

TREASURER'S ADVANCE AUTHORISATION BILL 2022

Second Reading

Resumed from an earlier stage of the sitting.

HON MARTIN ALDRIDGE (Agricultural) [5.06 pm]: I return to my remarks on the Treasurer's Advance Authorisation Bill 2022 in the remaining time that I have available to me. As members who were paying attention to my contribution prior to question time would know, I was examining a number of issues with the procurement of rapid antigen tests, a matter that is directly relevant to this authorisation bill because it is one of the four matters listed that result in a total of some \$1.6 billion required by the state prior to 30 June. Just before I move on from rapid antigen tests, the last point I was touching on before question time was the impact that the state's procurement has had on other supply chains. Members will have to keep in mind that until late January, it was unlawful to sell or procure rapid antigen tests in Western Australia, except for in very rare and limited circumstances. Our supply chains in Western Australia were not developed; they were not mature; they were not advanced. That is why I believe we had to rush offshore very quickly and procure 110 million tests at a cost of almost \$600 million, of which the commonwealth can pick up half the tab.

What has also occurred is that a number of small businesses, particularly pharmacies, have made significant investments in procuring rapid antigen tests. I met a pharmacist just recently. They are at a community pharmacy—a small business. They had spent \$80 000 procuring rapid antigen tests, which they tell me are now largely unsellable because of the way in which rapid antigen tests have gone from being unlawful to the market being absolutely flooded with them. I said in my remarks that obviously the government has an obligation first and foremost to the health and safety of the community, but I think this was a missed opportunity to utilise the supply chains that already existed, particularly outside Perth, for our community pharmacies. Just about every town in my electorate has a community pharmacy whereas they may not always have a doctor, a police station or even a local government office for that matter. I think the commonwealth used that opportunity better in terms of its program for pensioners, with free rapid antigen tests being made available to that cohort through the community pharmacy network. I make that point in concluding my remarks on the rapid antigen tests.

A PowerPoint presentation was made available to members during the briefing from the Department of Treasury. On page 3 of that PowerPoint presentation, there is a dot point that states —

Additional funding under TA —

That being an abbreviation for Treasurer's advance —

must be approved by the Parliament before funds can be drawn in remainder of 2021–22 (hence to be declared 'Urgent')

Of course, we have not quite seen the urgency that was reflected in these briefing notes or in how the bill was dealt with upon its arrival in this place, I think on 22 March. The bill was introduced and first, second and third read in the Assembly on the same day. In fact, I think only on the day prior did the opposition learn that this bill existed at all. The bill sat in the Council for the ordinary period of time, in accordance with standing orders. The bill has not been declared urgent. That leads me to the question: at what point, based on the current projection, will the state run out of money? A degree of urgency did seem to exist at some point between 29 November, which was the cut-off date for the midyear review, and 22 March when this bill was first, second and third read in the Assembly, and today, being 5 April. I would like to get an appreciation of the current position of the state's finances with regard to the supply of cash. I would also like to know whether it is still the case that the projection that is shown in tabled paper 1035, as tabled by the Treasurer in the other place, remains accurate or whether some form of updated information can be provided to the Council this evening on this matter. It would be good to get a sense of where we are at on that matter.

A few other things that are listed in the allowances that are provided for in the \$1.6 billion are for what are called "issues emerging". I refer to a question that I asked just now in question time, although under our new system we are not allowed to have the answer until it is emailed to us, so I cannot use the answer now when I am on my feet after question time, but I have just checked my filing cabinet for the question. The question was about the COVID care at home program, the suppliers of that program being Calvary and Medibank. I was told that the expected cost of that program is, if I am not mistaken, \$39 million over two years. Interestingly, very little of that has been spent to date—from my recollection, the figure is \$278 000. Given where we are at with community transmission of the disease, we have spent under \$300 000 out of a projected cost of \$39 million. This is the sort of program that perhaps will not land on the full expenditure that has been estimated, certainly not in the remaining period of this financial year, noting that the answer provided information over two years. That expense may well fall under "Other COVID-19-related costs" or "Buffer for unforeseen issues", or it may not be in the Treasurer's advance at all. It may be a matter that was appropriately considered and budgeted for in September of last year in providing the appropriation bills to Parliament.

Therefore, there would be some benefit to members in considering the four line items that are found in this very short summary of the \$1.6 billion that is required. It would be useful if that could be provided in the minister's second reading reply, or perhaps additional information could be tabled, or we could have an exchange during the committee stage and further explore these four line items that vary between \$164 million and \$634 million in value.

I want to finish on a question that I also asked in question time today about the prioritisation that seems to be going on within government. In recent days, the cost of the Perth city campus of Edith Cowan University has blown out by \$158 million, and the project still has a green light. The cost of the Swan River pedestrian-cycle bridge, which was planned to cost \$50 million, has blown out to \$100 million, and that project still has a green light. We are talking about the COVID-19 response. One of the most disappointing aspects of the performance of the McGowan government over the last five years has been its failure to deliver its election commitment to the people of Geraldton for the Geraldton Health Campus project. That project has effectively been abandoned in the short term. An unreasonable budget was applied to that project. The election commitment was in the order of \$45 million. There was no money in the government's first budget. In the first budget that did have money in it, it went to \$73 million. It then crept up to \$82 million. Interestingly, before the election, a document was created by an organisation called Project Midwest. It largely comprises government entities at a local, state and federal level. They estimated the cost of the redevelopment of the hospital to be \$120 million. It is interesting to compare this project and the lack of information that we have been able to access, particularly through question time in this place, about what is going on with that procurement process with the government decisions around rapid antigen testing, the Swan River pedestrian bridge and the Perth city university campus. If the investment in that project had been made five years ago when the McGowan government came to power, it could have played a very important role indeed in the COVID-19 response. Much of the last two years has been consumed by COVID. COVID-19 is literally the explanation, but also the excuse, for every government decision, yet this important piece of health infrastructure has been under significant stress for a very long time. I say to the minister representing the Treasurer that no person would be more pleased than I if he were able to confirm in his second reading reply whether some of this \$2.32 billion in the Treasurer's advance—or \$2 320 million, just a few crumbs—has been able to fall the way of Geraldton and the midwest. This project should not be put on hold. It should not be put on the never-never. It should have been delivered years ago. All we have is a redeveloped car park and a front entrance to a hospital that cannot be used.

I could certainly have said a lot more if more time was allowed in a debate like this, but unfortunately it is not. I look forward to the minister's reply, and to hopefully understanding some of these issues more fully once we get to the committee stage of the bill.

HON NICK GOIRAN (South Metropolitan) [5.18 pm]: We have just heard from Hon Martin Aldridge that the government has apparently procured the equivalent of 40 rapid antigen tests for each person in our state—40! As the honourable member indicated, it will obviously be the case that a proportion of our community will need more than that, but 40 on average for every single Western Australian seems truly remarkable. I hope that the minister representing the Premier in his capacity as Treasurer will be able to respond to that concern.

This is not the only example of the Premier in his capacity as Treasurer coming to Parliament and asking for more money. In fact, we have had a series of expensive debacles in our state involving the Attorney General, and I think it is fair to describe these expensive debacles as a pattern of behaviour. I would like members to remember the phrase “pattern of behaviour”.

Looking at the record of the McGowan Labor government, it would seem that it is unfamiliar with or perhaps has forgotten the fact that court matters are expensive. I draw members' attention to the fact that courts have scales of costs. The scale of costs applicable in the Supreme Court for contentious matters includes a daily rate of \$6 820 for a Senior Counsel; that is, it is considered reasonable for a Senior Counsel or a Queen's Counsel to charge a daily fee of \$6 820. I hasten to add that that is only what is called the scale of costs; that is not the limit of the amount that can be charged. But Mr McGowan and, it would seem, Mr Quigley seem content to be constantly using the services of expensive Senior Counsel in Western Australia at the rate of at least \$6 820 a day for their pet legal projects.

I intend to take members through four expensive debacles involving our Attorney General. The first of those, of course, is this sequel performance that will see the Attorney General this Friday—perhaps sooner, because apparently he is away on urgent parliamentary business over the next couple of days—jetting over to Sydney to once again provide evidence in this dramatic case involving the Premier and his friend Mr Palmer. This defamation trial involving the Premier and that businessman has now descended into a situation whereby the first law officer of Western Australia has admitted that he gave wrong, incorrect or mistaken answers during his cross-examination, and he has asked to fix those wrong answers that he gave under oath in a Federal Court.

To give people some context about how extraordinary, peculiar and unusual this expensive debacle has been, I draw to members' attention an article written on 24 March this year by a senior reporter from *The Australian*. He wrote —

Western Australia's Attorney-General has asked the Federal Court for a “do-over” of his evidence in the defamation trial between Clive Palmer and Premier Mark McGowan.

John Quigley made the extraordinary request in order to correct what were described as mistakes in the testimony he gave while under oath earlier this month.

The application was strongly opposed by lawyers for Mr Palmer at a special urgent hearing in Sydney on Thursday.

High-profile lawyer Bret Walker SC, who is representing Mr McGowan in the case, ...

I pause there to remind members that the Premier is using Senior Counsel. Remember what I said earlier: the going rate for Senior Counsel, certainly for a Western Australian case in the Supreme Court, is more than \$6 000 a day. How much is Mr Walker asking the taxpayers of Western Australia to pay for Mr McGowan to continue these ego games that he plays with billionaires, which we now find involves the first law officer in Western Australia having to redo his evidence?

The article continues —

High-profile lawyer Bret Walker SC, who is representing Mr McGowan in the case, told the hearing that Mr Quigley had notified him that he had given “wrong, incorrect or mistaken answers” during his cross-examination at the hands of Peter Gray SC.

Those of us who get responses to questions from the Attorney General will be very unsurprised by the notion of wrong, incorrect or mistaken answers. Nevertheless, this happened under oath with the first law officer of Western Australia. The article continues —

Mr Palmer’s barrister Barry Dean said the application should not be granted, saying it effectively amounted to Mr Quigley asking the court to start over.

“After a comprehensive and very effective cross examination, (Mr Quigley) effectively comes before this court and says ‘I want a re-do, I want to start again, here’s an affidavit’,” Mr Dean said.

Mr Dean said the two different accounts sought to be presented by Mr Quigley meant the Attorney-General could not be treated as a credible witness.

The first law officer of Western Australia is described here as not being a credible witness. In some moments’ time, I will go to the notion of what a model litigant is or should be. One would think that the first law officer of Western Australia would be familiar with that; nevertheless, the article continues —

Mr Dean said the two different accounts sought to be presented by Mr Quigley meant the Attorney-General could not be treated as a credible witness.

He noted that there was a risk that Mr Quigley had an opportunity —

The ACTING PRESIDENT (Hon Jackie Jarvis): Member, I note that there is a link between the Treasurer’s Advance Authorisation Bill 2022 and the cost of the legal case, but I am struggling to understand the link of where we are going with this now. I will just ask you to reference the bill before us.

Hon NICK GOIRAN: Acting President, there will be no trouble there whatsoever, because, you see, the Premier of Western Australia, who is also the Treasurer, has two roles. He is involved in this legal case, which is costing the taxpayer of Western Australia a massive amount of money. He is coming back to Parliament now and asking for more money. In part, it is because the Attorney General, in an extraordinary case, is going back to the court and saying, “I need to fix my errors that I gave under oath.” The taxpayer of Western Australia should not be paying for that.

Hon Sue Ellery interjected.

Hon NICK GOIRAN: The Leader of the House is very, very comfortable with the taxpayers of Western Australia paying for the Attorney General to have to give his evidence not only once, but twice. He has now had to go and give evidence on two occasions. That is what we call a sequel. He seems to think it is maybe like being a musician or a musical performer and if he is not happy, he gets to do it again, or maybe a film star who says to the director, “Stop; I want to have a do-over.” It does not work like that in a court of law. If the Attorney General swears in a court of law that he is providing true responses, it is extraordinary for that individual to then say afterwards, “No, I’d like to have another opportunity.” Forgive me if some of us take the taxpayers of Western Australia’s funds very seriously, unlike the McGowan Labor government.

The article goes on to state —

He also noted that Mr Walker had the opportunity to confer with or re-examine Mr Quigley about the apparent inconsistencies in his testimony immediately after the cross-examination but made the “forensic decision” not to do so.

“In the cross-examination of Mr Quigley, it was quite apparent to anybody watching or listening to that proceeding that there were significant issues in his evidence,” Mr Dean said.

“Throughout his evidence, he seemed completely apprised of the consequences of what he said, on no less than 16 occasions he referred to either his oath or swearing to the court, there was no ambiguity whatsoever in his evidence.”

This is what has transpired on the other side of the country at the cost of the taxpayer of Western Australia. The Premier is coming here now with this bill and asking for more money—no wonder, because his first law officer has to jet over to Sydney in a couple of days’ time, or, as I say, maybe as soon as tomorrow, because apparently he is away on urgent parliamentary business, unable to answer any questions over the next couple of days while Parliament is sitting because he needs to practise for his next performance in this sequel. That is what will be happening over the next couple of days. He thinks it is some kind of game.

Justice Lee, who is presiding over this case, specifically said on 28 March this year that this is not a game. Interestingly, for the benefit of the Leader of the House, who probably has not had an opportunity to read the reasons for decisions, they were delivered on 28 March this year after two hearings—on 24 March and also on that day. I will quote from the judgement, in which Justice Lee said —

After hours, and eleven days ago, my chambers received an unusual communication from the solicitors for Mr McGowan. It was in the following terms:

We wish to bring to his Honour’s attention an issue concerning the evidence given by Mr Quigley under cross-examination in these proceedings on 9 March 2022. In broad terms, it has been brought to our attention that Mr Quigley wishes to have attention drawn to what he says are mistakes in his evidence.

In light of this, please let us know whether his Honour considers it appropriate to make any directions.

Mr Palmer’s solicitor is copied to this correspondence.

Justice Lee goes on later in his judgement to say —

Before going further, I should remark that it appears to have become increasingly common for communications to be made to chambers without first having secured the consent of the opposing party to the content and dispatch of the communication.

Who is providing this communication? None other than the lawyers for Mr McGowan, the Premier of Western Australia. When the Premier or the Attorney General or the state of Western Australia are involved in a court action, they ought to be model litigants, and here they are chastised once again by Justice Lee, simply thinking that they can —

Point of Order

Hon SUE ELLERY: It is not at all the practice of this house to kind of delve deeply into matters that are on foot in the courts. I appreciate a reference to a matter that is ongoing but the honourable member now seems to be reading out and quoting from various elements of a matter —

Hon Nick Goiran interjected.

Hon SUE ELLERY: I am raising a point of order.

Hon Nick Goiran interjected.

Hon SUE ELLERY: Just take a big deep breath and calm down.

Acting President, I seek your guidance. My observation is that it is not the normal practice for this house to go so deeply into a matter that is currently on foot.

Hon NICK GOIRAN: The Leader of the House shows a breathtaking misunderstanding of what the sub judice rule actually means. There is nothing that I have said today —

The ACTING PRESIDENT (Hon Jackie Jarvis): Member, I will take some advice, if that is okay.

Hon NICK GOIRAN: In response —

The ACTING PRESIDENT: Can you please take a seat. I will take advice.

Members, my understanding is the convention exists not to prejudice matters that are currently before the court. I think at the moment there is a fine line that may not have yet been crossed. I will ask Hon Nick Goiran to make sure his comments do not prejudice any future actions, particularly those that are currently before the court, and bring his comments back to the Treasurer’s Advance Authorisation Bill. There is no point of order at this stage.

Debate Resumed

Hon NICK GOIRAN: Thank you, Acting President. Rest assured, unlike the Leader of the House, I am incredibly familiar with the sub judice rule. In fact, I would like one day for the Leader of the House to stand up and explain what the rule actually consists of. She may be unfamiliar with the fact that it is a convention —

The ACTING PRESIDENT: Member, the point of order has been dealt with. I ask that you return to the matter at hand.

Hon NICK GOIRAN: On that note, I would like to speedily return to the public document, which is the reasons for judgement. It would be quite extraordinary if a member of Parliament was not able to read or quote from the reasons for judgement, which are on the public record, something that the Leader of the House has obviously not had the opportunity to do. As I said, it is quite extraordinary in this case that the judge is chastising Mr McGowan and his lawyers because of the communications that are going on. That is a statement of fact on the public record at the moment that does no prejudice to the particular case that is yet to be determined. But it does prejudice the reputation of Western Australia when we have a Premier and an Attorney General acting in this fashion, and then we have the Leader of the House who cannot even be bothered to read the reasons for judgement and tries to interrupt the debate instead.

On the public record, in accordance with this judgement, paragraph 7 on page 7 reads —

This application arose in circumstances explained by an affidavit of one of the solicitors acting for Mr McGowan —

One wonders how many solicitors are getting paid for Mr McGowan in this particular case, and for the Attorney General to attend a secret performance on Friday. People want to know about the Treasurer's advance bill. How much of that is being spent on this matter? That would be a good question to get an answer to, if the McGowan government was true to its word and its standard of gold transparency. Members will understand if I will not hold my breath.

Justice Lee, quoting from the affidavit of one of the solicitors for Mr McGowan—remember, he has multiple lawyers we are all paying for—went on to say —

On Tuesday, 15 March 2022 Clayton Utz [Mr McGowan's solicitors] received notice that Mr Quigley wanted to file a correcting affidavit in relation to his oral testimony given in this matter on 9 March.

On 17 March 2022 Mr David Grace QC, —

That is a name that members will want to commit to memory —

who I understand to be retained by Mr Quigley —

In other words, Mr Quigley has David Grace, QC, another QC, involved in this case —

sent Clayton Utz a copy of the Quigley Affidavit. **The Quigley Affidavit identifies mistakes Mr Quigley says were made during his oral testimony.** A copy of the Quigley Affidavit was subsequently provided by Clayton Utz to the Applicant/Cross-Respondent's solicitor and by the Respondent/Cross-Claimant's Senior Counsel to the Applicant/Cross-Respondent's Senior Counsel. As at the time of swearing this affidavit, the Applicant/Cross-Respondent has refused to consent to the Quigley Affidavit or its contents being disclosed to this Honourable Court.

That is hardly surprising, given that the judge goes on in this judgement, a public document, to say that an opportunity had been provided for re-examination, which was expressly declined. The judge went on in paragraph 11 to say —

The Court is not engaged in some sort of game: if the current state of the evidence needs to be clarified to give a complete impression, then such clarification should be allowed ...

It goes on to say —

Counsel for Mr Palmer have made it plain that Mr Quigley is a witness whose credit is squarely in issue. The notion of a witness being cross-examined as to his credit and thereafter preparing an affidavit, on the basis of advice given by senior counsel retained by him, with the intention that this affidavit is then to be read in the trial, is as strange as it sounds.

That is what Justice Lee said about this debacle that the Premier and the Attorney General have embroiled themselves in, which now sees the taxpayer of Western Australia assisting Mr Quigley to jet back over to Sydney to perform for a second time.

Justice Lee concludes at the end of this judgement —

It does not seem to me that I should deal with the issue of leave to receive further evidence of Mr Quigley in the abstract. Rather I should allow him to be re-examined should Mr McGowan wish and, should any specific question posed (and objected to) require leave, I should then consider whether leave or permission should be granted to ask the specific question by reference to the mandatory s 192 factors and any other relevant consideration.

The point of all this is that those matters will be determined by the court, but the Western Australian taxpayers continue to fund these things, thanks to Mr McGowan in his capacity as Treasurer running back to Parliament and

asking for more money. This is the first of four cases that I want to bring to the attention of members—expensive debacles involving the Attorney General.

The second case I bring to members' attention is Crawford v Quail, another incredibly expensive exercise. The Leader of the House will be able to cool her jets for a moment because, in news to her, this case has finished so there is no possibility of any breach —

A member interjected.

Hon NICK GOIRAN: That is a very good question, honourable member. That is an intelligent interjection. I only wish that the member's leader would do the same thing. The relevance to this bill is that the taxpayers of Western Australia had to fund this matter this financial year, and the government has now come back to this place and is asking for more money. If the Leader of the House holds her horses, I will take her through exactly what was said in the Standing Committee on Estimates and Financial Operations. On 21 October 2021, I specifically asked the very hardworking parliamentary secretary, who is away on urgent parliamentary business—it probably really should be the Attorney General —

... how much of the total appropriations have been used for assisting either of the parties in the recent Supreme Court matter of Crawford and Quail?

Hon Matthew Swinbourn responded —

I cannot give the member a very precise answer in terms of the exact amount there because I do not have them before me at this particular point in time, but I am aware that currently the State Solicitor's Office has incurred \$274 725.87, GST exclusive, until 20 October 2021.

I pause there and say that although Hon Matthew Swinbourn said he was not in a position to provide a precise answer, I thought it was quite precise. Nevertheless, in due course, he might provide an even more precise answer than \$274 725.87, GST exclusive. That is how much money is involved—more than a quarter of a million dollars had been spent at that point in time, according to evidence provided to the Standing Committee on Estimates and Financial Operations.

I then asked —

What proportion has been allocated to assisting either of the parties?

Hon Matthew Swinbourn, in his capacity as parliamentary secretary said —

My advice is that those amounts relate to President Quail and that at this point in time they have not incurred any expenses in relation to Magistrate Crawford, although it may be possible that at some later time she might seek funding under the relevant guidelines that relate to seeking public funds to support legal proceedings. That may happen at a later date.

Has that happened? Is that another reason we now have a situation in which the Premier, in his capacity as Treasurer, is riding back to Parliament not only to assist his Attorney General to jet back over for a sequel performance in Sydney, but also to deal with Magistrate Crawford's costs. Is that what is going on here? It would be very good to find out that information. I am sure that if we ask about it under clause 1, we will get no response: "Sorry, member, we don't have that information." That information is available! It does not matter how much notice members give to this government; it will go out of its way to make sure it provides as little information to Parliament as possible. It is no wonder that we are in the fourth month of the year after only five sitting weeks, such is the McGowan government's obsession with ensuring it provides the least possible amount of accountability to Parliament and the people of Western Australia. The government is quite happy to spend the money for sequel performances and all the rest of it, but here we had an extraordinary case whereby the President of the Children's Court was involved in litigation with a magistrate in the Children's Court. We know that it cost at least a quarter of a million dollars. According to the very precise answer from the parliamentary secretary, it was \$274 725.87, GST exclusive. In that matter, which happened in this financial year in the Supreme Court, these proceedings were on foot before Justice Allanson.

Who do members think represented President Quail? Remember that \$274 000 has been spent just with respect to President Quail—the Attorney General's friend. Who was representing President Quail? It was Mr David Grace, QC. Remember, that is the same person that the Attorney General has recently retained to assist in providing information to the court in regard to his mistakes and wrong answers. Mr David Grace, QC, who is not in any way implicated in these things, is continuing to be paid by the taxpayer of Western Australia because of the Attorney General, the Premier and others. He is a very, very experienced Queen's Counsel, and quite entitled to be charging in accordance with the rate. I simply draw to members' attention that that means more than \$6 000 a day. Maybe the minister representing the Treasurer, who is very keen to spend all this money on all these court actions, could let us know how much exactly Mr Grace is being paid, not just in the Crawford v Quail matter, but his hourly rate in representing the Attorney General at the moment. That is to say nothing of Bret Walker, Senior Counsel, who has also been retained for Mr McGowan. How many QCs and SCs do we need to defend the McGowan government in all these

debacles? It is incredibly expensive! They might say that they have no choice but to defend themselves in these things. One thing is for sure: the Attorney General had a choice to tell the truth at the time he was giving evidence under oath. Obviously that did not happen, because he has made the admission himself. So, now, this is costing money. Mr McGowan had a choice to launch counterclaims and all the rest of it and have these ego games with billionaires. They made a choice, and choices have consequences. At the moment, the taxpayer of Western Australia continues to fund these things.

Speaking of pattern of behaviour, the Deputy President might recall I indicated earlier that these four expensive cases—these debacles involving the Attorney General—demonstrate a pattern of behaviour by the Attorney General, and by association the Premier, who continues to allow all this to go on. Pattern of behaviour was front and centre in a matter before the Supreme Court. It was none other than the Attorney General’s friend, his preferred counsel, Mr Grace, QC, in the Supreme Court on 11 October last year. I quote from the transcript, in which Mr Grace, QC, stated —

... one can see a pattern of behaviour that has continued over the years.

And this pattern of behaviour, as will be revealed in the evidence, includes doctoring reports of experts that have been provided to the court in relation to matters in which Magistrate Crawford presided, and during the course of adjournments of those matters, making wholesale amendments to reports and sending them back to the report writers for rewriting and endorsement. That’s one example.

Mr Grace, QC, funded by the taxpayer of Western Australia, in accordance with the provisions allowed by Mr McGowan and Mr Quigley, goes on to say —

And I might say, in relation to the issues of the doctoring of reports, that was also not related to the parties involved in the case—not revealed. So the interference in the administration of justice, and exactly the way that repeated higher courts of authority in Australia have admonished judicial officers against acting in that way, seemed to be oblivious to Magistrate Crawford. What Magistrate Crawford does is that she, repeatedly over time, has adopted procedures which are antithetical the proper administration of open justice.

Those are the words of David Grace, QC, funded by the taxpayer of Western Australia. The parliamentary secretary told us that the case for President Quail cost more than \$247 000. David Grace, QC, is saying those things in open court before a judge in this case. Given that David Grace, QC, is assisting and advising the Attorney General on correcting the record in the court in Sydney for various reasons, including that, we can assume that when David Grace, QC, says something in open court, he means it; it is true. David Grace, QC, has said that as far as he is concerned there is this pattern of behaviour, which includes the doctoring of reports. Do members think that the Attorney General, who has had this matter drawn to his attention on multiple occasions, is going to do anything about this? He indicated he will do nothing of the sort. In fact, when we were last sitting—not that we have had that many sitting weeks this year because the government wants to shield itself from too much question time—there was an occasion when I drew this to the Attorney General’s attention. The response came through the Attorney General’s hardworking parliamentary secretary, Hon Matthew Swinbourn, who said —

The Attorney General has not received any complaints of the type described. The matters were asserted in the Supreme Court as part of litigation that was ultimately discontinued at the request of the plaintiff.

What is the Attorney General saying? Surely he is not casting any aspersion or slur on his favoured Queen’s Counsel, Mr David Grace, QC. He has said it in open court. The Attorney General is right, through his parliamentary secretary, that he has asserted this in open court. His preferred counsel has said that about the doctoring of reports in a court in Western Australia. The Attorney General has a duty to do something about that. But he is too busy giving wrong and inaccurate information to courts of law to have time to investigate when a magistrate is accused of doctoring reports, evidence tampering and the like. Why would he have time to do that? He has to jet over to Sydney for a sequel performance, while nobody is going to do anything about the doctoring of reports referred to in a court in Western Australia: “Nothing to see here. Let’s just move on. Let’s pretend it never happened.” This is despite the fact that his preferred Senior Counsel said in open court that this is what has occurred. Surely the assertion was not unfounded. Surely the assertion was made after considering all the evidence. Surely the Senior Counsel would not have been trying to mislead the court. Surely not, because had that occurred, we know that Mr Grace, QC, would have quickly gone back to the court to correct the report, like he is asking Mr Quigley to do now. In the meantime, the Attorney General—who knows whether this was one of the occasions when he was telling the truth or otherwise—has told the Parliament of Western Australia —

The Attorney General has not received any complaints of the type described.

He has not received any complaints of the type described, yet when we consider the same transcript from the Supreme Court, we have information about the evidence that was going to be tendered and had been made available to the parties through the discovery process. I quote again from page 186 of the transcript of that day. Mr Donaldson, who was representing Magistrate Crawford, said —

There was a second letter of 7 September that your Honour will see in due course and it also records in the next paragraph that he disclosed, that is Judge Quail disclosed to the Attorney General at least a brief outline of the matter concerning W —

The letter “W” is used there, for the benefit of *Hansard* —

and the findings that had been made. And that is confirmed in the next paragraph when one takes time in construing that handwriting. So your Honour will see in inverted commas it was said by Judge Quail that her Honour had “misled parties,” and that’s recorded in this note.

Yet, it’s said there at the bottom of that paragraph:

My view would not justify two houses.

And, again, your Honour, we will say that it is simply not a credible position that Judge Quail genuinely thought that her Honour had misled parties in a matter before her yet conclude that that was not sufficiently serious for her Honour to be dealt with pursuant to the provisions of the Magistrates Court Act. And then the next paragraph says:

He agrees, move back to Magistrates Court.

That must mean the Attorney General. And then, “Stephen won’t agree” ...

That is obviously making reference to the Chief Magistrate. The Attorney General told the Parliament of Western Australia, and specifically the Legislative Council through his representative when we last sat on 23 March 2022 —

The Attorney General has not received any complaints of the type described.

He pretends that he knows nothing about these allegations of evidence tampering, despite the fact that he knows full well. Not only that, but of course I had already drawn this to the attention of the Attorney General last year. It really depends which version of the Attorney General we get. Whether someone is in the Legislative Council or in a court in Sydney, they are not really sure whether they are going to be told the truth. In respect of all these matters, on 17 November last year, the Attorney General, through his representative, said —

It is not appropriate for the Attorney to address matters involving individual judicial officers.

Why not? If he is not going to address these matters involving individual judicial officers, who is going to do it? It is certainly not going to be the Leader of the House—she cannot even be bothered to read the judgement on what has happened in these matters. Somebody in government needs to do something about it. But the Attorney General is too busy jetting off to Sydney, at taxpayers’ expense, to do a sequel performance and provide supposedly new information to the court or correct evidence and the like.

As I say, this is only the second of the four expensive debacles involving the Attorney General funded by the taxpayers of Western Australia. The third one I want to bring to members’ attention is a matter that is before the Public Service Appeal Board. I asked about this in question time and the parliamentary secretary who ordinarily represents the Attorney General was away on urgent parliamentary business, but his capable friend filled in for him and proceeded to say—this is according to my notes; this is not even the uncorrected *Hansard*—that this matter is subject to ongoing litigation. Keep in mind that we are talking about an intervention by the Attorney General. It is on the public record. Questions about this have been asked previously. The Attorney General has intervened in this Public Service Appeal Board matter and one of the questions that was asked that the parliamentary secretary did not respond to was: Is the intervention ongoing? Is it or is it not? Is the Attorney General continuing to intervene in these proceedings? That should be simple for any member of the McGowan government to answer, but apparently they cannot answer that; instead they have to say that this matter is subject to ongoing litigation. We know that, because the former Labor staffer in the electorate office of the member for Kwinana is on the public record consistently complaining about the treatment that she is receiving from the McGowan government and WA Labor, which she says she gave years of service to. We know that the litigation is still going, but the point is whether the Attorney General is still involved and whether it is happening at the expense of the taxpayer. Maybe the minister who is representing the Treasurer on this bill can indicate how much money in this Treasurer’s advance is going towards the ongoing blocking and obstruction in that particular case. It is all very well for the McGowan government to shield its failed health minister, the Deputy Premier, from giving any evidence about his former electorate officer in this unfair dismissal case, but members should keep in mind that it is not happening at the cost of Mr McGowan or Mr Quigley, or Mr Cook for that matter. Not on your life! It is happening at the expense of Western Australian taxpayers. One wonders how many more QCs or solicitors are involved in that case. We do not know the answer to that, because in yet another cover-up, the government has indicated to us that it cannot answer these questions because it is subject to ongoing litigation.

This government’s obsession with choosing obstruction and secrecy over accountability and transparency is evident for all of us to see. These are merely three of the four cases that I wish to bring to members’ attention. What we do know about this hide-and-seek case of the member for Kwinana, who definitely does not want to give

any evidence in this case, is that there has to have been some extraordinary expenditure by the taxpayers of Western Australia, because not only are there those who are involved in the defence, but also the Attorney General has intervened in the case. There is no good reason—it is not going to affect anything with the case—that the Attorney General cannot come clean about how much that cost, least of all if the intervention has finished. But if the intervention is ongoing, it is probably a signal to indicate to the former WA Labor staffer that this government will stop at nothing to make sure that this case goes nowhere. They will use every resource that the taxpayer of Western Australia can give to them to ensure that this former Labor staffer does not see justice and does not even get the opportunity to have the case heard in a timely fashion. Instead, the Attorney General is making sure that he intervenes in the case and that it is going to take as long as possible. So much for access to justice!

It is no wonder that former member for the Greens in this place Hon Alison Xamon called on the Attorney General to issue model litigant guidelines. When the first law officer chooses when he is going to tell the truth in court, continues to intervene in cases to make sure that his friend the member for Kwinana does not have to give evidence, is otherwise involved in these sequel performances to give further evidence, and is disinterested in investigating allegations of evidence tampering, it is no wonder it is costing the taxpayers so much.

Sitting suspended from 6.00 to 7.00 pm

Hon NICK GOIRAN: Prior to the interruption for the dinner adjournment we were considering this request by the Premier of Western Australia in his capacity as the Treasurer, who is coming back to Parliament for more money. The McGowan Labor government has an insatiable appetite for seeking more and more money—taxpayers' money, mind you—in order to fund these debacles involving our Attorney General. These are very expensive court cases that the Premier continues to allow to go on. Sometimes he is even responsible for instigating them. Prior to the adjournment I had taken members and the house through three of these expensive debacles, being, of course, the now infamous sequel that the Attorney General is involved in that will see him jetting over to Sydney at the end of this week, possibly as early as tomorrow, at the expense of the taxpayers to have a do-over with respect to his evidence, realising that he has apparently made mistakes and provided wrong answers. Meanwhile, he continues to do absolutely nothing with regard to the allegations that have been made against judicial officers, including the doctoring of reports and evidence tampering—matters that he knows full well because his own expensive QC has been involved in all these matters. Then we found him intervening in the unfair dismissal case involving the member for Kwinana. He continues to allow that member to play hide-and-seek with the Public Service Appeal Board and is not willing to go and provide any evidence with respect to his longstanding former Labor staffer.

The fourth of the cases I bring to members' attention is another expensive debacle involving the Attorney General and is a matter that most members should know quite well because it was the subject of quite a lot of interactions with the Standing Committee on Procedure and Privileges of this house. I have asked in recent times for an indication from the Attorney General as to how much this has all cost. One of those matters—there were two related matters—is that of the Attorney General of Western Australia and the President of the Legislative Council. For those who are not familiar with it, we had the first law officer of Western Australia unsuccessfully trying to sue the President of the Legislative Council, at great cost to the taxpayer. I had asked questions about this and the Attorney General then wrote to the Standing Committee on Estimates and Financial Operations on 15 December last year, disclosing some of the information. But in more recent times, we know that the amount has increased, because I asked about this matter when we were last sitting on 23 March this year. The information that has been provided is that the State Solicitor's Office spent a combined total of 1 244 hours and 18 minutes and that the Solicitor-General spent another 171 hours on it. Members right recall at the beginning of my contribution on this bill that I indicated to them what the scale of costs is in the Supreme Court for contentious business. The amount that can be charged by a senior solicitor in Western Australia is just shy of \$500 an hour. Of course, if the person is a Senior Counsel, it is well in excess of \$600 an hour. Once we start to add all those figures together with respect to those significant hours that have been put in, we are talking about hundreds and hundreds of thousands of dollars of taxpayers' money because the Attorney General decided to sue the President of the Legislative Council—another expensive debacle involving this particular individual. This is why I say there is a pattern of behaviour. There is no one isolated case here. It is extraordinary that the Attorney General of Western Australia is seeking to redo his evidence in a Sydney court. That is extraordinary enough. Some members opposite might want to simply dismiss that as one-off, but we can see that this is not a one-off incident. In actual fact, the McGowan Labor government continued to spend taxpayers' money time and again on expensive, unsuccessful court actions, including the Attorney General trying to sue the President of the Legislative Council, without success. In fact, it is remarkable that after all this time we still have on the record a report in the Parliament that the government refuses to deal with. The report is none other than the sixty-first report of the Standing Committee on Procedure and Privileges. Members may not be aware that it actually includes an indication at paragraph 5.44 at page 101 that states —

The following correspondence indicates that some further investigation into the role played by the Attorney General in this whole matter may also be required.

This is hot on the heels of the committee indicating at paragraph 5.43 —

The actions of the SSO in implementing its own procedure, to the deliberate exclusion of the Legislative Council, for assessing whether parliamentary privilege applied to the confidential emails and other documents of former Members of the Legislative Council and their staff, in circumstances where it knew that the Legislative Council had an active interest in the matter, is a matter of grave concern and potentially warrants further inquiry.

It is not the State Solicitor's Office, but the Attorney General—the first law officer—who still needs to appear before the Standing Committee on Procedure and Privileges of Western Australia to give some answers. That is never going to happen while the McGowan Labor government ensures that this particular report is buried and never sees the light of day. This person has a pattern of behaviour of giving wrong information to the Parliament. He will not go and investigate cases of evidence tampering and is not interested in anything except when it involves his mate the member for Kwinana. Then he makes sure that he intervenes at great cost to the taxpayer to ensure that that person does not have to give any evidence. The Attorney General then intervened in the CCC matter that saw them unlawfully benefit from those procedures. It is a disgrace.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [7.07 pm] — in reply: I thank all members who made a contribution to the debate on the Treasurer's Advance Authorisation Bill 2022. I acknowledge the contribution of the Leader of the Opposition and thank him for indicating that the opposition will support the bill before us.

As was outlined in the second reading speech, the annual Treasurer's advance limit is set automatically by the Financial Management Act 2006 and is, as Hon Dr Steve Thomas pointed out, calculated at three per cent of the amount appropriated in the previous financial year. For 2021–22, this equates to a Treasurer's advance limit of \$820.5 million. This Treasurer's advance authorisation bill seeks to increase this limit by \$1.5 billion to \$2.32 billion. Honourable members may be interested to know that there have been 12 Treasurer's advance authorisation acts since 2000. In the last 22 years there have been 12. This includes one in 2020 and another in 2021, both of which were required to provide the government the capacity to respond to the evolving COVID-19 pandemic. That is all the Treasurer's advance authorisation bill does. It provides the authority to meet high-funding requirements and does not commit the state, as Hon Dr Steve Thomas pointed out, to any additional spending. Any unspent capacity under the Treasurer's advance lapses at 30 June 2022. It is not a blank cheque; it is there for a finite period of time. To illustrate this point, the Treasurer's advance was increased from \$658 million to \$1.66 billion in 2019–20, with \$824 million drawn against this amount. Similarly, in 2020–21, the Treasurer's advance was increased from \$689 million to \$1.44 billion, and \$989 million of that was drawn down. The bill will seek \$1.5 billion in case access to appropriation funding is required at short notice before 30 June 2022. The midyear review forecasts that \$723 million of the Treasurer's advance funding would be required at that time. Since then, the government has begun acquiring rapid antigen tests to support the state opening up and to avoid the challenges that were faced in the eastern states when RATs were unavailable. I note that the need for RATs emerged after the midyear review and at the time when there was a worldwide shortage and global competition for such tests were ramping up. Honourable members will recall that the more transmissible Omicron variant made it apparent that the polymerase chain reaction test system was not going to manage on its own and we needed to do something different. No-one knew of this issue until Omicron arrived in Australia in late 2021. This led us to require RATs to meet testing demand, and the government moved to a direct approach procurement model to suppliers to acquire RATs as quickly as possible. This avoided the need for a lengthily competitive tendering process.

It is not known how long we will need RATs for or, indeed, how long the pandemic will last. We now have adequate supply to ensure the government can support people, whether it is for them to go safely to work or for children to go safely to schools, and that testing clinics are not overrun. More broadly, though, we face the additional costs of dealing with COVID, identified by frontline agencies, which includes acquiring personal protective equipment, maintaining the level of tracing and tracking that continues to occur, testing, cleaning and so on.

Agencies have also identified other 2021–22 funding requests that the government is looking at as part of the budget deliberations. We have set aside a further \$505 million, as has been previously mentioned, which is a buffer, for any new funding needs that we do not know yet about—for example, more business support, a natural disaster response or, indeed, a challenging flu season. All those things could be ahead of us. Anyone will be able to see exactly what the Treasurer's advance was spent on during 2021–22. The coming 2022–23 budget will include details of increases in 2021–22 since the midyear review, including the regular appendix updating on the forecast outturn for the Treasurer's advance. The final outturn will be reported in the 2021–22 *Annual report on state finances*, which will be released later in the year in September. These documents also provide detail of current and capital allocations authorised by the Treasurer's advance.

The timing of spending is dependent on many variables; however, this bill is about providing the funding sources when the spending proceeds. If spending accelerates in the final months of the year, this bill must be in place to support these outlays. I am pleased that Hon Dr Steve Thomas raised in his contribution the recent commentary by Standard and Poor's Global Ratings, which highlighted the state's very strong financial position relative to other

jurisdictions. In the report it assessed Western Australia's financial management to be very strong, and that the current government has displayed a track record of robust cost control. Standard and Poor's comments are very encouraging, and I highlight that this government continues to manage the state's finances to deal with the challenges of the pandemic in a positive and sustainable way. It is important for me to remind the house that after years of negative commentary, the current government has started to restore our finances and has achieved an improved credit rating outlook after the Liberal–National government lost our AAA credit rating around a decade ago.

Hon Dr Steve Thomas also made a number of comments about revenue. I would like to remind the house that this bill is about the legal authority to release consolidated account funds; the bill before us is not about revenue. The honourable member noted that he was interested in the use of the \$723 million portion of the original \$820.5 million Treasurer's advance for this financial year. I am happy to point out that significant information is available in the midyear review, which I think the member may have referred to. Appendix 4 shows which agency appropriations were expected to be above budget, and appendix 3 explains most of the material increases in expense and asset investment spending that drives these changes.

Hon Dr Steve Thomas also questioned the contribution that is subject to the 2022–23 budget process. Budget submissions from agencies always include movements and financial forecasts for the current year, the budget year and across the forward estimates period. Agency submissions have identified potential cash needs totalling \$634 million, as was noted in the papers that were tabled in other place. It is a long-term convention that budget deliberations are treated as cabinet-in-confidence. The Expenditure Review Committee is actively assessing that information to determine the need for further funding in 2021–22. It is fair to say that some will be knocked back and others may well be supported or deferred to 2022–23 or beyond. But others will have to be dealt with in this 2021–22 year.

The allowance for these requests errs on the side of caution, and it provides the funding for these requests before the budget deliberations are complete. Consistent with the long-term practice of all governments past and present, I will not be in a position to reveal the details of matters that will be detailed in the budget, but that would not be a surprise to members.

Hon Dr Steve Thomas interjected.

Hon STEPHEN DAWSON: You know I always like to help you out, honourable member, but I will not be breaking that convention.

A number of honourable members have asked about the buffer. The buffer this year is around \$505 million. It is large, but it is not as large as the \$1 billion buffer that was applied for in the 2020 bill. I have already noted that the purpose of the buffer is to deal with matters that are yet to emerge this year. The size of the buffer is guided by our experience through the year so far. The midyear review was just two months old when the \$723 million Treasurer's advance was apparent. The acquisition of RATs has a post-midyear review impact on state appropriation, estimated at about \$294 million. The level 2 business support package that was recently announced comes with an estimated \$72 million cost. Over the past couple of years of dealing with the pandemic, we have learnt that things come out of the woodwork at the strangest of times and we as a government have to be as nimble as we can to respond to those things and help out the community when we can and when appropriate.

Since the midyear review was released in mid-December, we have announced four rounds of business support funding totalling \$232 million. Should businesses make claims for all these packages before 30 June 2022, that funding needs to be available through the passage of this bill. Those packages include two rounds of nightclub assistance programs; the December small business assistance grants; two rounds of small business financial counselling and advisory services assistance; the international education industry assistance support program; the student quarantining industry support program; the university services for students support program; a tourism support program; the tourism deposit refund support program; the travel agent support fund; the event suppliers program; the waiver of liquor licensing fees; the tenant relief scheme; the landlord rent relief scheme; the alfresco support program; the performing arts, theatres and cinemas assistance program; the small business hardship grants program; payroll tax waivers for large hospitality businesses; and the COVID-19 commercial sporting franchises support programs.

Hon Dr Steve Thomas: I don't suppose that is in a form that you can table?

Hon STEPHEN DAWSON: It is not. It is in my speech notes. I will give them to Hansard, and perhaps they might give you a copy.

Hon Dr Steve Thomas: We'll get it off Hansard.

Hon STEPHEN DAWSON: During the break, I asked the advisers to go away and look through the press releases that have been put out so I could at least name that assistance so we could have that before us.

There are large increments to the budget and we need the larger buffer available to address them. The increase to the Treasurer's advance being sought in this bill is significant. However, I am sure that members can appreciate that this capacity is required to provide the government with the flexibility to respond to the challenges that have been and are being presented by the COVID-19 pandemic.

Hon Martin Aldridge raised the issue of the urgency of this bill. What makes it urgent is that as the financial year end approaches, the need for large funding for the items we have discussed continues to emerge. Agencies must have cash available when it is needed. Treasury cannot release the funding without the legal authority of this bill. The honourable member characterised this as—I think his words were—running out of money. The state is not running out of money, as Hon Dr Steve Thomas noted, but there are legal mechanisms to allow for the release of those funds. That is what the bill before us does; the money is there, but the Parliament needs to authorise the release of those funds.

Finally, I note that the Under Treasurer's certification was raised by Hon Martin Aldridge. The certification is included in each budget and midyear review. It outlines the cut-off date for decisions and parameters that are included in each financial report. In the case of the 2021–22 midyear review, this was 29 November 2021, at which time allocations of \$723 million had been made against the Treasurer's advance. The certification is a requirement of the Government Financial Responsibility Act 2000, and enables users of the state's budget papers and midyear review to understand the timing of issues dealt with in the reports, be it the budget papers or the midyear review. In the context of this bill, items arising that will utilise the remaining \$97 million of the automatic Treasurer's advance, plus the additional \$1.5 billion sought in the Treasurer's Advance Authorisation Bill 2022, have all emerged since the 29 November 2021 cut-off date for the midyear review.

I have no doubt that other COVID-19-related pressures will emerge between now and 30 June this year. The increase in the Treasurer's advance, including the buffer of around \$500 million, will provide the government with the capacity to respond to these challenges and any others that may arise, such as natural disasters and the upcoming flu season. Once again, I thank all honourable members who have made a contribution to the debate thus far, and I commend the bill to the house.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chair of Committees (Hon Dr Brian Walker) in the chair; Hon Stephen Dawson (Minister for Emergency Services) in charge of the bill.

Clause 1: Short title —

Hon Dr STEVE THOMAS: I thank the minister for a pretty fulsome reply to the second reading debate. Sadly, given what he said, I suspect that we will be limited in the amount of information that we can extract from him this evening. Should he feel the opportunity to slip the 2021–22 budget surplus our way, we would greatly appreciate it; we would not tell more than two or three people each! My plan is to do what we can in the clause 1 debate. This is a three-clause bill, so we could do this either in clause 1 or clause 3. I do not know whether the minister has a preference.

Hon Stephen Dawson: I am happy for you to do it now.

Hon Dr STEVE THOMAS: It really does not matter. Some papers were tabled in the other place, being tabled papers 1035 and 1036. The minister did not table them here during his reply to the second reading debate. Would it be appropriate to table the equivalent documents for the elucidation of members, so that other members, not that we have a great abundance of them, would potentially have the capacity to look at them? I will start with that.

Hon STEPHEN DAWSON: Noting that those members who are participating in the debate have a copy of the documents in front of them —

Hon Dr Steve Thomas: I have.

Hon STEPHEN DAWSON: The Leader of the Opposition does, as does Hon Martin Aldridge. Notwithstanding that fact, I am happy to table the 2021–22 Treasurer's advance summary document, and the second document is the Treasurer's advance summary of drawn downs forecast in the 2021–22 midyear review.

[See papers [1201](#) and [1202](#).]

Hon Dr STEVE THOMAS: As I obviously have these documents, I know that the bill before the house refers only slightly to what occurred in the Treasurer's advance drawn downs forecast, which is the paper that was originally tabled in the other place as tabled paper 1036 and refers to the \$723.2 million. I have a couple of quick questions. Again, it will depend on what information the minister has available to him. On the second page is a \$30 million item,

which is the COVID-19 test isolation payment. Is the minister in a position to give us any information about what the requirement and draw down on that has been?

Hon STEPHEN DAWSON: I am not in a position to give the member that. My advisers tell me that only a small amount has been drawn down. The information is held by the line agency as opposed to us. We are presuming that because RATs have been available, people have been able to use RATs and that has generally negated the need to access this payment.

Hon Dr STEVE THOMAS: The government might expect a question without notice on that at some point to the minister representing the Minister for Health.

Hon Stephen Dawson interjected.

Hon Dr STEVE THOMAS: I suspect it might be, and I suspect that might curtail the committee stage of the bill a bit and we might move on to the rats and mice fairly soon—boom boom. I said that deliberately!

Hon Stephen Dawson: That is Communities; it is not the Department of Health. When you ask the question, you can ask it to the right minister.

Hon Dr STEVE THOMAS: The question on the \$30 million will be to Communities. I suspect that the answers to lots of other questions will be similar in that the minister will not be able to break down for us how it will be. I take the minister to the second tabled paper, which is the bits of information that we have on this bill and has the 2020–21 amount of \$723.2 million rolled in. Effectively, four areas occupy the rest of this appropriation—the COVID-19 rapid antigen tests, other COVID-related costs, various agency costs and the buffer. I calculate all those as adding up to \$1.5973 billion. If we add that to the \$723.2 million, we end up with \$2.23205 billion. Again, I suspect that this may be an unrewarding exercise, but what information can the minister give us on what the \$164 million for other COVID-related costs is expected to be expended on?

Hon STEPHEN DAWSON: The \$164 million relates to three agencies in the main—WA Health, police and schools. It will provide these agencies with funding to meet costs such as testing and vaccination rollouts, more masks and personal protective equipment, contact tracing and tracking, police and border controls, quarantine accommodation costs, and enhanced school cleaning. Enhanced school cleaning has been happening essentially since the beginning of COVID, albeit that it has waxed and waned at various times; there has been more cleaning at various times depending on the risk in the community.

Hon Dr STEVE THOMAS: I assume that the numbers that were developed for this particular expense were done so on a departmental estimate of costs, and, if that is the case, I am presuming that the minister probably cannot give that to us and that the best place to chase that is in budget estimates. I assume that it is based on an estimate of cost rather than a guess from Treasury. Can the minister give us a reference point of where it has come from?

Hon STEPHEN DAWSON: It is what agencies have sourced through the budget process, and, yes, it can be teased out during estimates, but it may well appear in the budget papers on 12 May.

Hon Dr STEVE THOMAS: The next item of \$634 million is for various other agency costs.

Hon Stephen Dawson: That's the budget process one?

Hon Dr STEVE THOMAS: The minister is not able to give us any information on the expected expenditure for that. I am not going to win this, but I might as well ask the question: is the minister able to give us an indication of how much is likely to be attributed in 2021–22 versus 2022–23? That would be an interesting figure in itself, but, again, the minister may not be able to give it to us.

Hon Stephen Dawson interjected.

Hon Dr STEVE THOMAS: Sorry; I am trying to find any bit of information I can glean out of this. Like I said, I will swap you—if you drop me the budget surplus, I will let this go! Is the minister able to give us a breakdown as to what is likely to be specifically 2021–22 expenditure versus 2022–23 expenditure? Given that it relates to the 2022–23 budget, I do not suppose the minister can even break it down into what will be expended before 30 June and what is likely to be after that point.

Hon STEPHEN DAWSON: I cannot really. This includes funding that agencies have sought through the budget process for money that they would like to spend, if they can, by the end of the financial year. If not, they would seek to spend it in the next financial year. Some of it depends on grants, for example, and how quickly grants can be processed. Some of this amount also relates to, for example, the extra costs that the government needed to fund as a result of the fires that we have had this fire season. The Department of Fire and Emergency Services gets funding, but over and above the norm: if it has to expend extra amounts because of a significant fire season, as we have had with four level 3 events this year, it seeks additional funding through the budget process. I cannot give the member

a breakdown in terms of what is what. It would also potentially include the continued National Disability Insurance Scheme rollout. The number of people in the scheme has been higher than estimated.

Hon Dr Steve Thomas: By way of interjection, NDIS could potentially be in that figure, too?

Hon STEPHEN DAWSON: Some of it may well be, but it would not necessarily be a big amount. That type of thing would be included in what agencies seek to recoup. We have not hit the budget cut-off date yet so active deliberations are still happening —

An opposition member: What is that date?

Hon STEPHEN DAWSON: Am I at liberty to share that? I am told that it is normally a month before the budget.

Hon Dr STEVE THOMAS: The government is pretty close to the cut-off date. Normally, all the bun fights have happened by now; it is the last-minute panic from ministers. I do note that, federally, a minister briefly threatened to resign if they did not get their way. We are looking for some courage.

Hon Stephen Dawson: You live in hope, honourable member!

Hon Dr STEVE THOMAS: Be brave, minister; be brave, minister. “A very courageous decision”, said Sir Humphrey.

Hon Stephen Dawson: And a very courageous cabinet.

Hon Dr STEVE THOMAS: There you go!

There is no point asking for much detail on the buffer because a buffer is obviously there and it is unspent as yet. The minister indicated that there was a buffer of \$1 billion at one point. Perhaps Treasury officials can give us an indication of what a normal buffer process calculation looks like for Treasury. Treasury has a standardised approach for everything, so I would imagine that it has a general approach to calculating a buffer. This one seems on the higher side compared with some. Can the minister give us an indication of whether there is a standardised way of working this out, or was it simply a rounding exercise in which Treasury went to the nearest half a billion dollars, if you will? I am interested to know.

Hon STEPHEN DAWSON: There is no calculation. I guess it is based on what we have experienced thus far and what we know may well eventuate—the business payments, for example. If I look back at the buffers in the early years, I see that the buffers were around \$150 million to \$365 million. The last few years have been extraordinary in the sense that we have been dealing with the pandemic and it has thrown up some curlies. Since the Financial Management Act 2006 was changed, the buffers have been as low as \$70 million but equally up to that \$1 billion, depending on what is in the system and what is anticipated. It is basically a guessing game; what could go wrong? Having been through the last two years and having seen what we have had to deal with during the pandemic, there is an element of: that could happen again, so build that into the buffer for next year.

Hon MARTIN ALDRIDGE: I thank the minister for his reply to the second reading debate. The second reading speech made it clear that at the midyear review, the Under Treasurer believed that the forecast Treasurer’s advance that would be required was in the order of \$723 million. The amount pursuant to the FMA that can automatically be authorised is the sum of \$820.5 million, leaving a surplus of \$97 million unallocated at the midyear review point. I think the minister reiterated those figures during his second reading reply, so they are well known. My questions are: At what point was it known? Was it at the midyear review point or at a time subsequent to the midyear review that a further authorisation in this form was required?

Hon STEPHEN DAWSON: I think it is fair to say that at the midyear review it was expected that there may well be a need for a Treasurer’s advance authorisation bill this year, but the extent of what was needed was not known at the time, and it is has only transpired since then with things like the bushfires and the purchase of rapid antigen tests. The effect of Omicron was not anticipated at the midyear review. Since that time, we have learnt what it has done in and its impact on Western Australia.

Hon MARTIN ALDRIDGE: Thanks for that response, minister; that is a reasonable view. This bill was read in in the Legislative Assembly on 22 March. I think the opposition learned about it the day prior. For want of a better word or expression, what was the cut-off date for the assessment that the authorisation of \$1.5 billion was required? Obviously, we have talked about the cut-off date for the midyear review being 29 November 2021 and the budget cut-off date being roughly one month prior to the budget being handed down. What was the point in time at which Treasury ran its calculations and spat out the figure of \$1.5 billion?

Hon STEPHEN DAWSON: The numbers started coming in in late January, but the decision to push “go” and move forward was not made until sometime in February. I also draw the honourable member’s attention to the *Government mid-year financial projections statement* from December 2021. There is a section headed “Statement of Risks” on page 32, which talks about the changes since the 2021–22 budget and future COVID-19 costs and states —

Continued uncertainties remain as to the impacts of COVID-19 (including emergence of the recent Omicron variant) on the State's health system and economic conditions, once border controls are eased.

It was essentially flagged in the review that there would be tough times ahead in relation to budgetary matters and that we needed to be ready for that.

Hon MARTIN ALDRIDGE: Noting that a view was formed at some point in late January, or that information was starting to form in late January, with a decision being made in February, and given that we are standing here on 5 April, is the amount contained in the bill still current and accurate?

Hon STEPHEN DAWSON: The short answer is yes. Agencies continue to put in supplementary funding requests even after the budget. If there was a big flood, for example, this week, the Department of Fire and Emergency Services or the Department of Communities or whoever was leading the charge for that event or incident would seek further funding from Treasury. So, yes, absolutely. But as I pointed out to Hon Dr Steve Thomas, the \$505.3 million was an estimation of unforeseen issues. We hope that it will not be spent, and that it will not need to be spent, but it could well need to be.

Hon MARTIN ALDRIDGE: I thank the minister for that answer. I want to turn now to the tabled paper titled "2021–22 Treasurer's Advance—Summary". The shadow Treasurer has already asked questions about the four line items and the minister read into *Hansard* some explanation, at least with respect to the other COVID-19-related costs. The buffer is obviously as it states—unknown and unallocated, I guess—and the various other agency costs are subject to the 2022–23 budget process. I want to understand this a little bit more. I understand the answers the minister has provided to date in his reply to the second reading debate and in response to the shadow Treasurer. He may need to educate me on this, because I am struggling to understand the connection with the 2022–23 budget. The Treasurer's advance is, by design, only applicable between the date that this bill receives assent, or maybe the day after—I will have to check the commencement clause—and 30 June. I am struggling to understand the connection with the 2022–23 budget bills which are, in effect, bills to authorise the appropriation of funds for the next financial year. If it is anticipated that there is a need for \$634 million between now and 30 June, why is it a matter that is subject to the 2022–23 budget?

Hon STEPHEN DAWSON: If the member reads that sentence, it refers to the 2022–23 budget process. The government has an annual budget process. That is the time, essentially, when all agencies get to submit their requests. Later in the year, we have the midyear review, but not every agency gets to put a submission in as part of that. The annual budget process is the time that agencies put their requests in. That starts after the midyear review and closes in the lead-up to the budget, earlier in the year. It is only during that process that people can submit, as part of that process. They are under active consideration now, so I am not at liberty to say what it is or what the breakdown is. From the requests we have had from agencies, hundreds of millions of dollars have been requested as part of the process, and agencies want to start spending the money now, whether it is for grants or whatever, so the process would start now. If all the agencies got their stuff ready and done on time, that money could potentially go out the door before the end of June this financial year. But that line talks about the budget process, as opposed to the budget year, because the budget process happens once a year, and the process for the 2022–23 financial year is right now.

Hon MARTIN ALDRIDGE: I think we are progressing, but this is a thoroughly confusing matter for me. The cut-off date for the budget is pretty much imminent, if we are going on this general one-month rule. I am interpreting the minister as saying that the 2022–23 budget process is also considering and approving expenditure for the 2021–22 financial year.

Hon Stephen Dawson: By way of interjection, that's correct.

Hon MARTIN ALDRIDGE: I would have thought that if this is new expenditure, these projects are likely to be in advanced stages, if you are going to shovel \$634 million out the door somewhere between tomorrow or the next day, and 30 June. We are talking about a period of less than 90 days. That is the first point I would make. The second point is: how does that then flow into the 2022–23 appropriation bills if that does not happen? Let us say we achieve only 50 per cent of that \$634 million out the door. Given that we are so close to the budget cut-off, how do we then adjust the 2022–23 appropriation by that order to take account of the fact that it is going to be a 2022–23 appropriation of something that is funded under the Treasurer's advance?

Hon Stephen Dawson: Sorry, I didn't catch the first bit.

Hon MARTIN ALDRIDGE: My second question was: how do you re-profile? It may be just another midyear review matter that ends up being dealt with in December, but I do not believe that the government can get \$634 million out the door by 30 June on new projects that are pending approval, waiting for this bill to pass. The minister can prove me wrong, but if the government does not do that, how will it then re-profile the 2022–23 budget approvals? The money will, in effect, become an appropriation in the next financial year, because this Treasurer's advance will expire on 30 June.

Hon STEPHEN DAWSON: Most of it is supplementing existing services that are run by agencies. For example, some agencies will have shortfalls because we have reduced fees. One of the things we have done during COVID-19 is reduce fees for certain government services. As a result, some agencies will have shortfalls. There is also the example I gave of the bushfires. Extra resources have been expended by the Department of Fire and Emergency Services to fight those fires, whether it was on trying to access extra aircraft or whatever else. Bear in mind, agencies still need the approval of the cabinet and the Expenditure Review Committee to get that money back. Treasury would scrutinise the bids by agencies to make sure that they have spent appropriately, so there is a rigorous process. It is about shortfalls that exist currently, but an element of it will be new that will be required to go out the door as quickly as possible. Some of it, for example, will be for COVID-19.

Hon Dr STEVE THOMAS: If you do not mind, I might have a little crack at this. I understand that in that \$634 million—bearing in mind that what we are doing today is an appropriation to spend rather than an actual expenditure, so it will enable an expenditure—those things that are enabled and get spent in this financial year will be seen in the *Annual report on state finances*. There might be some things that are applied for in this financial year that actually do not get spent, but will be spent. I imagine that there will be some crossover between what is in that \$634 million. This is effectively an accounting mechanism whereby the government is empowered to spend the money, if required, before 30 June. If it does not happen until after 30 June, it will probably be empowered in the appropriations of the budget, but what the government might have spent theoretically before 30 June will remain unspent. We have to remember that the appropriations bill in itself is not expenditure; it is the money that is being made available to be expended. The minister can tell me whether I am wrong, but I imagine that the catch-up will be to allow for it with the appropriations in the current bill. If it is expended in the meantime, it is covered. If it goes into the 2022–23 financial year as expenditure, it will be ultimately double covered. The money will effectively not come under this appropriation, it will come under that appropriation; therefore, it is simply the way it is accounted for in the books. I think that is how it works. If I am wrong, the minister can let me know.

Hon Stephen Dawson: That is correct.

Hon MARTIN ALDRIDGE: If I accept the minister's last comment that a lot of these are existing programs for which additional expenditure is required, then I find it hard to accept that these are cabinet-in-confidence matters. If the story is that these are existing programs and services that need more money, that matter should be disclosed to Parliament, whether it be via examination in the Committee of the Whole or through question time or through a committee. It should not be subject to cabinet's consideration of next year's budget, because it is about a potential expense likely to be incurred in this financial year. The minister may well consider it as part of the budget process, but I do not accept fully the argument that this is a cabinet-in-confidence matter. Can the minister tell us how much of that \$634 million is recurrent expenditure versus capital?

Hon STEPHEN DAWSON: No, I cannot. It is all captured in the budget process. We are not doing anything different from what governments have done in this state for a very long time. This is how budgeting works in this state. It is not a case of the government doing something different to help itself out. This is how it has always worked and this is how we will continue to do it. The information that the member seeks will be released as part of the budget process. He will see there the anticipated spend; but, obviously, it is anticipated because we do not know what will be spent until the end of the financial year. As Hon Dr Steve Thomas pointed out, that information is disclosed in the annual report that comes out at the end of September.

Hon MARTIN ALDRIDGE: The minister took exception to my reference to the state running out of cash and confirmed that the state is awash with unexpected cash, so I will reframe that comment. The state is running out of authorised cash to spend. How close are we to running out of authorised cash to spend?

Hon STEPHEN DAWSON: We have lots of cash and various agencies have got cash, but it may not be authorised and, therefore, some of it may be in restricted accounts, for example. This process will allow for the release of that money so that agencies can expend it. For example, both the Department of Fire and Emergency Services and the Department of Biodiversity, Conservation and Attractions, because of the fires, do not have a great deal of cash on hand. It has been the policy of governments—both governments—for the last few years for those agencies to come back as part of the budget process to recoup what they may have spent during the fire season, for example. It does not sit neatly. It cannot be planned for ordinarily. We cannot plan for a disaster or a big fire season. Agencies have a limited amount of money to do the general stuff, but if there is a big event, they need to come back as part of the budget process to recoup that.

Hon MARTIN ALDRIDGE: I understand that process. My question is: in the big Treasury supercomputer that somebody pushes “enter” at five o'clock each day, have any of our agencies run out of cash?

Hon STEPHEN DAWSON: No-one has run out of cash.

Hon MARTIN ALDRIDGE: We got there in the end.

A significant proportion of my contribution to the second reading debate was spent dealing with the procurement of rapid antigen tests, which is the first line item on the Treasurer's advance summary—\$294 million—and which the Council is being requested to authorise this evening. I have a number of questions on this. I know that some of these questions were raised in the Legislative Assembly, so I am hopeful that the minister has similarly been equipped with a brief on this line item of the Treasurer's advance summary—some \$300 million. The Under Treasurer's certification occurred on 29 November 2021. According to the Legislative Assembly *Hansard* of 22 March, the Treasurer confirmed that orders were placed on 14 or 15 December. If we work with the 14 December date, that is 15 days after 29 November.

The Under Treasurer's certification says —

This Mid-year Review is based upon Government decisions that I was aware of or that were made available to me by the Treasurer, together with other relevant information known to Treasury, on or before the Mid-year Review cut-off date of 29 November 2021 and which have a material effect on the State's financial projections.

Is it the case that the Under Treasurer of Western Australia was not aware that there was going to be an expenditure of \$578.9 million some 15 days after this certification?

Hon STEPHEN DAWSON: I am told that the orders were placed in December and January. The certification that the Under Treasurer gave is correct and Treasury certainly stands by that.

The number of RATs purchased was determined via health advice to ensure that adequate supply would be available, noting the global competition to secure supplies. As noted by the Premier in the Legislative Assembly debate on this matter, it is not known for how long the RATs will be required and how long the pandemic will go. But I can now say that we now have adequate supply to ensure that the state government can support people to go safely to work and children to go safely to schools, and to ensure our testing clinics are not overrun.

Hon MARTIN ALDRIDGE: The first point that I will make is a comment. I find it quite extraordinary that the Under Treasurer of this state would not be aware of a nearly \$600 million liability being incurred by the state of Western Australia 15 days after giving an Under Treasurer certification to the midyear review. I find that extraordinary. The minister has just made a statement about ensuring that we have—and we do now have—an adequate supply of rapid antigen tests. I understand from questions without notice in this place that we have placed an order for 110.7 million tests. Can the minister confirm whether that remains the case and how many of those 110.7 million tests have been received by the state, which would confirm his comment that we now have an adequate supply of tests?

Hon STEPHEN DAWSON: I am happy to confirm that the member is correct that 110.7 million rapid antigen tests have been ordered. The member will have to ask the line agency how many have been received. Obviously, the Treasurer in the other place is also the Premier and he would have personal information because he is the head of government. Treasury officials are with me today, but rapid antigen tests have been ordered by Health and by Finance. We are not aware of how many they have received and the best time to ask those questions would be either during question time or in the estimates hearings that are coming up soon.

Hon MARTIN ALDRIDGE: These are pretty basic questions that go directly to the expenditure that the minister is seeking for us to authorise. I appreciate that the minister may not have the agencies—two are involved in this procurement process—at the table. If the minister does not know how many rapid antigen tests we have received, on what basis has the minister informed the Legislative Council this morning that we have received an adequate supply of them?

Hon STEPHEN DAWSON: The Premier's office has advised me that we have plenty of RATs now and we have made an order that will futureproof the state. If the honourable member is suggesting for some reason that tonight I should have an answer to every question on every issue for every agency across government that gets a dollar out of the budget, the member is wrong. That has never been the case. Tonight we are asking for an appropriation of an amount that agencies can spend. What it is spent on is up to those agencies. If the honourable member is suggesting that I should know every single cent and every single dollar that every agency is spending, he is wrong and he is showing a lack of understanding of how the budget process works. The bill before us allows for an appropriation. We are asking for an advance. The agencies may or may not have spent that yet, but I will not be answering questions about every single dollar in every single agency.

Hon MARTIN ALDRIDGE: I am not asking the minister about every expenditure in every agency. I am asking the minister about one of his four line items, which comes to an amount of \$294 million. It is a significant expenditure, which, clearly the Under Treasurer of the state had no knowledge of 15 days before somebody whacked \$600 million on the credit card.

I suggested during the second reading debate that I suspected that the \$294 million that is showing as required for COVID-19 rapid antigen tests is only a portion of the expenditure, because the answer to a question in this place confirmed that the actual cost of the procurement of the 110.7 million tests is \$578.9 million. Can I confirm why the Treasurer's advance requires only \$294 million? It could be one of two scenarios. One is that a portion of that expenditure is being incurred by an existing appropriation or an existing Treasurer's advance pursuant to the Financial Management Act automatic provisions. The other is that, as I suspect it is, the commonwealth is reimbursing the state for a portion of the procurement.

Hon STEPHEN DAWSON: There is the National Partnership on COVID-19 Response whereby the commonwealth provides 50 per cent funding contribution for purchasing rapid antigen tests. On 2 March 2022, government submitted an estimated expenditure of \$494.4 million under the NPCR for RATs and \$247.2 million had been received, which is 50 per cent of that amount.

Hon Dr STEVE THOMAS: We will obviously not get a huge amount of cabinet-in-confidence information out of the minister, unfortunately, so I might have to take the minister back, if I can. Again, we will see what information he has available. I suspect he might be able to answer this question. In the original Treasurer's advance, under the three per cent variation in recurrent funding, education is down for \$25 million, and the first dot point in that category reads —

- an update of Education's Depreciation and Amortisation expenses resulting from a change in the value of the Department's fixed assets (\$10.6m);

I have always had a bit of an issue with how government departments treat depreciation in particular because it is not as though they effectively replace an asset. They go cap in hand to cabinet and through the budget process. It seems to me that the \$10.6 million might not have been a cash transfer as such but a bookkeeping effect. If it is a cash transfer, I presume it is to fund some form of asset management, for example; otherwise, I presume it is a mechanism, in which case I am not sure that it needs to be in an appropriation either in the normal FMA three per cent variation or otherwise. Again, apologies if the advisers do not have the information in front of them, but it seems an unusual expense to put into a forward appropriation. If we can get an explanation, that would be useful.

Hon STEPHEN DAWSON: It is a non-cash appropriation. It came out of the Auditor General's process so it came out of the annual reporting cycle. I am told that the FMA requires that even with non-cash appropriations, it be listed.

Hon Dr STEVE THOMAS: It is one of those accounting anomalies, and I suspect it might be when no actual cash changes hands. There are no transfers as such. It reflects a re-evaluation of assets. It is unusual. I find it one of those weird accounting mechanisms that we are putting \$10 million of expenditure into an appropriation bill when no money changes hands. Again, it is probably something for budget day. I do not know whether the officials can tell us how common an event that is and how often this occurs. I will bring it back up on budget day if they do not have that information, but I make the point to the chamber that it is one of those odd anomalies that probably should be dealt with in a different way.

Hon STEPHEN DAWSON: I can say the appropriation is straightforward. It came out of the OAG's annual reporting process that it needed to be dealt with in the act in this way.

Hon Dr STEVE THOMAS: I might disagree with the minister about whether depreciation in government centres is quite straightforward. I think it is a twisty, windy beast at the best of times. You take your life into your hands to address it, but anyway, maybe that is just me.

Hon Stephen Dawson interjected.

Hon Dr STEVE THOMAS: Yes.

Hon Stephen Dawson: Because it came out of the audit process, it needed to be dealt with.

Hon Dr STEVE THOMAS: Yes, it is odd. Let us call it an anomaly and perhaps move on. The longer I am at it, the more I find that budgets are full of anomalies. That was hard to get out at this time of night!

I turn to the next page under capital funding. I note the \$176.3 million in approved items under the capital. The second-bottom line in the health system has the additional 70 general and 40 intensive care unit beds. It kind of relates back to the \$227.2 million on the first page of that document. It relates to the operational costs of WA Health and lots of these things. Again, this might be a question for health; it might not be one the minister can answer. I just note that such level of intensive care patients for COVID is sitting in single digits for the most part at the moment. I know it will creep a little bit higher as hospitalisations do. I think hospitalisations are up to 240-ish today, and the modelling at this point was something like twice that. We are expecting 50 to 60 ICU patients as we hit peak. I do not think there is too much doubt, despite the lack of answer to my question in question time this afternoon, that we are around about peak. I wish everybody would have a bit more faith in the modelling that the government has presented, because I think it has been remarkably successful to date. There has been some very good work. The funding was ostensibly for 40 intensive care beds. Do we know whether those beds exist in terms of capital infrastructure and are staffed according to the recurrent budget? Given that we have generally had fewer than

10 ICU COVID patients, does it mean that if the beds exist, they are hosting patients with other diseases—or do we not have that information available to us?

Hon STEPHEN DAWSON: We do not have access to real life data at health. All we can say is the Department of Health was funded to provide, open and start these beds, but the information about what has opened is held by the health department.

Hon MARTIN ALDRIDGE: While we are on this tabled paper that we are examining now, which is the *Treasurer's advance: Summary of drawn downs forecast in the 2021–22 mid-year review*, I mentioned in my second reading contribution an interest in the line items “All other recurrent items” and “All other capital items”. Are the Treasury officials at the table in a position to provide a breakdown of that \$56.4 million and \$29.4 million respectively?

Hon STEPHEN DAWSON: I draw the member's attention again to the *Government mid-year financial projections statement* of December 2021, page 131: everything under \$10 million should be listed.

Hon Dr Steve Thomas: You will be pleased to know that I have added it up!

Hon STEPHEN DAWSON: Okay, so it should be there.

Hon MARTIN ALDRIDGE: That is helpful. I will have a look at that. The other thing that drew my attention on the capital funding page is in the section entitled “Local Government, Sport and Cultural Industries”; it says that \$13.6 million of the \$723.2 million is attributable to bringing forward funding for stage 3 of the market-led proposal of the Victoria Quay screen production facility, mainly for professional and legal fees. I do not know a lot about this project, but is this not the infamous Fremantle film studio for which I believe the government made a \$20 million commitment? It would appear, if it is, that we have spent \$13.6 million on professional and legal fees, and now it appears to be known that the project is not proceeding.

Hon STEPHEN DAWSON: I think the member used the word “infamous”. I would not suggest that anything is infamous. This certainly relates to the film studio. The bringing forward of that funding allowed for the planning to take place. The planning included legal advice in relation to that project. It is still a live project for government.

Hon Dr STEVE THOMAS: We are coming to the end of information gathering. I might just chuck these things in. The minister is probably not in a position to answer and I might have to chase the answers under other areas, but in the capital funding in the same document, there is \$4 million in the commission for Main Roads for the Bunbury Outer Ring Road. I note that the commonwealth chipped in another \$320 million last week on top of that, as it turns out, \$16 million of which was for an intersection that is actually nowhere near the ring road. The member for Bunbury jumped on top of that and got the first press release out, so well done for him, I suppose. If the minister has any ability to elucidate on any of that, it would be useful.

Just another one, while I am here, and, again, it depends how much detail the minister has got, but there is a fair bit of money coming out in relation to the Burrup—the Burrup sea water supply and particularly \$25 million for the Burrup Strategic Industrial Area. Again, I suspect the minister is not in a position to give us a breakdown of either of those, but I thought I would ask the question.

Hon STEPHEN DAWSON: Honourable member, no, I am not. All we have got at hand is the *Government mid-year financial projections statement*. The member would have seen on page 114, for example, that it mentions Burrup Strategic Industrial Area infrastructure. I have nothing at hand in relation to the \$4 million of additional funding for the outer ring-road.

Hon Dr STEVE THOMAS: I might finish with this. I thank the minister and his officials for the information they have been able to give us. I will give the minister a last chance to tell us the budget surplus in advance if he needs it. No? It was worth a try! I just finish with this comment then: obviously the tabled paper, whatever its new number is now, the Treasurer's advance summary of drawn downs forecast, can be read in combination with the midyear review Treasurer's advance document, which is appendix 4, which starts on page 129. For the information of members, the two lots of information, which are set out very differently, can be combined.

Hon Stephen Dawson interjected.

Hon Dr STEVE THOMAS: A mind merge can be done with the *Treasurer's advance: Summary of drawn downs forecast in the 2021–22 mid-year review*, which was the document the minister handed out, and the Treasurer's advance document, which is appendix 4 of the of the midyear review. There are bits of information in each that are missing in the other, but the total numbers are accurate. I just make the point to members. If they are looking to break it down and they are not sure, and they combine the two documents rather than treat them separately, they will get a pretty good feel for how that that original \$732 million is apportioned. It is hard to read one without the other because the tabled paper does not do anything under \$10 million, whereas the midyear review Treasurer's advance document certainly does. It has more detail but less explanation, if that makes sense. It has more financial detail, but it has less information about what the projects are about, so the two read together, if members are looking to understand, is a good way to examine what is going on with that particular document.

We would obviously love to have the equivalent going on for the as-yet determined Treasurer's advance of \$1.5 billion, and the sooner we can get that information the better. But otherwise, I think we have garnered all the information that we are going to get tonight, and the opposition remains in support of the bill.

Clause put and passed.

Clauses 2 and 3 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [8.20 pm]: I move —

That the bill be now read a third time.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [8.21 pm]: I will make a very brief contribution to the third reading debate. I want to thank the minister and his advisers for their assistance and the members who contributed, particularly Hon Neil Thomson, Hon Martin Aldridge and Hon Dr Brian Walker, who all made a contribution. Like all of these bills, to some degree we kind of grant the government permission, so we sort of sign it a blank cheque with an appropriation bill because there are always variations that occur. It is not an unlimited blank cheque, but it is kind of a blank cheque. I appreciate the goodwill with which the minister has approached this. Obviously, we would have liked a lot more detail than he was able to provide. Obviously, we do not take that personally. It has been a partly interesting debate, but I think it will get much more interesting and much more willing when we come back in a month's time to debate the budget itself. We will hopefully get a lot more detail out of that. With that, I thank members for their contributions.

Question put and passed.

Bill read a third time and passed.