyup, and it will be the first time that women in Western Australia will have access to mental health services within prison, rather than going to the Frankland forensic facility. That is a really critical piece of infrastructure.

Mr S.K. L'ESTRANGE: We may be able to talk more about infrastructure in the next division.

I now refer to the service summary table on page 502. The 2018–19 actual was \$3.962 million and the 2019–20 budget was \$3.629 million. There was quite a significant drop; the actual spend was lower again. What is the reason for that?

Mr F.M. LOGAN: I will let the inspector answer that. It is voluntary severance.

Mr E. Ryan: That would be the adjustment of the voluntary severance scheme that was introduced. The actual was \$3.962 million whereas the budget was \$3.629 million. In addition, in that year the office took on a number of additional reviews. Essentially, an overspend on the budget resulted in the greater expenditure. The member will see that it was \$3.409 million in the 2019–20 actual. That was a correction that we implemented to try to bring cash reserves and that kind of thing back into equilibrium. It is a little overspend in one year and an underspend over the two years.

Mr F.M. LOGAN: As the member knows, departments can either ask for extra expenditure or take a one per cent increase and not go before the ERC. That is offered to all departments Previous budgets, say 2018–19, just took the one per cent; the one before that did as well.

Mr S.K. L'ESTRANGE: Why has it jumped back to \$3.609 million in the 2020–21 budget?

Mr E. Ryan: That is our standard appropriation. Our ongoing budget is \$3.609 million and that is what we will spend this year. The actual in 2019–20 was \$3.409 million because we had a saving of \$200 000. That is recollected further in the budget paper.

The appropriation was recommended.

Division 29: Justice — Services 8 and 9, Corrective Services, \$1 055 944 000 —

Ms L.L. Baker, Chair.

Mr F.M. Logan, Minister for Corrective Services.

Dr A. Tomison, Director General.

Mr T. Hassall, Commissioner of Corrective Services.

Mr A. Kerr, Executive Director, Corporate Services.

Mr S. Maines, Executive Director, Professional Standards.

Mr T. Palmer, Chief of Staff, Minister for Corrective Services.

Ms R. Marton, Senior Policy Adviser.

[Witnesses introduced.]

The CHAIR: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

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Member for Churchlands.

[7.20 pm]

Mr S.K. L'ESTRANGE: I refer to page 436 of budget paper No 2, volume 2, specifically the seventeenth point under "Significant Issues Impacting the Agency", which refers to the Kimberley Juvenile Justice Strategy. I notice in the spending changes table on page 434 that funding for the Kimberley Juvenile Justice Strategy drops from \$2.124 million in 2020–21 to \$357 000 in 2023–24. Can the minister explain the significant drop in funding for what I would think is a pretty important program?

Mr F.M. LOGAN: I thank the member for Churchlands. The Kimberley Juvenile Justice Strategy is being led by the Department of Justice on behalf of the government, and Dr Tomison is its key note leader. At the moment, \$6.52 million has been allocated for the KJJS. Some of that money has been expended and other money will be expended in the forthcoming financial year. We will then go back to the Expenditure Review Committee to seek further funding following the work that is being done by the Department of Justice with local groups in the Kimberley on the co-design models for achieving things such as reducing juvenile criminality in the Kimberley and assisting with family issues, as well as dealing with adults and females. I will pass to Dr Tomison, who will give the member a bit more of an idea about the KJJS.

Dr A. Tomison: The minister is correct; the intent of the last couple of years with the Kimberley Juvenile Justice Strategy has been to implement some relatively short-term initiatives to try to reduce risk, if you like, or youth crime and antisocial behaviour in some key towns in the Kimberley while at the same time running a large consultation process with the Kimberley Aboriginal Law and Culture Centre, which is part of the Kimberley Land Council up north, to try to get an idea of what the community thinks we should be doing; that is, the Aboriginal community as well as the non-Indigenous community. We will then go back to the ERC to propose longer term strategies based on co-design having worked with Aboriginal people to create better strategies that they support and can be involved in partnership with the government to deliver. That is essentially why the moneys peter out or drop down in the out years.

Mr S.K. L'ESTRANGE: If the program is important enough to warrant a \$2.124 million spend this financial year and next financial year, will the government pull away from the initiative once it is in place with the expectation that it will keep going forward without funding or is there another reason for the drop from \$2 124 million in 2021–22 to \$352 000 in 2022–23?

Mr F.M. LOGAN: No. I will pass to Dr Tomison, but the objective of this exercise is to deal with a number of issues that are in various towns at the moment—Kununurra, Fitzroy Crossing, Port Hedland, Broome or Derby—with programs and opportunities to engage with young people and families to address some of the problems before

those towns. The objective is also to have long-term strategies in place that can be driven by local Indigenous groups. Through the KJJS, the department is now working on the design of those long-term strategies. They will require funding, but obviously we do not know what that funding is at the moment, member for Churchlands, because the design has not been completed.

Dr A. Tomison: In our first year of operation with the KJJS, we funded things such as the Broome Youth and Families Hub, the Mens Outreach Service Aboriginal Corporation in Broome and the Shire of Derby–West Kimberley to provide some structured activities for young people in the Derby community. We funded the Kununurra Waringarri Aboriginal Corporation to take young people on camps around Kununurra. In Halls Creek, the Wunan Foundation was funded through criminal property confiscation grants to provide a range of structured activities. We are building on that with the next \$6.2 million so now we are talking about further place-based activities of \$1.2 million over two years for activities in Broome, Derby, Fitzroy Crossing, Halls Creek, Kununurra and Wyndham and night patrols to establish programs in Derby, Halls Creek and Wyndham. The agreements for the programs in Derby and Halls Creek are being signed off by the shires at the moment and that money is ready, too. There is a youth engagement program whereby the Aboriginal Legal Service WA will help young people on bail to make sure that they turn up to their court hearings and engage with services and do not breach their bail conditions. That service already runs in Perth and it will be running in Broome. Finally, there is an integrated learning program, an alternative education pathway into TAFE-type employment for Aboriginal kids in Broome and Kununurra through North Metropolitan TAFE. That is what the \$6.2 million is for but in the meantime, as the minister said, we still have to go back with a plan for a larger investment, which is that larger partnership co-design model. Communities across the Kimberley have suggested things ranging from a residential facility at which kids can go for time out—not a detention centre—when they are sentenced on a community-based order to get treatment and to get back into education and training all the way through to things such as a justice reinvestment model, which Halls Creek has been doing, that is more like the communities working together to create more targeted interventions in the town so that kids are safe and not acting up at night, for example. It is a real melange because wherever we go in the Kimberley, there are different views about what we should be doing and, unfortunately, teasing that out takes significant time. KALACC did great consultation but now we have the next iteration and the shire presidents are all actively involved. We are working with them and with other government services and the community to try to create these longer term plans. I want to go to the next budget, obviously government permitting, and make that request for further funding but we are not ready yet because we are still doing the work.

Mr S.K. L'ESTRANGE: Will the outcomes of the strategy to date be published? Will there be a review of the strategy; and, if yes, when does the minister expect that review to take place?

Mr F.M. LOGAN: It is probably a bit early to do a review given that we do not have the longer term strategies in place.

Mr S.K. L'ESTRANGE: What I was saying —

Mr F.M. LOGAN: That is about what we have done so far.

Mr S.K. L'ESTRANGE: Yes.

Mr F.M. LOGAN: When we have announced them all, I think it would be very good if the department reviewed them. As an organisation, the department is leading a cross-government approach to it. Those involved include the Western Australia Police Force, the Department of Education, the Department of Communities, including housing and child protection. The Department of Justice is leading that for the government. It is a question of getting the information about the outcomes. For example, the feedback so far from the police about the PCYC in Kununurra is that it is working well. It is getting young people into those facilities and they are not wandering the streets at night. We have to put a lot more effort into reviewing that, remembering that it applies across the Kimberley. It is not an easy task to get that information.

[7.30 pm]

Mr S.K. L'ESTRANGE: I understand that the department is rolling out a suite of programs; I get that. Does the minister envisage when he will want to review that so that he can then make a decision on when to make this program a more permanent fixture—for example, a five-year program? I sense from the minister's answer that at the moment the department is trying to pull it together with different stakeholders and community groups to create something that will have an effect. It is the measuring of that effect and the cementing of that program into the future that I am looking for. Does the minister have a date for a review that he is aiming for?

Mr F.M. LOGAN: Dr Tomison is leading this, so I will pass it to him.

Dr A. Tomison: The short-term stuff that we already have in place consists of relatively simple measures because we do not want to overtax the agencies. We are trying to measure success—for example, how many kids are turning up for a particular program and whether it is worth refunding. So far, the success of those short-term projects has been pretty good. In the longer term, the sort of co-design that we are talking about will take quite a while to implement. Although we want to have a continuous improvement model and see some benefits, I do not expect it will be a fix

that creates a significant drop in youth offending in the first or second years. It will depend on the nature of the program. If, for example, it became a justice reinvestment-type program such as Halls Creek has, which is having really good success and has shown quite significant drops in criminal behaviour among young people, and we continued that through government funding, we could review that type of program quite regularly. We could review that quite a lot—every six months to a year. If it were something like creating a whole new residential complex for healing, youth development, leadership and training, that would be a bigger thing and we would be looking at reviewing it at least two years after implementation. That would be a reasonable time frame to look at it. We would want to get it working and do quality assessment as we were going. That is the best that I can probably say.

Mr D.T. REDMAN: I refer to “Adult Corrective Services” on page 445. One of the line items in the table is full-time equivalent staff across, I am assuming, the custodial estate as well as community corrections. In the footnote there is a reference to the difference between the 2019–20 budget and the 2019–20 actual. From the 2019–20 actual to the 2020–21 budget target there is also a jump of some 140. Can the minister give me a response about the drivers of that?

Mr F.M. LOGAN: If the member looks at the top of the page, he will see that this is about adult corrective services. These are the staff who work with offenders who have left the system, for example, and are in the general public on either work orders or orders of the court. They might have electronic bracelets. They might be monitored for a whole series of different reasons. It could be for bail, given the new legislation that we have passed, or family and domestic violence reasons. A whole series of work is being done by adult corrective services. Six months ago, immediately after the passing of the Family Violence Legislation Reform Bill 2019 by this chamber and the upper house, we announced that we would be putting on 45 extra people in adult corrections to undertake monitoring and review.

Mr D.T. REDMAN: Is it in the custodial side?

Mr F.M. LOGAN: It is the community side. These are community workers.

Mr D.T. REDMAN: Is the minister saying that all the FTE here are just in community corrections?

Mr F.M. LOGAN: No. I apologise. That is the total number of employees of the Department of Justice. I am sorry.

Mr D.T. REDMAN: I would not have thought that it was the Department of Justice. This is just the custodial side, is it not? Is it the custodial staff and the community corrections staff?

Mr F.M. LOGAN: It is the corrections department of the Department of Justice. I am looking at the top, where we are talking about adult corrective services. For example, in adult corrections we have taken on 50 more people for the purposes of providing support —

Mr D.T. REDMAN: Can I get some clarity about what this piece is referring to?

The CHAIR: Are you asking what the FTE count is? Who are they?

Mr D.T. REDMAN: Yes. Service 8—what is the scope of adult corrective services?

Mr F.M. LOGAN: It includes prison officers; staff related to corrections; adult corrections, which is why it is at the top of this page; and youth justice officers.

Mr D.T. REDMAN: No, it is not youth. Is there not a separate section on youth justice services on the next page?

Mr F.M. LOGAN: Yes. I apologise. This is just adult corrections and prison officers.

Mr D.T. REDMAN: Therefore, from the 2019–20 actual to the 2020–21 budget figures there has been a lift of some 140 FTE. What is driving that?

Mr F.M. LOGAN: I will go back to where I was a minute ago. People are being taken on in adult corrections for the purposes of beefing up —

Mr D.T. REDMAN: Does “adult corrections” mean that they are prison officers?

Mr F.M. LOGAN: No.

Mr D.T. REDMAN: Is it community corrections?

Mr F.M. LOGAN: Yes, it is adult community corrections. People are being taken on because of the extra workload that it has generally and also because of the legislation that was passed by this house. Then there is the ongoing regular increase in the number of prison officers who are being taken on.

Mr D.T. REDMAN: I am talking about just the adult space. I am not talking about the next service, which is the youth justice services. Can the minister provide a breakdown of the custodial staff as distinct from community corrections staff that make up that FTE total of some 4 760?

Dr A. Tomison: Obviously, the minister is correct. It covers the gamut of adult corrections —

Mr D.T. REDMAN: He took a while to get to the correct point, I might add!

Mr F.M. LOGAN: I am just reading from the top of the page—adult corrections.

Dr A. Tomison: One of the big changes has been the expansion of our infrastructure in the prison network. As the member would be aware, we have built a number of units. We have 160 new beds at the expanded Bunbury Regional Prison and Casuarina Prison has been expanded. We have four units of 512 beds, all of which have to be staffed. Melaleuca Women's Prison was returned to the public custodial estate. It was run by Sodexo until this year and is now run by the department. As the minister said, there are also additional staff to implement justice reform initiatives that came about through some legislative changes that he has mentioned. It was only a few weeks ago that the minister opened the new alcohol and drug unit at Casuarina Prison—the male unit. We will have to staff that as well as provide the male rehabilitation unit.

Mr D.T. REDMAN: The second note refers to the jump between the 2019–20 budget and the 2019–20 actual figures. Many of the things that have been talked about are listed there. That is fine; it looks like those numbers have been bedded down. Is the figure for 2020–21 just extra staff supporting those same initiatives?

Mr F.M. LOGAN: No. We will still need to take on more people for the purpose of the AOD facility in Casuarina that Dr Tomlinson just referred to.

Mr D.T. REDMAN: What is AOD? Help me.

Mr F.M. LOGAN: It is an alcohol and other drugs facility, member.

Mr D.T. REDMAN: That is referenced down the bottom, is it not?

Mr F.M. LOGAN: No, I am just telling the member. Melaleuca came back in-house and people have been taken on for that. All the various changes in adult community corrections required extra staff, and, of course, we have the AOD facility at Casuarina, which is only partially full at the moment. There are 128 beds in there. Because we are filling it up in a staged approach, there are only about 35 people there. As that number increases, the FTE numbers will increase. Also, there is the need for further prison officers in the system. As the member well knows, a freeze was in place in 2017 and we are still making up for that.

Mr D.T. REDMAN: I will come back to my question. Let us look at the 2020–21 budget target. There is an FTE of 4 760 across the adult custodial estate and community corrections. Can the minister give me a breakdown of how much of that is in the custodial estate—prison officers and the like—versus community corrections?

Mr F.M. LOGAN: I will take that question on notice. I can tell the member where he can get the figures; they are not in this budget paper, obviously. Those figures are actually in the annual report, which is obviously lodged in this chamber, but we will take that as a question on notice.

[7.40 pm]

Mr D.T. REDMAN: Before we do that, there are a few components to this question that I would like to package up, if it is possible. An appropriation is also attached to that, so I guess a certain number of staff are attached to the appropriation for the custodial estate, and the cost of services will be broken up between the two. I am interested in the breakdown of the budget between the custodial estate and community corrections, and the breakdown of FTE between the custodial estate and community corrections—if possible, over the last three years.

The CHAIR: Can we just break down for *Hansard* exactly what supplementary information is required?

Mr F.M. LOGAN: It is not supplementary information.

Mr D.T. REDMAN: Can I have a go at describing it, Chair?

The CHAIR: Just hang on one second, before the member launches into a lengthy description, and we will see what the minister wants to do with it.

Mr F.M. LOGAN: The member is asking about costings now.

Mr D.T. REDMAN: Yes, because I think they are related, minister. That is why I am looking for the two. I think what I am asking will probably have to be on notice.

Mr F.M. LOGAN: No, I will go to this for the member. The total of all costs, including labour, for example —

Mr D.T. REDMAN: This is for the custodial estate?

Mr F.M. LOGAN: This is for the custodial estate. Between 2018–19 and 2020–21—the span the member referred to—the total actual cost of keeping people in custody, including labour, for 2018–19 was \$746 552 936, and for 2019–20 was \$822 151 982. The budget target for 2020–21 is \$814 653 960.

The total actual cost of keeping people in the community, including the labour costs of running community supervision, which is what the member was talking about, for 2018–19 was \$63 978 376, and for 2019–20 was \$75 911 628. The budget target for 2020–21 is \$78 855 448.

Mr D.T. REDMAN: Thank you, minister. I know the muster moves, but I would like to try to reference appropriations to the muster. Is there a point in time—it might be the end of the financial year, because these would be financial year figures—for which the minister can give me the muster numbers at the end of each of those financial years, for both the custodial estate and community corrections?

Mr F.M. LOGAN: Not here; the member can put that as a question on notice and I can give him those figures. Actually, I can give the member the average daily prison population for each of those figures. For the custodial estate, the average daily prison population numbers for the 2018–19 actual were 6 908, and for 2019–20 were 6 957. The budget target for 2020–21 is 7 164. The figures relating to offenders in the community for 2018–19 were 5 901, and for 2019–20 were 5 884. The budget target for 2020–21 is 5 950.

Mr D.T. REDMAN: Thank you, minister.

Mr S.K. L'ESTRANGE: I refer the minister to page 446 of budget paper No 2, volume 2, and the service “Youth Justice Services”. I note that the 2019–20 budget target for net cost of service is \$97.317 million, yet the 2019–20 actual for net cost of service is \$68.006 million. That is a drop of \$29.311 million. At the same time, the number of FTE equivalents increase by 41, from 590 to 631. What services, to the tune of \$29.311 million, were not delivered in youth justice?

Mr F.M. LOGAN: The decrease in costs from the 2019–20 actual to the 2020–21 budget target is due primarily to the decrease in depreciation in finance and interest costs due to the exclusion in 2019–20 of government office accommodation leases from Australian Accounting Standards Board standard 16 leases. That was partially offset by increased demand for youth justice services. That is the additional 55 FTEs, or the nine per cent increase that we talked about.

Mr S.K. L'ESTRANGE: Just to clarify, is the minister saying that the \$29.311 million fall from what the government budgeted to what actually occurred was due to a financing adjustment?

Mr F.M. LOGAN: That, and there was a drop in numbers because of COVID in the second half of this year. I might call on Mr Kerr —

Mr S.K. L'ESTRANGE: Just before the minister does that, he just referred to the second half of this year. We are talking about financial year 2019–20. COVID came in in March, so it could have had an effect only from March to the end of June. A \$29 million drop from what the minister budgeted the year before to the end of the financial year is a significant drop.

Mr F.M. LOGAN: The member is going between the 2019–20 budget and the 2019–20 actual, which goes to July this year, and COVID was from March until beyond July.

Mr S.K. L'ESTRANGE: That is right, three months.

Mr F.M. LOGAN: That is a component of it, but I will pass over to Mr Kerr.

Mr A. Kerr: There was a slight decrease, as the minister has alluded to, in the total cost of services, but the line that is really affecting that net cost of services is the allocation of income, which has gone from \$851 000 in the 2019–20 budget to \$27.7 million in the 2019–20 actual. That was due to a one-off asset revaluation and the share of that. The department had its land and buildings valued upwards by \$105 million. The way the table works is that income needs to be allocated across all our services, and the share of that \$105 million related to youth justice is displayed in the income line. Because we do not know what the valuations are going to be next year, we go back to what income we expect to be generated, mainly at Banksia Hill in this case.

Mr S.K. L'ESTRANGE: Can the minister assure the chamber that that \$29.311 million did not actually result in cancellation of programs that were deemed necessary for youth justice services?

[7.50 pm]

Mr F.M. LOGAN: No. No programs have been cancelled at all as a result of that. Mr Kerr explained it to the member very well indeed. The bulk of it—\$27 744 000—is set out in the column of the actual. That had no impact on the day-to-day operation of youth justice services. If anything, we had to take on more things, particularly with COVID. We had to move quite quickly because of COVID. To the point the member just made about the delivery of programs, when COVID hit Australia, a number of service providers that are contracted to Banksia Hill Detention Centre refused to come in and deliver their services because they were concerned about their own employees, which was fair enough. We then had to make up some short-term programs to ensure that we kept the young people engaged and going through their rehabilitation program. The member may have seen one of the programs on TV when Des Headland delivered a high-level football academy program. That was one program we had to quickly get together for Banksia Hill. There was a withdrawal of services, some of which is reflected in the decrease in expenditure.

Mr M.J. FOLKARD: On page 438 of budget paper No 2, volume 2, I refer to the outcomes and key effectiveness indicators and the outcome to provide safe, secure and decent corrective services. Can the minister provide an update on what improvements have been made to increase security across the prison estate?

Mr F.M. LOGAN: I thank the member for Burns Beach. I know he is interested in this, as one of the only members of this house who has been into a significant number of prisons across Western Australia in the course of his daily work as a policeman.

A number of changes were made over the last financial year and still more will be made. For example, in Casuarina Prison, we intend to significantly upgrade the security system. I will not go into that in detail because it

would be ridiculous to put on the record how the security systems work inside our key prisons. It affects the gatehouse and the CCTV systems, utilising the latest types of security technologies that can be used to monitor people, as well as deter people from even attempting to try to escape, including monitoring their movements towards the fences and around the prison. The Eastern Goldfields Regional Prison is another example. Numerous attempts were made by people in Kalgoorlie to get contraband into the prison by throwing things like tennis balls over the prison fence. As the member knows, that has been tried many times before. Other silly attempts were made to get contraband into the prison. The contractor for that prison owns the prison—it is a leaseback by the government. A whole series of quite state-of-the-art, sophisticated technology was put in place to identify people outside the fence. They are in the general public's area but can be monitored as they approach the fence in that jail. It has been very successful in picking up people.

The special operations group, which is based at Hakea Prison, supports both the Casuarina Prison expansion project that I was talking about and the transition of Melaleuca Remand and Reintegration Facility back into public hands through secure-line infrastructure testing and preoccupation security tasks. A funding boost of \$2 million is being given to the special operations group to not only overhaul the facilities at Hakea Prison, but also provide it with new technology to allow it to pick up people's behaviour in and around the prison. Does the commissioner want to add anything?

Mr T. Hassall: In addition to that, four additional dog handlers have been appointed. We are trialling new drug detection equipment. We have a procurement process for new searching equipment at the moment. On the back of our lessons learnt from Greenough Regional Prison, a whole range of emergency planning staff have also been employed to improve our emergency planning across the state.

Mr S.K. L'ESTRANGE: In one of the minister's answers, he talked about drug detection. How much has been allocated in this year's budget compared with last year to fight the introduction of drugs into our prisons? How much of the budget was allocated to drug detection in 2019–20 and how much is allocated this year?

Mr F.M. LOGAN: In Casuarina Prison alone, \$3.27 million was approved in the 2019–20 budget for a lot of the work that was done. Regarding drug detection dogs, Sandy might be able to help regarding the total cost of their rollout. There is not a line item in the budget for security expenditure, otherwise the member would have gone to it to already.

Mr T. Hassall: I think the question was about the funding allocated to drug detection and our response to keep drugs out of prison. That would fall into a number of categories. The member heard the minister say we have the special operations group and the minister talked about the \$2 million. Part of its work is to do extra searching, for example. We would have to take the question on notice about the cost of new handlers for drug dogs, but that would be one part of the budget. There is also a procurement process for new equipment. The funding is spread across all the portfolios in that sense.

Mr F.M. LOGAN: A significant amount of new technology, as well as new methods, were put into place for Wandoo Rehabilitation Prison for alcohol and drugs. Obviously, we want to keep drugs out of there and we have been very successful, as the member knows. For two years, there have been no drugs in Wandoo. The same is now being applied at Casuarina. There is the overall security upgrade, both internal and external, which includes drug detection equipment as well. For that unit, we want to ensure that, like Wandoo, there is new technology for drug testing on a regular basis. For example, drug testing occurs daily in Wandoo and it will be the same in Casuarina. That was built into the overall cost of building the AOD facility in the first place. We can extract that as a question on notice.

The member wants to hear some of the outcomes for his own information. Between 1 July 2019 and 30 June 2020, there have been 2 751 interceptions of contraband. There were 387 interceptions of illicit substances, 582 of drug paraphernalia and 1 782 other—for example, phones, needles and alcohol. During the COVID lockdown period, as the member remembers I reported to the house, the numbers dropped significantly.

[8.00 pm]

Mr S.K. L'ESTRANGE: I will leave it at that. I will make a comment to the minister, if I may, Chair. With regard to the minister's answer, I absolutely get that a prison's role is to obviously monitor the behaviour of its prisoners. The entire budget of a prison is there to do that. I was looking for the specific funding to target the detection of drugs, over and above its normal operations. Obviously, the video surveillance of people throughout the prison and the physical surveillance of people who are at the prison will be looking for this type of behaviour. I am not looking for that cost. I am saying that in an extra effort to detect drugs in the prisons, the minister said that \$3.7 million was allocated for 2019–20. I am looking for the 2020–21 figure.

Mr F.M. LOGAN: There is a figure that is essentially provided to it, but it goes to an example. If the member puts it as a question on notice, we can give the member a breakdown, but it means we would have to go to each of the various budgets allocated to each of the —

Mr S.K. L'ESTRANGE: The minister might have answered it for me. Is he saying there is no specific budget for drug detection?

Mr F.M. LOGAN: No, it does not go like that, because it goes across such a wide area of things. For example, for alcohol and drugs, the special operations group requests the drug detection unit as well. Remember, we have various different organisations within the department that are all involved in drug interception and detection. We do not gather them all under one point in the budget papers and say, “This is how much we are spending on drug detection and this is what we’ll do next year.” It is probably not a good thing to do from a security point of view either. To give the member an example, for just the Casuarina Prison alcohol and other drugs rehabilitation facility, \$469 000 is being carried forward to next year to provide specialist drug supply mitigation technology and body sample drug testing equipment for use in high-volume drug testing of prisoners engaged in those programs.

Mr S.K. L’ESTRANGE: The minister will probably find that there is a program for detection.

Mr S.A. MILLMAN: I seek from the Chair whether this question should be a new question or whether it is appropriately a further question. Could the minister explain or update what is being done to tackle the cycle of drug and alcohol addiction in prisons? Although on the one hand we want to mitigate drugs coming into prisons, we also want to rehabilitate those prisoners who are addicted to drugs and alcohol, and I wondered whether I could refer the minister to the tenth paragraph under “Other Significant Issues” on page 435 of the budget papers.

Mr S.K. L’ESTRANGE: That sounds like a different line of questioning. We were talking about drug detection, not about rehab.

Mr S.A. MILLMAN: I am happy to ask it, as long as I go back on the list.

The CHAIR: Let us indulge it; it is on the table. We will get it down, and then we will come back to you bunch.

Mr F.M. LOGAN: It goes to the point that the member for Churchlands was making. There are two components of the issue of intercepting contraband or dealing with drugs in prison, as there is in the community as well. It is the stopping of supply and reducing of demand. Those are the two areas and that is the point the member was making.

Mr S.A. MILLMAN: That is right.

Mr F.M. LOGAN: We have been concentrating a little now on the interception of drugs and drug paraphernalia getting into prisons. That has been increased significantly over the last three and a half years. An example—I will pass on to the commissioner—is the drug detection unit. I do not know how many dogs we had in Western Australia, but it was not many. I think it was two or three dogs across the metropolitan prisons. There were no dogs in regional Western Australia to intercept drugs in places such as Albany, Kalgoorlie or Greenough, but there are now. We have significantly increased the capability of the drug detection unit and significantly increased the number of dogs we have, which are a fantastic resource in the interception of drugs. We have increased the number of people involved in the interception process—obviously, the DDU people. The special operations group itself has been involved in a huge number of projects to turn over prison cells and prison units on a regular basis in its search for drugs. The prisoners do not know that the SOG and other prison officers are going to turn up and turn over those units. They can turn up at any time of the night or day, turn it over, empty all the cells out —

Mr D.T. REDMAN: That has always been the case, has not it, minister? They are not going to get a letter in the mail saying that people are coming.

Mr F.M. LOGAN: The point I am making, member for Warren–Blackwood, is that it was not being done consistently. The number of actions that have been taken over the last three and a half years is significantly more than what was being done before, backed up by those dogs and by the SOG. This is just in terms of interception for demand. We have the new technologies that are going to be put in place in Casuarina, which is high technology for identifying drugs in the person and also the technology that is in place at Wandoo as well. That is the supply side. On the demand side is the whole concept of the AOD rehabilitation facilities. It is something that I think both sides of the house should acknowledge. Western Australia is leading Australia and possibly the world with our approach to reducing the demand for drugs in prison. The Wandoo Rehabilitation Prison AOD facility has had no drugs in the prison for two years. No drugs have been detected in any of the prisoners. There have been 127 women who have graduated from that facility. Only one returned to prison over that time. She then went back onto the program and she now has a job, a mortgage and a car; her life is back on track. That is something we should all be proud of. It is a really great outcome and very unusual. We have significantly increased our interception for the supply side, and we are getting great outcomes on the demand side.

Mr D.T. REDMAN: The minister mentioned that during the COVID lockdown—I think he gave a brief ministerial statement on it—there was a significant drop in material getting into prisons. In the first instance, was that a surprise to the agency? Secondly, given the outcome, it must have put a real spotlight on where many of the issues were. What has been the agency’s response?

Mr F.M. LOGAN: That is a very interesting question, member for Warren–Blackwood, because at the time we went into lockdown so that no visitors could come in, I urged the department to continue the regime of drug testing all the time. I said, “Don’t drop off the drug testing; keep going on the drug testing”, because it is like doing a scientific

experiment. One element of the equation is being withheld to see exactly where the problem could be emerging by doing the testing. No visitors were coming in. There has always been a very strong argument that drugs are getting into the prison via prison officers. The member heard it himself when he was minister as well. If we were able to continue to do the drug testing, with no visitors coming in and no drugs going into the prison, with a significant drop-off in the drugs going into the prisons, we would know for certain where the drugs were coming from. They are coming from visitors, rather than coming from prison officers. That is exactly what was proven as a result of the testing. Does the commissioner want to add to that?

[8.10 pm]

Mr T. Hassall: As the minister said, that is exactly right. We maintained our testing regime through the COVID period—both our drug prevalence testing, which is a computer-generated list, and our random testing. The testing results proved that everything was coming in via visitors. When we had the first day of visits, for example, when we reopened, it coincided with the new penalties that the government introduced for drug trafficking, so we did a campaign with all visitors. We SMS-ed visitors on those penalties to basically tell them the activities that we would carry out to keep drugs out of prisons. As the minister and the director general said, we have also put additional resources into the special operations group. We have a really good intelligence team. I guess what I am saying is that we know where our problems are and we can target them much better when issues come up.

Mr F.M. LOGAN: It is an unusual outcome of COVID but it actually helped.

Mr S.K. L'ESTRANGE: I refer to paragraph 15 at the bottom of page 435 of budget paper No 2, volume 2, which refers to the regional recruitment and training of prison officers. How many FTE positions are vacant and, by way of comparison, how many were vacant, say, at the end of last financial year and the end of this financial year, and how many does the minister expect to be vacant at the end of the next financial year?

Mr F.M. LOGAN: I will give the member some figures. We forecasted the need for 458 prison officers. So far, 549 trainees have commenced, 140 of whom have been trained in regional locations. I think it is the first time in probably a decade or more—it is not the first time it has been done but it is the first time it has been done in a long time—that the advertising and the recruitment of people was done in regional Western Australia, and it was very successful. It was undertaken in Albany, Kalgoorlie, Geraldton, Derby and Roebourne. There will be another advertising campaign in Kalgoorlie and I think there will be another one in Albany in the future. A total of 140 out of 549 trainees were recruited in regional WA. This comes back to the numbers that we talked about earlier. Also, 125 vocational support officers were employed over that time. The member for Warren–Blackwood knows what VSOs do to educate and assist, mainly in industry and training, and moving prisoners around the prison. I will ask the commissioner to run through the other figures.

Mr T. Hassall: I have the vacancy figures to the end of September. Since the end of September, we have had people go through the training school. I will read out the number of custodial vacancies for prison officers: Albany Regional Prison, four; Bandyup Women's Prison, one; Boronia Pre-release Centre for Women, three; Broome Regional Prison, five; Bunbury Regional Prison, 2.5; Casuarina Prison, 8.5; Eastern Goldfields Regional Prison, 10; Greenough Regional Prison, nine; Hakea Prison, nil; Karnet Prison Farm, 2.5; Melaleuca Women's Prison, 12; Pardelup Prison Farm, one; Roebourne Regional Prison, one over; Wandoo Rehabilitation Prison, 6.5; West Kimberley Regional Prison, 10.5; and Wooroloo Prison Farm, five over. As I said, those figures are as at 30 September. I know that a small number of people at eastern goldfields have graduated since then, and we have schools for the other vacancies.

Mr S.K. L'ESTRANGE: I am unable to do arithmetic that quickly but I am guessing that figure is under 100, yet the minister just said that there are 549 trainees.

Mr F.M. LOGAN: They were recruited over that period of time.

Mr T. Hassall: That is the total number of vacancies as at the end of September. It changes every day as people move and people transfer. We have a recruitment program that goes up to the middle of next year. We have a training school. We know from our HR planning what our churn rate is. We have about four schools that cover people who leave and we have additional accommodation coming onstream and stuff like that. At some of the prisons, we prioritise. For example, even though there were 10 prison officer vacancies at eastern goldfields, the prison is only 60 per cent full.

Mr S.K. L'ESTRANGE: Just help me a bit. I get it that the vacancies add up to under 100 and 549 trainees are going through training at the moment. There is a difference of 450 trainees. Are those 450 covering off on retirements or is there already a need to expand for other reasons?

Mr F.M. LOGAN: That is right. It is a mixture of rolling recruitment as people leave. There is a regular turnover in the job for a series of reasons, such as retirement and people moving and taking up other positions et cetera. We have rolling recruitment, the expansion of the prison estate, for which we had to recruit more prison officers, and the general increase that we wanted for the purposes of catch-up from the employment freeze that was put in place in 2016–17.

Mr D.T. REDMAN: The minister mentioned earlier that for the first time, a regional recruitment process for the prisons was carried out.

Mr F.M. LOGAN: It is not the first time; it was the first time in a long time. It has been done before.

Mr D.T. REDMAN: One of the issues that the agencies had is that the officers used a regional location as an entry point to get a transfer to a preferred location. Is that program designed to reduce that so that people are prepared to stay in those locations?

Mr F.M. LOGAN: That is exactly the case. I think the member for Warren–Blackwood has asked a question on that before—about Kalgoorlie, if he remembers.

Mr D.T. REDMAN: From memory, 16 per cent were on relocation.

Mr F.M. LOGAN: Do not ask me why but a number of people had transfers in. They would be taken on as a prison officer and they would go to Kalgoorlie, and as soon as they possibly could, they would seek a transfer out of there. I think there was a mixture of industrial issues, some people did not like Kalgoorlie, or they saw that as an entry point to go somewhere else. They had an opportunity to go to Kalgoorlie and then they decided to go somewhere else. That was one of the reasons we decided to recruit locally and put an end to this silly behaviour. We wanted to start employing people who lived in those regions and wanted to stay there.

Mr D.T. REDMAN: Good work. It was a good idea.

I refer to the heading “COVID-19 Pandemic Response” on page 435. The seventh paragraph refers to the task force that was obviously charged with ensuring that the government is managing what no doubt could have been a massive risk issue. There have been reports that the pandemic has gone right through some overseas corrections facilities. No doubt, that would turn those facilities upside down. I am also very aware that there is a fairly significant turnover of prisoners during the year, with people going in and coming out, whether they are on remand and/or finishing their time. It is a surprising figure. I cannot remember what it was but it is a big number. I have not seen any kick in the budget that has shown any extra resources in the 2019–20 year. It shows that the actual was above the budget by some \$50-odd million, but page 445 gives another reason and refers to a revaluation. There is nothing in the budget papers that references a COVID response, but I would have thought that would be a massive risk that the agency would have to put a plan in place for.

Can the minister identify the extra resources that were deployed in response to COVID, particularly around testing? I imagine that when we were all in lockdown and staying home, the concern about community transmission would have been quite high. Officers were coming and going from the facilities and prisoners were coming and going through the remand process and the like. What was the testing regime and what extra resources were directed to that?

[8.20 pm]

Mr F.M. LOGAN: I thank the member for Warren–Blackwood. The actual expenditure for the 2019–20 financial year was \$2.06 million. That is in the line item “COVID-19 Expenditure” in the table of spending changes on page 434.

Mr D.T. REDMAN: That is for the whole Department of Justice, is it not?

Mr F.M. LOGAN: Yes, it is. It is basically for setting the task force in place and putting those measures in place that were part of the COVID strategy. I will run through some of the things in the strategy if the member likes. I will not go through the figures unless the member wants me to.

Mr D.T. REDMAN: No.

Mr F.M. LOGAN: The majority of that \$2 million was used for the issuing of personal protective equipment. It was also used for emergency food supplies, cleaning supplies, working-from-home supplies, COVID-19 training, COVID-19 prisoner strategies, medical supplies, prisoner e-visit equipment, drafting emergency legislation—that is part of the department’s requirement—emergency management software and other supplies. That is the total expenditure of that \$2 million.

I will go through some of the measures that were put in place for prisoner movements. The member will recall that all prison visits were stopped for quite a time. I have referred to that in the expenditure. E-visit stations were installed to allow Skype visits with families, and free phone calls were provided. Normally, the prisoners would pay for them but free phone calls were provided during the COVID period. The e-booths that were established in all the prisons around Western Australia are still there because they proved highly successful. From a security point of view, reducing the number of face-to-face visits and all the issues that come with that—we have talked about the contraband that is brought into prisons—is a good way of reducing the movement of people into and out of our prisons in the future. All section 95 activities, which the member knows about because they are used a bit down his way, were stopped. The prisoner employment programs in which prisoners are able to go out and undertake education or work in a workplace and then go back to prison were stopped.

Mr D.T. REDMAN: Were programs still running internally during the COVID lockdown?

Mr F.M. LOGAN: Yes, and we have restarted both. All the internal programs continued to run as much as they could be, bearing in mind that it was done on the basis of social distancing and hand sanitising and so on. The programs continued to run, but the number of people who had access to them was reduced. The gymnasiums were off bounds, for obvious reasons, following the normal guidelines on COVID, and industries were off bounds for the same reason. Each prison—I have said this in Parliament—had its own COVID-19 plan in place and all prison officers were trained in that plan. All the prisons had hand sanitiser across all facilities, and that is still in place. The prisons were provided with demonstration posters on hygiene and received regular information from the commissioner about what was happening during the pandemic. Prisoners began making masks and they continue to do so. I talked about that in Parliament the other day. Our prisons in Western Australia are in the mask-making business. We have invested COVID-19 recovery money into the Department of Justice’s corrective services division to ramp up mask-making for the general public. We want to make one million masks to stock for the general public, just to be prepared. Those masks were being made as soon as COVID hit and were to be provided to staff and prisoners if they were needed. Temperature screening and testing for all staff, officials and visitors to prisons has continued.

Mr D.T. REDMAN: Is temperature screening being done currently?

Mr F.M. LOGAN: Yes. All interstate transfers were, and still are, suspended. Certainly, we are not transferring anyone from the eastern states to WA. The provision of mental health support to prisoners continued. Team and group sports activities stopped during the stage 5 restrictions, which covered all gyms and team sports.

The task force is in place preparing for and working on our preparedness in the future. The cleaning regime continues. Prisoners have been putting their hand up to become part of the cleaning workforce. Those prisoners who work will receive extra gratuity for taking on the role of being a COVID-19 cleaner to keep the sanitisation of prisons up to speed. Masks for prisoners and detainees is going along, as I said. We have restricted social visits. Certainly, since phase 5 of the COVID restrictions, we have continued to allow social visits, but they are restricted insofar as prisoners cannot embrace or hug their family. Children can embrace their parent who is a prisoner, but there is no contact between prisoners and their other loved ones.

Mr D.T. REDMAN: Did you see in the prisons a spike in reportable instances with prisoners’ mental health as a by-product of the lockdown?

Mr F.M. LOGAN: I will pass that on to the commissioner.

Mr T. Hassall: We saw a slight increase in self-harm, but nothing notable. That was attributed to a very small number of prisoners. As the minister said, our strategy was to communicate with the prisoners by telling them what was happening. We put out a lot of information about wellness, wellbeing and general hygiene and, where we could, we tried to normalise things as much as possible during that period in terms of what went on in the prison. That seems to have been very successful.

Mr F.M. LOGAN: The commissioner put out a regular bulletin to all the prisoners about where things were at with COVID-19, because obviously the concern was that if the prisoners were fearful, they could cause trouble. It was absolutely critical for information to be provided to the prisoners.

Mr D.T. REDMAN: Was any COVID testing done?

Mr F.M. LOGAN: Yes, COVID testing took place, particularly for the people coming in on remand and when police raised concerns that a particular individual may need to be COVID tested. They were isolated in the designated isolation units and cells and then they were COVID tested.

Mr D.T. REDMAN: Were there any positive results?

Mr F.M. LOGAN: No, there were none at all, which we are super grateful for, given what the member said earlier.

Mr S.K. L’ESTRANGE: I refer to page 448 of budget paper No 2, volume 2. The table on page 448 is an extension of the table for the asset investment program that starts on the previous page. I notice that the total cost of asset investments drops by 59 per cent, or \$46 million, between 2020–21 and 2023–24. Can the minister explain why the amount of funding for asset investments will fall by that amount?

[8.30 pm]

Mr F.M. LOGAN: Can the member take me to the particular line item; sorry?

Mr S.K. L’ESTRANGE: The last line item on page 448, “Total Funding”, drops from \$77.648 million to \$31.519 million.

Mr F.M. LOGAN: In the out years. That will be because of the completion of a number of our build projects. I will hand over to the commissioner or Dr Tomison. The member will see at the top of that page, for example, “Expansion—Stage 2”. That is the stage 2 expansion of Casuarina Prison. It will drop from the estimated total cost of \$182 million down to \$27 million. It keeps going into the out years but then drops off in 2023–24. “Expansion—Stage 1”, which is right above it, drops from actual expenditure of \$94 million up until the end of this financial year to the estimated budget expenditure of \$1.7 million. The member will see that from the table. I think the member

for Churchlands has visited Casuarina Prison. Stage 1 of Casuarina Prison comprised the four new units. One is an alcohol and drug facility and one is for people with what they call P1 mental health issues, which are low-level mental health issues. Stage 2 is another unit. It is similar to one that the member saw elsewhere. A 40-bed mental health unit will be built there. That is for what is called P2–P3—those are the people who are having episodes and who would normally go to the Frankland forensic facility. As the member knows, the Frankland facility has very few beds. We have got to the point at which we have to look after our own. We will now look after them within Casuarina Prison. That means taking on mental health nurses et cetera. An aged-care facility will be built, mainly because of the age of people who have committed historic sex crimes, who will probably die in prison. We have to build an aged-care facility because they are currently blocking up our infirmary. We are building a supermax prison. The supermax will be for prisoners who just will not behave and continue to disrupt prisons, or they could be outlaw motorcycle gang members who present a threat to prison security.

Mr S.K. L'ESTRANGE: To flip this question the other way around: what known infrastructure needs are not included in this year's budget and asset investment program?

Mr F.M. LOGAN: What we want—we do not know how much it will cost but we are working on trying to reach that end objective—is a new Broome prison. The member for Churchlands knows that over the past 12 years, certainly prior to 2017, the issue was whether to keep it open or close it. The problem was nothing was being spent on maintenance because there was indecision about whether to keep it or not keep it. As a result, the place fell into quite significant disrepair. We have addressed that disrepair by putting money into it, but it has to be replaced.

We are having discussions with the Yawuru group at the moment about the location of the facility. We have allocated \$1.4 million to negotiations, the design, and basically preparing the contractual documentation for that new prison. Two sites are currently under consideration in negotiations with Yawuru. We are trying to define which site is agreeable to all parties. There were three sites, but I think Yawuru really wants only two to be considered. We had three sites but we have brought it down to two. We do not know how much it will cost for that prison because the site will determine a significant part of the cost. The \$1.4 million will get us to determine exactly what those costs are. That is a good example.

Mr S.K. L'ESTRANGE: Broome prison was going to be my next question, so I appreciate the minister raising that. I have done a desktop analysis of the cost of prisons around the country. The land price actually can form a very small portion of the actual cost to build a prison. From what I have looked at, the capital build itself is the major cost. I am wondering why the minister does not have, at the very least, a ballpark planning figure in the budget for a capital works program linked to the relocation of Broome prison.

Mr F.M. LOGAN: As the member knows, because of the native title in and around Broome, all the discussions would have had to be with Yawuru, regardless of site selection. We want to ensure that the new Broome prison is established along lines similar to the ones on which West Kimberley Regional Prison in Derby was originally set up. That prison has close links to traditional owners in the area, and also has a more therapeutic and appropriate landscape for those prisoners, who would virtually all be 100 per cent Aboriginal. We want to reflect something that is similar to Derby but on a smaller scale because we are not going to build a big prison there. That involved us in negotiations with Yawuru. We asked them to select a site. It would make the process of approvals a lot easier. They started with three sites; they have come down to two. One site is on Roebuck Bay station and the other is on government land. I am not going to guess the overall cost of that land. If it is on government-owned land, it would, hopefully, cost the Department of Justice nothing.

Mr S.K. L'ESTRANGE: I will finish with this question. I understand that if it is on government land, it will be a lot cheaper than buying private land; I completely get that. If I did a desktop analysis of a new 1 000-bed prison build around the country, I imagine that it would be about \$1 billion. The land cost would not be anywhere near that. The land and all the infrastructure, depending upon where it is, could be up to \$20 million. Notwithstanding that, I imagine a prison of the size the minister is looking at for Broome would be probably 100 beds?

Mr F.M. LOGAN: Yes, probably 100 beds.

Mr S.K. L'ESTRANGE: I would expect the minister to have some understanding of a ballpark figure for the budget in the out years. Whilst the minister is already negotiating a site, I am curious why the budget does not include what is being set aside for the building of that prison.

Mr F.M. LOGAN: I think the overall size we are looking at is 20 hectares. Obviously, the footprint of the prison will not be anywhere near 20 hectares, but it depends. For example, of those two sites, if it is on Roebuck Bay station, which is owned by the Yawuru group, I would presume they would be seeking payment for the extrication of that part of the station. The lease would be held by Yawuru. It would still be under the pastoral estate, but the lease would be held by Yawuru. I would presume they would be looking for some compensation for the extrication of that part of the pastoral station land for the prison. The other site that has been identified belongs to the state government. It all depends on what we agree to at the end of the day. One will have some cost to it; the other will probably have no cost to it. Treasury would not cop us putting it into the budget. Treasury would want some certainty.

The appropriation was recommended.

[8.40 pm]

Division 30: Fire and Emergency Services, \$156 051 000 —

Ms L.L. Baker, Chair.

Mr F.M. Logan, Minister for Emergency Services.

Mr D. Klemm, Commissioner.

Mr M. Cronstedt, Deputy Commissioner, Strategy and Emergency Management.

Mr C. Waters, Deputy Commissioner, Operations.

Mrs G. Camarda, Chief Finance Officer.

Mr R. Burnell, Executive Director, Corporate Services.

Mr M. Carter, Executive Director, Rural Fire Division.

Mr T. Palmer, Chief of Staff, Minister for Emergency Services.

Ms M. Onorato-Sartari, Senior Policy Adviser.

[Witnesses introduced.]

The CHAIR: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. The Chair will ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates is restricted to discussion of those items for which a vote of money is proposed. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information he agrees to provide and I will give it a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 30 October 2020. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online questions system.

Member for Churchlands, you have got the call.

Mr S.K. L'ESTRANGE: I refer to page 456 of budget paper No 2, volume 2, and the total appropriations line. I note that there is a fall in the total appropriations to the tune of \$225.949 million, or a 76.5 per cent fall, between the 2019–20 actual and the 2023–24 forward estimates. Can the minister please provide some clarification about why this is the case and whether any services will be impacted by this significant change in funding?

Mr F.M. LOGAN: That will come down to the expenditure on the build program and the asset program that is underway at the moment, of which the member would be aware. I will pass to Mrs Camarda in a second, but as the member is more than well aware, we have undertaken a significant construction program, which includes Kensington Fire Station, Cockburn Fire Station, four volunteer fire and rescue facilities, the level 3 incident control facility and the high season fire fleet storage facility in Collie, which is a significant expenditure for the department. Of course, the Bushfire Centre of Excellence is being built on Lake Road in Nambelup and it will be completed at the end of this year. Those are the assets under construction at the moment that make up the significant bulk of that money and, of course, as they come off the total appropriations reduce.

Mr S.K. L'ESTRANGE: With that line, the minister talked about a number of facility upgrades that are obviously nearing completion and hence the significant fall. I will link that answer to what is being spent on volunteer facilities upgrades because I notice on the next page that \$4 million is allocated for 2020–21 and \$4 million allocated for 2021–22 but nothing has been allocated in the out years. Is there reason why the government has not maintained the capital spend to support the development of these volunteer facilities upgrades?

Mr F.M. LOGAN: I will deal with the \$4 million in the line item. Immediately above "Volunteer Facilities Upgrades" is the heading "COVID-19 WA Recovery Plan". That money has been allocated specifically under the asset investment primarily for upgrades of volunteer facilities in regional WA. A significant amount of that money will be spent in the areas of maintenance, but also for ablutions and change rooms in many regional and country volunteer fire and rescue facilities, State Emergency Service facilities and BFB facilities. One of the reasons the commissioner chose to expend the money in this way is the significant increase in the number of women who have been attracted to volunteers —

Mrs A.K. HAYDEN: To volunteer.

Mr F.M. LOGAN: Yes—to volunteer. Many of those facilities were built at a time when only men volunteered and they are not appropriate for women. For example, 50 per cent of the volunteer fire and rescue volunteers in Exmouth

are women and there are no change rooms or proper ablutions for them. That will be fixed. In terms of the capital investment in volunteer bushfire brigade facilities, that is obviously allocated through the local government grants scheme, which is elsewhere in the budget papers. That ongoing funding is provided to the tune of approximately \$30 million every year across the shires of Western Australia. The councils put up their requests for what they believe is needed for what is ultimately their assets, the BFB facilities. They are considered by the LGGs committee, which involves participant members of the Western Australian Local Government Association, council representatives and representatives from the Association of Volunteer Bushfire Brigades and the Department of Fire and Emergency Services, who then choose which of the requests will be approved. I will give three examples of investments. The first is the facility for the Broome Regional Volunteer Bush Fire Brigade, which I opened, which cost, I think, \$1.6 million. The bulk of that money came from the emergency services levy and about \$30 000 came from the Shire of Broome. It is an unbelievable facility. It is a large, very modern and high-tech facility for the bushfire brigade in Broome. Another is the Collieburn–Cardiff BFB facility, which is fabulous. The third example is in Worsley. As the member knows, there is not too much in Worsley but there is a brand new BFB facility. The Shire of Collie's contribution to both those facilities was to the tune of \$20 000, or maybe a bit more. The rest of it was paid directly from the ESL.

Mr S.K. L'ESTRANGE: What was the rest?

Mr F.M. LOGAN: It was all paid from ESL.

Mr S.K. L'ESTRANGE: How much?

Mr F.M. LOGAN: They were about \$500 000 each. They are fantastic facilities. They look like career fire stations.

Mr S.K. L'ESTRANGE: That is a fair bit to take in, minister. I will bring it back to the minister's answer, particularly around facilities upgrades to toilet facilities and change room facilities, particularly for women. I visited the Collie shed opening with the minister recently.

[8.50 pm]

Mr F.M. LOGAN: Yes, the member did. That is right.

Mr S.K. L'ESTRANGE: I understand what the facilities can look like. The minister has just indicated that those facilities cost around \$500 000 to create. He also indicated in his earlier answer that the department has about \$30 million in another pool of funds that helps it allocate money to these facility upgrades. With a simple bit of maths, that means we could have 60 upgrades a year.

Mr D. Klemm: That is for trucks as well.

Mr F.M. LOGAN: Yes, that is right.

Mr S.K. L'ESTRANGE: That includes vehicles as well. Is the shed itself around the \$250 000 to \$300 000 mark?

Mr F.M. LOGAN: Yes. That is the money that is allocated for trucks, assets, asset upgrades and other operational equipment.

Mr S.K. L'ESTRANGE: That is understood. The question is: for the State Emergency Service, volunteer fire and emergency services, volunteer marine rescue services or any volunteer organisations throughout Western Australia, how many require facility upgrades to the minimum standard of a women's toilet and women's change room facility?

Mr F.M. LOGAN: I might pass to the commissioner for that. There are an awful lot of them.

Mr D. Klemm: I do not have those exact details in front of me. I know that we are at the tail end of an audit of all those facilities. Bear in mind that some of those facilities are owned by the Department of Fire and Emergency Services and others are owned by local governments. In the bush fire brigade space that is certainly the case. For the State Emergency Service, there is some variance in that as well between local government and DFES. Sometimes it is just something that has been built over time with money that has been raised and it is 30 or 40 years old. As the minister mentioned, there is a significant piece of work ahead of us to deal with the gender issue and make sure that we have change room and ablution facilities for both males and females in all those facilities.

Mr F.M. LOGAN: Some of it is not just facilities. For some, there has never been a bush fire brigade facility. For example, two weeks ago, we opened five new BFB facilities over the weekend. Two were on either side of Toodyay and three were in Esperance. Coomalbidgup is on the west side of Esperance and had been pushing for a facility for 40 years. There is just a crossroad there. It now has a very large facility with a great meeting room, which can also be used by the community, as well as being a BFB facility. That includes all the ablutions et cetera. On the other side, an hour east of Esperance, is Howick. Again, there is no town there. The firefighting vehicles were kept in farmers' sheds. It now has its own BFB facility. It is not just the fact that bush fire brigades exist. Some of them do not have anything.

Mr S.K. L'ESTRANGE: I absolutely understand that. I think that is why I am asking the question. I originally said that the appropriations had fallen significantly. The minister said that was because of capital works programs coming to a conclusion. Hence, I asked my question. A thorough audit of what is required in these regional areas may expose

the need for a capital budget in order to at least have a minimum standard of facility to house equipment and enable change room and toilet facilities. The commissioner said that an audit was underway. Does the minister have any idea when that audit will be complete so we can have a better understanding of what budget requirements will exist next year and into the forward estimates to build those facilities?

Mr D. Klemm: We are anticipating getting results that we can act on within 12 months. If I can, can I also explain that the \$30 million that the minister referred to is made up of both capital and operating grants that are made to local governments. They are operating grants for the day-to-day management of bush fire brigades and the State Emergency Service. There are also capital grants that could come in the form of a new firefighting truck for a bush fire brigade, a general rescue utility or some sort of vehicle for the State Emergency Service. It is also for the construction of buildings. As the minister mentioned, they are sometimes a brand-new facility, as we saw at Worsley—the member was there—and the building at Morangup near Toodyay was an upgrade of that facility. Both those facilities, essentially, cost the same amount of money. One was brand-new—greenfields, if you like—and the other one was bringing something up to spec.

Separate to that \$30 million is an ongoing fund of \$2 million that we have in place at DFES through the emergency services levy for the upgrade and replacement of volunteer fire and rescue service brigade buildings and volunteer fire and emergency service buildings. That covers off all the firefighting services plus the SES. There is also a grant program in place for volunteer marine rescue services should they need a building or new boats or the like. While the member is referring to the papers, there is an ongoing capital replacement program for facilities, firefighting equipment, trucks, appliances and boats.

Mr F.M. LOGAN: The member for Churchlands will remember that those two grants, one of which is for marine rescue, never existed until I pushed for it. The member will remember that there was a lot of argument about whether marine rescue should be covered by the ESL. Some people thought that it should not be. We now have it completely covered by the ESL. We have a \$20 million allocation over four years, which, as the member will see in the budget papers, continues to run at a high amount in the forward years, at \$7 million a year. That has resulted in a significant number of new boats, and upgrades and new buildings for marine rescue around Western Australia. The \$2 million allocation of money was also one I pushed for. I pushed for more than that, as a minister would, but I got \$2 million allocated to us for the VFERS and the VFES. That is an ongoing investment that will be made.

Mr S.K. L'ESTRANGE: We have already acknowledged that there are differences from one facility to another throughout Western Australia. One that is closer to home is the Stirling State Emergency Service facility. I know that it has been lobbying the minister and that members on his side of the chamber have been lobbying him pretty heavily. As the minister knows, that shed facility is 900 metres away from the ops room. In winter, that is a significant way to go to get to vehicles and equipment. The capacity to reverse vehicles into and out of that shed in the space that is there is quite limited. I would argue that although it is getting away with it, it is not ideally fit for purpose. When the storms come through Perth, it services a huge part of metropolitan Perth. I do not see anything in the budget to address those issues in Stirling.

Mr F.M. LOGAN: When the Stirling SES replacement issue first kicked off, Commissioner Klemm had a full head of hair! In fact, he had long hair at the time! This is what has come about as a result of discussions about this building. I have been trying to push it along. When I picked up the portfolio, the SES got me out there straightaway and it has been going on ever since. The money will be allocated to the new building. This is not an issue about money. I think the money was allocated in 2012. I think there was an agreement in 2012 for that money to be allocated. The problem is identifying where the building should go. First of all, the SES wanted a new building on an empty block. As the member knows, there are not too many empty blocks in that area. We tried to get land from the Water Corporation and Western Power that was quite close to the existing facility. We had pushback from both of those. They pushed back and said no. This continued on to the point at which I said, “Look, for crying out loud, there are so many warehouses in that area. Why can’t we just buy a warehouse and remodel it so it fits your purpose?” They thought that was a great idea, so the City of Stirling went out looking for facilities. It identified, I think, three facilities, and it came down to one particular warehouse that it agreed on with the State Emergency Service. The City of Stirling then did a building evaluation of that particular warehouse and said, “No, we can’t buy that. That’s not appropriate.” That was as a result of its building evaluation. I will be quite honest with the member: it has become quite acrimonious again between the SES and the City of Stirling. They know that we are trying to help. I got an email just yesterday from Jenny at the SES, who thanked me for at least trying to help them resolve this problem, but we are still in a very difficult situation. Commissioner?

[9.00 pm]

Mr D. Klemm: Further to that, I was told just before I came in here that there was a meeting yesterday between the City of Stirling, Department of Fire and Emergency Services officers, and Stirling SES—Jenny and the unit leader, whose name escapes me at the moment. Essentially, we are waiting for the City of Stirling to request funding through the capital grants process. That will start again on 1 July next year, so, as the minister mentioned, the money is there; it is just about finding a suitable facility and the City of Stirling and the State Emergency Service need to agree on what that is.

Mrs A.K. HAYDEN: I just want to confirm: we started off on the capital appropriations and moved across to the COVID volunteer facility upgrades?

Mr F.M. LOGAN: Yes.

Mrs A.K. HAYDEN: Just on the volunteer facility upgrades, is the minister able to provide, even if it is by supplementary information, a list of the locations for the \$8 million —

Mr F.M. LOGAN: I actually read them into *Hansard* when I did the bush fire brigades.

Mrs A.K. HAYDEN: All of them?

Mr F.M. LOGAN: The locations, yes. I read them into *Hansard*, but, for the member's edification, I know what she is looking for: she is looking for one that may well be in her electorate.

Mrs A.K. HAYDEN: I am hoping there is more than one, minister.

Mr F.M. LOGAN: No. Unfortunately, I am going to have to disappoint the member. There are a number in the member for Warren–Blackwood's electorate and there are also a number in the Leader of the Opposition's electorate. I will run through them. They are Augusta, Boyup Brook, Brookton, Wagin, Kellerberrin, Tammin, Exmouth, Eucla, Dongara, Karratha, South Hedland, Yanchep and Waroona. Waroona?

Mrs A.K. HAYDEN: No.

Mr F.M. LOGAN: No. They are also in Torbay, Baandee —

Mr D.T. REDMAN: Baandee. I used to play footy for them!

Mr F.M. LOGAN: Was the member any good? I continue: Mt Caroline, Kellerberrin North, Nungarin, Julimar, Allanson, Dardanup Central, Harris River, Hester Brook, Wellington Mills and Albany.

Mrs A.K. HAYDEN: I note my extreme disappointment for Darling Range, also noting that it is a high bushfire zone right around metropolitan Perth, with a number of volunteer fire brigades that desperately need some funding. Is any funding allocated in the minister's capital appropriations to any of our volunteer bush fire stations?

Mr F.M. LOGAN: I might flick this to either Mr Waters or the commissioner. The shires we are talking about that would have put up their hand for those upgrades would be —

Mrs A.K. HAYDEN: The Shire of Serpentine–Jarrahdale, the City of Armadale, the Shire of Mundaring, and the City of Kalamunda.

Mr D. Klemm: In addition to the \$8 million that the member referred to, a sum of \$7 million is allocated over the next two years for capital grants to local governments. I think the minister read out some of those locations for part of that money, but what has not been recorded yet is \$2 million over two years, which makes up part of that \$7 million, for water tanks for bush fire brigades. Following the returns from all the local governments, we went out to them to ask, "Which bush fire brigade sheds need water tanks?" I do not believe we have that list yet; I certainly do not have it in my notes at this point. They may well include some of the bush fire brigades in the member's electorate.

Mrs A.K. HAYDEN: I note there was no funding for the new Bedforddale fire brigade station. Is there any money in this budget for that?

Mr F.M. LOGAN: I am pretty sure there is; I think Bedforddale has been allocated funds. It has been ongoing for a while. I remember that the issue with Bedforddale was about location, and they have resolved that now.

Mrs A.K. HAYDEN: I am not sure if the minister is aware—I was not invited, and I gather the minister was not, either—but the City of Armadale did the sod-turning for that station two weeks ago and said that it was disappointed that it had had to fill the gap because it did not receive any funding to complete the building. The City of Armadale is claiming that it had to fund it, due to lack of funds coming through.

Mr F.M. LOGAN: There are two things. One is that the City of Armadale can invite anyone it likes; it can invite the member or it can invite me.

Mr D.T. REDMAN: It is the other ones who have to get permission!

Mr F.M. LOGAN: That is right; it is not all beer and skittles. Even we do not get invited, sometimes!

Two things on that. One is that ultimately those BFB facilities belong to local governments; they do not belong to the state government. They can build them wherever they want. They can go off and build a new facility at any stage; it is their facility. Even if we were to contribute to it, we would be giving them —

Mrs A.K. HAYDEN: It applied for funding and it was rejected.

Mr F.M. LOGAN: Yes, it is done by a committee, also made up of volunteers and representatives from the Western Australian Local Government Association and the Department of Fire and Emergency Services, and they allocate the funding based on their resource-to-risk formula. Armadale will probably be in there, but where it is on

the list, I really do not know. If it wants to move on and build its own facility, hey, it is its facility; it can do that. We are not stopping it. But in terms of allocating the money, clearly the committee did not agree with a request from the City of Armadale. That is probably the reason why they did not invite us!

Mr D.T. REDMAN: I refer to page 467 of budget paper No 2 and the line item “Emergency Services Levy” in the table headed “Income Statements”. I have a number of questions on this, but I will just get some clarity on the first bit. The 2020–21 budget estimate figure of \$372 million as income from the emergency services levy is quite a bit down from the previous year. I can only imagine that some concessions have been given in respect of the payment of that levy for the COVID-related stuff. Can the minister just clarify the reason that is down on the previous year’s actual, and what the trend line is for the next year in the forward estimates?

[9.10 pm]

Mr F.M. LOGAN: I will point the member to a number of things. First of all, as the member knows, the emergency services levy for the forthcoming financial year has been held at zero. Therefore, that is the drop in the income we would normally receive —

Mr D.T. REDMAN: Is that in terms of the growth?

Mr F.M. LOGAN: It is not in growth; there is no growth in the relationship to the gross rental value rating either. Simply, none of us will have an increase in the ESL. In fact, the member has already had it; it should have been on his rates notice. If he goes back to his rates notice, he will see there has been no increase in ESL, regardless of what category he is in. The difference between that and what would be approximately the right amount of money—around \$407 million—has been made up by an allocation from consolidated revenue of approximately \$40 million so that the department is not —

Mr D.T. REDMAN: Can I clarify whether the levy is still there?

Mr F.M. LOGAN: Yes.

Mr D.T. REDMAN: What is the minister saying is zero?

Mr F.M. LOGAN: There is no levy collected this financial year.

Mr D.T. REDMAN: Is no levy being collected at all in the 2020–21 financial year?

Mr F.M. LOGAN: Yes.

Mr D.T. REDMAN: Is that number not what would normally be collected? What is the figure for the emergency services levy income?

Mr F.M. LOGAN: Does the commissioner want to talk about that?

Mr D. Klemm: There has been a zero per cent increase in the ESL —

Mr D.T. REDMAN: But not zero levy.

Mr D. Klemm: Correct.

Mr D.T. REDMAN: The minister just said no levy was being collected, which is why I am confused.

Mr F.M. LOGAN: No. Obviously the levy is being collected but there is no increase in the levy being collected.

Mr S.K. L’ESTRANGE: At least it is clear now!

Mr F.M. LOGAN: It is not that no levy is being collected! Has the member not read his rates notice yet?

Mr D.T. REDMAN: I asked that twice, minister.

Mr F.M. LOGAN: Yes, sorry. I can see who pays the bills in the member’s house and it is not him. He should have read the rates notice already; it is all on there. He should have paid it; I hope he has paid it! Does he pay level 3?

Mr D.T. REDMAN: I would love to hear from the commissioner.

Mr D. Klemm: The decision by government to keep the ESL rate rise at zero per cent meant that once the revaluation of the metropolitan area from a gross rental value was done, which occurs on a rolling three-year cycle as I understand it, there was a reduction in GRV of circa 10 per cent. That meant, effectively, the ESL was reduced, which led to that figure.

Mr S.K. L’ESTRANGE: Is that the \$33.669 million?

Mr D. Klemm: Correct.

Mr D.T. REDMAN: I thank the minister for clarifying that. That makes sense. As I suspected, concessions were given, which is why there are holes. On the theme of the emergency services levy, a commitment was given to put in place an independent ESL referral and grants advisory committee. Could the minister give me an update on the status of that committee?

Mr F.M. LOGAN: Cabinet has endorsed the committee and the nominees have been appointed. The first meeting will be immediately after this budget has been endorsed by this house.

Mr D.T. REDMAN: What is the cost of the committee? Has a budget been allocated to it in preparation?

Mr F.M. LOGAN: I do not think a budget is allocated to the committee. The Department of Finance has a recommended sitting fee—it is whatever the sitting fee endorsed by the department is.

Mr D.T. REDMAN: Will there be published reporting of the committee's activities?

Mr F.M. LOGAN: Yes, I think there will be.

Mr D.T. REDMAN: Does the minister want to check with the commissioner? He is looking at him.

Mr F.M. LOGAN: No, there will be. The commissioner is not sitting on the committee; that is the whole point. It is an independent oversight of ESL and its expenditure by people other than those in the Department of Fire and Emergency Services. There are people from the Department of Finance on the committee for example, and a representative from the Western Australian Local Government Association. It will be chaired by Dr Ron Edwards, and there is also an independent person. A report would be produced. The report may well be published, but I have not put that to Dr Edwards. It is not one of the things that will be tabled in Parliament, but it could be.

Mr D.T. REDMAN: In the spirit of having an independent group look at the emergency services levy and its expenditure, is the minister able to provide a breakdown of where the \$372 537 000 emergency services levy is being spent in the 2020–21 budget?

Mr F.M. LOGAN: The emergency services levy is contained right across this budget paper in various components.

Mr D.T. REDMAN: There are a heap of elements to this, including other grants and other sources of revenue.

Mr F.M. LOGAN: Of course there is.

Mr D.T. REDMAN: I am interested in the spend of the emergency services levy.

Mr F.M. LOGAN: The member knows exactly where the emergency services levy comes from—the levy itself.

Mr D.T. REDMAN: Yes, I know where it comes from. I am asking where it will be spent.

Mr F.M. LOGAN: We are dealing with its expenditure in this budget paper.

Mr D.T. REDMAN: Is the minister not able to give me a breakdown of where it is being spent?

Mr F.M. LOGAN: That is the whole point; it is our income.

Mr D.T. REDMAN: What proportion of agencies' revenue does the emergency services levy make up?

Mr F.M. LOGAN: The member can see that the total income is \$398 million and it makes up \$372 million in the current financial year.

Mr D.T. REDMAN: Is that it? The minister is talking about \$372 million out of \$398 million. One component of that, on page 472, is the line item for the mitigation activity fund ESL grants program, which is budgeted in 2020–21 at \$9.16 million. The minister is saying that out of the total ESL fund of \$372 million, a total of \$9.1 million will go towards mitigation activity. Is that the only amount of money being spent on mitigation activity out of the ESL?

Mr F.M. LOGAN: No.

Mr D.T. REDMAN: Can the minister please enlighten me about the other amounts?

Mr F.M. LOGAN: Sure. Can I take members to page 468 and details of controlled grants and subsidies? Under the rural fire division, members can see the "Bushfire Mitigation Activity Fund—ESL".

Mr D.T. REDMAN: That is what I was just talking about.

Mr F.M. LOGAN: Yes, that is right. For this financial year, there is \$9.1 million. In the forthcoming financial year, the "Bushfire Mitigation Activity Fund—RfR" is allocated \$1.271 million.

Mr D.T. REDMAN: That is not from ESL.

Mr F.M. LOGAN: No, it is allocated from royalties for regions. We discussed this last year, or the year before, if the member remembers. There is also an allocation for bushfire risk management planning. If the member looks at the funding that will be spent in the out years after the \$9.1 million, it is a significant amount of money. It is not only \$9.1 million. Remember that no money was being spent on bushfire mitigation before, so it is a significant increase.

Mr D.T. REDMAN: I ask the minister again: can he therefore confirm—it seems that he has done in a very long-winded way—that \$9.16 million is the only allocation from the ESL fund going towards bushfire mitigation activity?

Mr F.M. LOGAN: Does the member mean from the ESL for this financial year?

Mr D.T. REDMAN: Yes.

Mr F.M. LOGAN: That is correct. Does the member have a problem with that?

Mr D.T. REDMAN: It is one heck of a lot of money. For people out on the ground, there is a concern about getting resourced to the ground, and I guess that is the sort of thing that makes them concerned.

Mr F.M. LOGAN: Remember it is significantly under the rural fire division. It has been pointed out to me by Mr Waters that of the \$9.16 million coming out of the ESL, \$1.38 million is for the bushfire risk planning coordinator support program, which is under bushfire risk management on page 472. There is also the bushfire awareness campaign, and the member knows how important that is every year on the TV, radio and in newspapers; \$1 million is allocated to that. There is \$1.839 million for the bushfire risk management branch. There is also the unallocated crown land ESL contribution of \$4.5 million. Would that be including mitigation on that? I think it is.

Mr D. Klemm: Yes.

[9.20 pm]

Mr F.M. LOGAN: Yes, it is. On that basis, I stand corrected. There are two pots of money—three, if we count royalties for regions. There are two pots of money: the mitigation activity fund emergency services levy grants program, which has \$9.16 million, and then the unallocated crown land ESL funded mitigation money of \$4.5 million, which is a total of \$13.6 million. That includes grants and the UCL allocation.

Mr D.T. REDMAN: Out of the \$372.537 million ESL, is \$13.5 million spent on bushfire mitigation activity, both in local government and at the department level?

Mr F.M. LOGAN: Yes, which is an enormous amount of money. If the member for Warren–Blackwood does not believe me, he should ask New South Wales what it spent before those bushfires.

Mr S.K. L'ESTRANGE: Further to the question—this was going to be my next line of questioning anyway.

The CHAIR: Great; we have two for the price of one!

Mr S.K. L'ESTRANGE: I could go further to this right now, because I think it is important. The member for Warren–Blackwood is onto something here. We have \$372.537 million allocated to the emergency services levy, which is coming in, but I only heard the minister talk about up to \$20 million being spent. The question then is: what is the rest being spent on? I suppose more specifically, how much is being spent on equipment and training facilities for the volunteer outfits, the volunteer bush fire brigades, the State Emergency Service and the rural service—all these groups that may well need upgrades to equipment? I cannot speak for everybody out in the community, but when they sign off on the ESL and think that that money is going towards a good cause, I think possibly they would like to know the breakdown of ESL spending. Is there any way the minister could provide us with a breakdown of ESL spending?

Mr F.M. LOGAN: I can. Again, did the member pay his rates this year?

Mr S.K. L'ESTRANGE: We sure did.

Mr F.M. LOGAN: Did he open up the envelope and pay it?

Mr S.K. L'ESTRANGE: I did not open up the envelope, no.

Mr F.M. LOGAN: Who did? The member's wife?

Mr S.K. L'ESTRANGE: It would have been the other half.

Mr F.M. LOGAN: It is obviously the same with the member for Warren–Blackwood. Had they opened it up —

Mrs A.K. HAYDEN: I am a wife and I did not open mine; my husband did.

Mr F.M. LOGAN: There is a lot I could say here, member. Had the member opened it up, he would have seen an additional document in there that goes to that very point, for the very reason that he raised it: because people ask, "What is my ESL being spent on?" If we go back a few years, some of the councils did not want to collect it. Some get upset at what they believe is the proportion they get of ESL, plus the fact that because they collect it, they do not want to have the finger pointed at them by ratepayers who say, "You're making me pay this." The council put a document in its rates notices a few years ago that basically said, "Remember that ESL has nothing to do with us. You have to talk to the state government about that." To counter that and also to counter the arguments about where that money goes, over the last two years a document has been sent with the rates that breaks down where that money goes—it identifies each and every area that it goes to. It is there. We tell every single person in Western Australia about that.

If the member goes to the page that we are dealing with, under "Income Statement (Controlled)", the total income for this year, because of the 10 per cent reduction in the gross rental value rating, is \$398.471 million, but if the member looks at the total cost of services above it, which is where it is spent, he will see that it is \$472.293 million. The rest is made up, as I said before, with the \$40 million allocation from the consolidated fund, which is set against the fact that there is no increase in ESL. We can see where the majority of the expenses go—to employee benefits and grants and subsidies. Supplies and services is all about the vehicles and everything else that goes with it. As I indicated to the member, there has always been an allocation of \$30 million for local government. It was allocated under the previous government as it is under ours; it has not changed. That is allocated to local governments for the purposes of requesting what they want in their shires. If somebody wants to change that, they can.

Mr S.K. L'ESTRANGE: I think one of the requests for transparency on this is not so much to know generally where this is being spent, but to have more of an actual breakdown. It came to my attention—I do not know how true this is—that up to \$200 000 was spent on artwork for a new career firefighting facility. If ESL funding was used for that purpose, some might argue that that money would be better spent on equipment for volunteer bush fire brigades and the artwork cost for that new facility should come out of the department's budget.

Mr F.M. LOGAN: That is included in here. That artwork money has been included from the consolidated fund allocation in here, not ESL. I know where that criticism came from. When the previous government built fire stations, it did exactly the same thing with the artwork money. It has been a joint approach by both sides of the house for many years that artwork makes a tiny percentage of government-owned capital investments—I think it is 0.9 per cent of the construction cost. That has been the same going back to —

Mr S.K. L'ESTRANGE: I am not arguing for or against the artwork. I am just saying, in terms of the ESL, it would be beneficial to actually have a breakdown of where the money is going.

Mr F.M. LOGAN: But we have addressed the example that the member gave. Because of that criticism, we will get it from CF, and we have. It is contained in the budget. But, I must admit, as an individual taxpayer in Western Australia, I got a bit cheesed off with that. I mean, it is \$200 000 across Western Australia. The member for Churchlands knows that one of those trucks costs \$500 000.

Mr D.T. REDMAN: That was a story that rose and fell. The point is still alive. I have not seen what was in the mail that we were supposed to have received, nor have the members for Churchlands or Darling Range. How detailed is it?

Mr F.M. LOGAN: We know why.

The CHAIR: Are we still on the same further question by the member for Churchlands? Are we going to the member for Warren–Blackwood's further question now?

Mr D.T. REDMAN: Yes.

The CHAIR: Okay. Good, just keeping up.

Mr D.T. REDMAN: How detailed is that, and would the minister provide it to us?

Mr F.M. LOGAN: There are two ways in which members can find it. Firstly, it comes with their rates notice. I have done that deliberately so that ratepayers in Western Australia know where their ESL is going. It is all broken down quite a lot. The other area to identify where the money is going is in the annual report. Remember, this issue comes out of the Economic Regulation Authority review of the ESL. It made these recommendations that there should be greater transparency in the way in which we can identify where the ESL goes. We have done that in two ways. One is to make the annual report far more transparent regarding where the money is collected and where it is spent. By the way, at the back of the annual report, we can see how much each shire has contributed to the ESL and how much they got back. That is in the annual report. Then there is the document that goes out to every single ratepayer in Western Australia. I will give the member some examples of where this money goes. This is provided to us about ESL and bush fire brigades.

[9.30 pm]

Mrs A.K. HAYDEN: All we are asking the minister to provide are details of the ESL. If it is publicly available, why can he not provide that as supplementary information?

Mr F.M. LOGAN: Because it is in the annual report, and it is located in this house.

Mrs A.K. HAYDEN: Why can the minister not provide it?

Mr F.M. LOGAN: The member should go and look for it. I am not doing the member's work for her. She should go to the bills and papers office and get out the annual report. What does she want me to do—write it out for her?

The CHAIR: Are you still answering the question, minister?

Mr F.M. LOGAN: These initiatives are all in the bush fire brigade areas. Member for Warren–Blackwood, there is one thing that is not taken into account in expenditure of the ESL in regional WA that should be taken into account. For example, this year alone we are spending \$4.5 million on a line scanner—a twin engine aircraft that does laser plotting of where fires are and how fast they are moving. We can get it all on a geographic information system for every single volunteer who is out there or any person involved in a fire. That line scanner is not used in metropolitan Perth; it is used only in regional WA.

Mr D.T. REDMAN: I have not raised any questions about that, minister.

Mr F.M. LOGAN: I am just saying that some of the things that people complain about in relation to the use of the emergency services levy in regional WA are over and above the local government grants scheme funding. A truckload more of the ESL is spent on other things to keep people in regional WA safe.

Mrs A.K. HAYDEN: I have a further question on the ESL but on a different angle. Has the minister or the department had any discussions with the Shire of Serpentine–Jarrahdale about changing its zoning?

Mr F.M. LOGAN: The zoning is not changed by the Department of Fire and Emergency Services. I understand that it is done by the Department of Planning, Lands and Heritage. Does the member mean gross rental value zoning, or for the purposes of determining which category of funding?

Mrs A.K. HAYDEN: I am talking about the ESL zoning—what the shire will be charging its ratepayers.

Mr F.M. LOGAN: At the moment, the Shire of Serpentine–Jarrahdale is doing that. I do not know. What does the member pay?

Mrs A.K. HAYDEN: As I said, my husband opens that bill! I am just keeping it fair.

Mr F.M. LOGAN: You lot should look at your own bills please, and then come here and ask the questions!

The CHAIR: I think the member is happy with all of that.

Mr F.M. LOGAN: No, she is not. I will ask the commissioner to respond.

Mr D. Klemm: There is a process that exists each year when we review certain ESL boundaries. I cannot confirm whether that has happened in Serpentine–Jarrahdale in the last two years. I have not had any discussions with the Serpentine–Jarrahdale local government about changing ESL boundaries in any locations.

Mrs A.K. HAYDEN: I appreciate that.

Ms C.M. ROWE: I am extremely proud of the Belmont career fire and rescue station. It provides an incredibly important service in my electorate. I refer to the line item “Western Australia Emergency Management Training Centre Business Case” under “Spending Changes” on page 457. I would be really interested to get a brief explanation, given the time, of what this investment is and what that will mean for emergency services going forward.

Mr F.M. LOGAN: It is not surprising that the member asked that question. Basically, the whole existence of the Department of Fire and Emergency Services comes out of the academy because that is where everyone is trained. I believe the facility was built around 1983 or 1984 and has been added to and added to over the years. It is certainly beyond its use-by date and needs to be replaced. We have been allocated just over \$2 million to begin the process of identifying a location and doing consultation and design work as to what the new academy should look like, whether it will continue to be in Belmont in the member’s electorate or not. It does need to be replaced. The commissioner and I went to a number of training academies around Australia, and also Singapore, all of which have invested heavily in their training academies and have new training academies, particularly Victoria and New South Wales. Singapore is probably the standout amongst all of them. We need to do that in WA. We cannot train firefighters and volunteers in the most modern techniques in firefighting unless we have the right training facilities to do so. That \$2.1 million has been allocated to begin the process of its replacement, which is great. It is overdue and I am very pleased that as the minister, even though I am an outgoing minister, I have begun the process of replacing that academy.

Ms C.M. ROWE: And I hope to see it in Belmont.

Mr F.M. LOGAN: I am not too sure! I will ask the commissioner to add to that. He used to head up the academy.

Mr D. Klemm: The academy was originally on Great Eastern Highway in Belmont, just up from the Belair Motel, if that is still there. I am not sure whether that is still there but it was right on that corner. It is now out at Forrestfield. The minister is quite correct; it was built in the mid-80s and has been in need of an upgrade for a period of time. There are more environmentally sound ways of replicating our training requirements, particularly in a practical space, so we are looking to replicate fire using gas, which was not the way it was done in the past. We only use gas out there now. The new academies in Victoria and New South Wales are the two most recent ones in Australia, and certainly in Singapore there is some fantastic technology to replicate that training environment to mirror the experience that firefighters would get in a structural fire, road crash rescue, Hazmat and the like.

Also, it is obviously important that both volunteers and firefighters are trained for those hazards, and also the State Emergency Service with the work it does, working on roofs in storms and the like. It is really important that we provide the most realistic training environment that we can for those people, whether they are paid or not.

Mr D.T. REDMAN: I refer the minister to page 458. This is probably very similar to the last question. The fifth paragraph under “WA Emergency Management Training” refers to training delivery for both career and volunteer personnel. I note one of the mandatory components of the volunteer training is to complete the online course on the code of conduct. I asked a question on notice recently of the minister about the take-up of that. For the benefit of *Hansard*, the code of conduct was when the minister put a gag order on volunteers from talking to members of Parliament. There was not necessarily public pushback but there was certainly internal pushback. I note that fewer than 20 per cent of those who were required to complete that mandatory code of conduct completed it by the due date. Could the minister enlighten the house on his strategy to respond to the fact that there has been a massive shortfall in the number of volunteers who have completed what the minister has described as the mandatory code of conduct training?

Mr F.M. LOGAN: I think this is the sixth question that the member has asked on this issue.

Mr D.T. REDMAN: It is progressing, would you not say?

Mr F.M. LOGAN: The member has asked three questions on notice and five questions without notice, and now he has asked a question during estimates as well. I have the 2017 code of conduct and the 2020 code of conduct in front of me. The member would probably be very surprised that they are identical.

[9.40 pm]

Mr D.T. REDMAN: No, they are not, minister.

Mr F.M. LOGAN: They are identical except for one issue.

Mr D.T. REDMAN: One of them does not have a gag order.

Mr F.M. LOGAN: No, it is not a gag order. I will read it out. The member knows why we have codes of conduct. They are a requirement under the Public Sector Management Act. Every agency in Western Australia has to do the same thing; it is no different. The code of conduct does not apply to bush fire brigades. They are covered by local government codes of conduct, which have exactly the same requirements on developing codes of conduct. However, the differences between the 2017 code of conduct and the 2019 code of conduct are twofold. The first is the issue in the code of conduct that the member has been raising, which states —

- not contact or communicate with any Federal or State Members of Parliament regarding Departmental business;

Mr D.T. REDMAN: Yes, “must not”.

Mr F.M. LOGAN: No, it states —

- not contact or communicate with any Federal or State Members of Parliament regarding Departmental business; or invite or allow them onto any DFES premises unless authorised

There are two components to that.

Mr D.T. REDMAN: It is a gag order.

Mr F.M. LOGAN: It is not a gag order.

Mr D.T. REDMAN: It is saying that they cannot talk to members of Parliament.

Mr F.M. LOGAN: It is not a gag order. It is no different from me walking into the member’s bottle shop and asking his staff about how much the member’s business makes and whether he pays tax or takes cash in hand or any other issue. I cannot do that and the member would be going off his face if I did because it is his business. In this case it is the commissioner’s business and he needs to know. Because he is held accountable for the control of communication and information, he needs to know who the hell is passing it on. I think it is outrageous for the member to say that it is a gag order. It is no different from proper business practice that prevents me from going into the member’s bottle shop and asking him about his business practices. It is not on, it is not done and the same applies to the Department of Fire and Emergency Services. If the matter relates to anything other than departmental business, of course people can talk to volunteers—of course they can—but when it comes to departmental business, no. It is the same across all agencies.

In reference to the second component, which is about inviting federal or state members of Parliament onto DFES premises, there is a lot of heavy moving equipment on those sites. If any member of Parliament were to get injured, the person in the firing line, as we have seen recently with the passing of the Work Health and Safety Bill in the upper house, is the Fire and Emergency Services Commissioner. He would be in the firing line if he did not know the member was there and the member was run over. That is not on. It is like any workplace. Members cannot just wander in there. They have to seek permission and get authorisation. The member knows that when we he rings me up and says that he wants to go to a facility, I always say yes. I never say no.

Mr D.T. REDMAN: I have always said that a code of conduct is needed, and I am not stepping away from that. I would have thought that the professional and ethical behaviour covered in codes of conduct would cover all the things the minister talked about, such as speaking out of turn. Therefore, I ask the minister why this is the only code of conduct that takes a very prescriptive approach to saying that volunteers are not allowed to talk to members of Parliament about departmental business, when that requirement does not exist in the Department of Education’s code of conduct or the Department of Health’s code of conduct. This is the only code of conduct in which it occurs. Those other agencies would have massive risks with departmental information that, quite rightly, should be confidential.

Mr F.M. LOGAN: Is the member suggesting that someone who is employed in the public service in the Department of Education can pass on that type of information to the member?

Mr D.T. REDMAN: No.

Mr F.M. LOGAN: What is the member suggesting?

Mr D.T. REDMAN: I am making the point that the code of conduct covers off on that.

Mr F.M. LOGAN: Is the member suggesting that people can do that?

Mr D.T. REDMAN: No.

Mr F.M. LOGAN: Why can they not do that? Why would that be inappropriate?

Mr D.T. REDMAN: Because the code of conduct describes what they cannot do.

Mr F.M. LOGAN: That is correct. That is no different. The member dealt with the HSE act in the house, so he knows that volunteers, not the bush fire brigade members, particularly those volunteers who come directly under the authority and discipline of the commissioner under the HSE act, have now been determined as being the same as employees. We passed that legislation just recently. Therefore, à la the code of conduct, the commissioner is responsible.

Mr D.T. REDMAN: Along the same line of questioning, I refer to the details of controlled grants on page 468. Surf Life Saving Western Australia receives funding from DFES. Not far below it on the table is Volunteer Marine Rescue Western Australia, which has to mandatorily comply with the code of conduct. Can the minister let me know whether Surf Life Saving volunteers have to comply with the code of conduct?

Mr F.M. LOGAN: No, they do not, because the money for Surf Life Saving Western Australia is allocated only through the Department of Fire and Emergency Services; it is not under the authority or responsibility of the commissioner.

Mr D.T. REDMAN: Can the minister, or maybe the commissioner, give me the basis for and authority under which this measure applies? I understand the need to have a code of conduct for ethical and professional behaviour, and that is absolutely appropriate, but what authority provides for the code to include “must not speak to a member of Parliament about departmental business”? That includes things such as emergency services levy funding. The minister gave me that response in answer to another question. The ESL and where that money is spent relates to taxpayers’ funds. The minister is saying that a volunteer cannot talk to me about that in my electorate. That is banned under this code of conduct. They cannot talk to me about department funding or facilities.

Mr F.M. LOGAN: No.

Mr D.T. REDMAN: They were the responses the minister gave me in answers to questions on notice.

Mr F.M. LOGAN: I would not go so far as that.

Mr D.T. REDMAN: I specifically listed ESL, department funding and facilities. The minister said that a volunteer cannot talk to a member of Parliament about those issues because they are considered departmental business.

Mr F.M. LOGAN: If it is considered departmental business, the answer is —

Mr D.T. REDMAN: I asked whether ESL funding is departmental business and the answer was yes. I asked whether facility upgrades were departmental business and the answer was yes. I asked whether it was departmental business if the funding was for an agency or organisation and the answer was also yes. They are all considered issues that volunteers are not allowed to talk to their member of Parliament about. I would have thought that members of Parliament would be one of the last ports of call for members of our community when they had issues with governments, agencies, behaviour or anything, yet the prescriptive nature of what is written down here, including the minister’s response to what I put to him about what is and what is not departmental business, says that they cannot talk to members of Parliament. I find that abhorrent.

Mr F.M. LOGAN: For a start, the code of conduct would not change anything because there is a process and a method by which all the things the member listed can be raised internally within a department.

Mr D.T. REDMAN: Of course.

Mr F.M. LOGAN: Hang on. The member had his go.

Mr D.T. REDMAN: But that is not an excuse for what the minister has done.

Mr F.M. LOGAN: There are processes, procedures and rules around all those things that can be dealt with within the department, and those volunteers know how it can be raised. I will pass over to the commissioner to answer why it was put in and why he wanted to ensure that his information and communication is protected. Before I do, let me just put this to the member: the only person in Western Australia who has complained about this is you.

Mr D.T. REDMAN: No, minister.

Mr F.M. LOGAN: Let me also put this to the member: I was at a volunteer conference last week with 800 volunteers in attendance—the biggest volunteer conference ever—and no-one raised it. As the member knows, I have been to more volunteer places than the member can ever even think about. No-one has raised it. The only person who has a problem with it is you.

Mr D. Klemm: As the minister mentioned, the code of conduct is a requirement that I have to have in place. The member has, of course, acknowledged that. A whole range of mechanisms exist that, in large part, are used by volunteer and paid staff within DFES to raise certain matters. In addition, they can access a raft of external agencies—places like WorkSafe, the Corruption and Crime Commission, the Public Sector Commission Ombudsman and the like—should particular matters come up. The code of conduct is about providing a framework for people to operate within.

What I can tell the member about the training so far is that although the number of people who have done it continues to grow, it is understood that volunteers do not always prefer online training; a lot of the time they prefer face-to-face training, which takes a lot longer. We are providing face-to-face training when it has been requested, and it has been requested. Our director of professional standards has been visiting a number of volunteer and career stations, in particular, to provide face-to-face training. What is happening, largely, is that the brigade group and unit leaders are the ones who have completed the training—over 50 per cent of them have. I heard some feedback from them on the weekend about the code of conduct. Their benefit in providing that framework was to ensure their brigade group or unit—the people who were members—could operate within it. I think we all understand that once something is written on paper, there will always be a word in the wrong spot or we have been unable to describe every particular situation that someone will face. There is a self-test at the front of the code of conduct that allows a person to think about the particular behaviour that they have either witnessed or exhibited themselves and determine whether that code of conduct has been met.

[9.50 pm]

Mr D.T. REDMAN: I do not have any issues with that, commissioner. The only bit I have an issue with is “must not talk to a member of Parliament”. All of the other stuff is absolutely right. I absolutely appreciate why the department would want to do it and why it needs to be there. It is professional and ethical behaviour to be able to manage an organisation between career and volunteer personnel.

The CHAIR: Member for Warren–Blackwood, we have only 10 minutes left.

Mr D.T. REDMAN: The minister has not made the case for why a piece that says that they must not talk to a member of Parliament needs to be in there.

Mr S.K. L’ESTRANGE: I think that point has been made.

The CHAIR: Yes, I agree with the member. This issue has been discussed and debated. Clearly, it will not be answered here to everyone’s satisfaction. I would like the member for Churchlands to ask a question.

Mr S.K. L’ESTRANGE: I will allow my reserve question to go to the member for Darling Range after I ask this follow-on question. I have one question for the minister. If a volunteer at a marine rescue group or a volunteer fire brigade group says, “Shadow Minister for Emergency Services, we’d love you to come out and look at our facility”, is the minister saying that I have to get permission?

Mr F.M. LOGAN: Yes. If it is marine rescue, for example, it is directly under the authority of the commissioner.

Mr S.K. L’ESTRANGE: They all are now; the minister just said that.

Mr F.M. LOGAN: No, they are not all under the authority of the commissioner. The BFBs are not, for example; they are under local government. The member would have to ask a local government for permission.

Mr S.K. L’ESTRANGE: The reason I say that is, obviously, if I visit a school, I do not have to get permission from the minister. I can visit a local primary school. They can show me whether their facilities are good, bad or otherwise and I can represent them to the minister, if I see the need. That is the case for the minister in Cockburn; it is the case for all of us.

Mr F.M. LOGAN: Can I just say that the member for Churchlands is in a good position, and a flexible one, under our government. I can tell the member —

Mr S.K. L’ESTRANGE: All governments.

Mr F.M. LOGAN: It was not under the last one! Seriously, member for Churchlands, I had to seek permission to visit my own schools in Cockburn. They would not let me go. I am not joking. The member for Churchlands should have tried to go to a railway station under the Barnett government. They had the cops on me!

Mr S.K. L’ESTRANGE: Anyway, let us move on.

Mr F.M. LOGAN: For example, if the member visited marine rescue and went over the side of a boat, who is responsible? The commissioner is, and he does not know the member is there. That would be all over the front page of the paper. The member knows that and I know that.

Mrs A.K. HAYDEN: I am hoping we can finish on a high note with the minister giving me some great news, especially coming up to Christmas—I would like a new present!

I refer to the total appropriations on page 456. I am going to be cheeky and ask two questions to try to save time. Firstly, can the minister advise whether any money has been allocated out of frontline communications and public safety for black spot areas? I am talking about Bedforddale and Jarrahdale; all those areas are really suffering from black spots. Will any funding be allocated to brigades in Darling Range for black spots in the frontline services? Secondly, are there any funds or has the minister had any discussions to identify the need for a career fire rescue station in Byford? The closest one is in Armadale.

Mr F.M. LOGAN: The first question was about whether money is available for black spot funding. Money has been made available through the federal government for black spot funding and communications. The commissioner and his team have already allocated a portion of that money, one of which came out of the Esperance coronial inquiry. Obviously, that was a high priority. Other areas have been identified as a result of recent bushfires in regional Western Australia, not in the outer suburbs. That is yet to be rolled out in terms of technology upgrades for radio communication and mobile communication black spots in and around the great southern, particularly. If the member wants that information, we can give it to her.

The areas in the member's seat that she was talking about—I know exactly what the member is getting at, which is the same across all of the hills—is an issue that directly relates to Telstra and NBN Co Ltd. The member knows that as well. We have met with Telstra and NBN on numerous occasions to push them to provide better coverage and services in the hills of the Darling scarp, for the very reasons raised by the member for Darling Range. Mal might have better information on that. Some investment in the hills has been made by NBN. I am not 100 per cent sure that it is in Darling Range. There has been some investment made by both Optus and Telstra, but it is still a major problem.

In respect of the second question, it is resource to risk. All stations are being looked at. For example, the coronial inquiry said there should be a fire station in Esperance. That is not going to happen. A number of fire stations, including Byford, Broome, Karnet and Busselton, are being looked at by the Department of Fire and Emergency Services under the resource-to-risk models about what should come next. Commissioner, has anyone got a better idea about the hills?

Mr D. Klemm: I assume that when the member said “black spots”, she was talking about radio and mobile phones; is that correct?

Mrs A.K. HAYDEN: Yes.

Mr D. Klemm: I will deal with radio communications first. In addition to the Esperance repeater referred to at the coronial inquiry, with the assistance of the Department of Biodiversity, Conservation and Attractions, we have recently put an additional repeater in the eastern part of the Lake Grace shire to deal with some communication challenges. We have had a number of fires on the crown land there. I have met with Telstra a number of times over the last 12 months, and will be again in the next two to three months as we head into the bushfire season. I believe we have a meeting coming up with NBN Co. One of the key issues that came through from the majority of local governments was the ability for towers to be repowered after power is lost, so the battery backup. We are doing some exercises with Telstra. It will be part of our state operations centre over the bushfire season. Often it is, I dare say, as simple as connecting a generator to a mobile phone tower to get it back up and running again. Clearly, we need mobile phone communications to do our business when bushfires are burning, as do the public. We are working with Telstra to help it streamline the work that it does to get those towers up and running off generators when power is lost.

Mr F.M. LOGAN: Member for Darling Range, that is to ensure that people are not frightened in the hills as well. The federal government has allocated money for communications to providers as well; for example, Telstra is one of them. What are those mobiles called?

Mr D. Klemm: The COW.

Mr F.M. LOGAN: Yes, it is called the mobile COW—cell on wheels. Should there be an incident in Serpentine–Jarrahdale, in the hills, one of those COWs will be brought in to ensure there is mobile communication.

The CHAIR: Member for Darling Range, I am really sorry but I have to wrap this up. If you are quick, you can ask one more question.

Mrs A.K. HAYDEN: I would like to say thank you very much. I want to advocate strongly for it because people's lives are at risk and we really need that. It takes a long time to get the cell on wheels there.

The appropriation was recommended.

APPROPRIATION (RECURRENT 2020–21) BILL 2020
APPROPRIATION (CAPITAL 2020–21) BILL 2020

The CHAIR: The question is —

That the clauses, schedules and titles of the bills be agreed to.

Question put and passed.

Committee adjourned at 10.00 pm
