

**LAND TAX ASSESSMENT AMENDMENT BILL 2022**

*Second Reading*

Resumed from an earlier stage of the sitting.

**MR C.J. TALLENTIRE (Thornlie)** [4.35 pm]: I am very pleased to continue my remarks on the Land Tax Assessment Amendment Bill 2022. I turn to the provisions of the bill that I think are especially revelatory of the compassionate nature of the McGowan government relating to owners of homes who for one reason or another are forced into full-time care. These are people who have a property and who perhaps have reached that stage of life at which they have to go into an aged-care home or palliative care. In some cases, they might go into a private psychiatric hospital or a mental health facility. Indeed, it might be that they are moving out to go and live with a family member or a carer. The legislation has been designed in a particularly compassionate way so that provision is made for someone who moves out of their principal place of residence, such that in technical terms it could no longer be described as their principal place of residence, to not pay land tax on their principal place of residence. Once a person has left their principal place of residence to perhaps enter an aged-care home, they are not technically a resident there, and the government will not charge land tax on what might be vacant premises. I think that is an important new land tax exemption for people who have moved into full-time care.

That is a really noteworthy feature of this amendment bill that complements nicely some of the other work that the government has done around long-stay tenancies, park homes and also properties under the Retirement Villages Act. We have made the arrangements much clearer for when people exit, or leave, those places. There was a time—I encountered this—when people would suddenly find that they had to pay an exit fee or a compulsory refurbishment fee, or were bound by the contractual arrangements of a particular park home to use only a certain real estate agent if they wanted to sell a property. Those sorts of constraints were really unfair and very often thrust upon elderly people, who were not really up for a fight with a supervisor of the premises who was decreeing how things would happen. This measure is really important and shows compassion to people who are often in a really challenging situation. People who move into full-time care and do not rent out their former residence will no longer have to pay land tax. That is really good. Indeed, it is a commonsense amendment that will reduce financial pressures on people moving into aged-care facilities.

We have all heard about and know of the financial pressure and the complexities that overwhelm people the most. It is a huge decision to make to go into aged care and people sense that a whole lot of expenses go into it. To be adding to that burden with a land tax would seem really unfair. The bill will simplify the tax administration and mean that an individual can move between the different types of care facilities, which occurs very frequently. Someone might move into an aged-care home to spend time with a loved one as their carer or, indeed, in some cases, it might mean moving into palliative care. This will help people when they are at a particularly vulnerable point in their life. I note the minister's comments earlier about the nature of the retrospectivity, and I welcome his clarification. I think I can summarise it this way: the way this will be applied is that where people were living on 1 July 2020 will be taken into account. That is a helpful point of clarification.

I want to turn to the issue of people who are living in various types of park homes. It is quite typical to have a mix whereby some homes are permanent, for which people will be exempt from paying land tax, and some properties are holiday rentals that are used for holiday purposes. The formula is quite clear now that if 75 per cent of the whole park is owner occupied, it will be exempt from land tax, but if that figure is less than 75 per cent, we will look at the proportion of those that are owner occupied and those that are occupied by people who are passing through on a holiday. I think that is a sensible arrangement because we will not be making holiday rentals overly advantaged compared with other types of holiday accommodation in a town or region. That is a helpful measure.

All around, I think this legislation is most welcome. I appreciate the work that our government is putting into looking after people who have chosen a park home for their accommodation because it is relatively affordable. It is a cheaper option than continuing to live in a family bricks-and-mortar home. People are choosing this style of accommodation because they are looking for a more affordable way to spend their latter years of life. They choose to be in a place that is pleasant and often has a holiday atmosphere, which is to be encouraged. My observation when I have visited park homes is that they are very pleasant. There is a general over-55s atmosphere. I am over 55, but I feel a bit young to live there! There is a very resort-like atmosphere at these places. Often there is a swimming pool and a bowling area. It is a pleasant place to be. People look out for each other and are always joking with one another about whose footy team won. It is a good, fun atmosphere, so I can understand the appeal of these places. It is important that we have the right legislative framework in place and that our land tax arrangements are in keeping with people's financial capabilities. That is really good, too. I commend this bill to the house.

**MR D.A.E. SCAIFE (Cockburn)** [4.44 pm]: I would like to say to the member for Thornlie that I am not over 55; I am not even over 35.

**Dr A.D. Buti:** You've still got a long way to go.

**Mr D.A.E. SCAIFE:** That is quite right, Minister for Finance. However, I want to say that the picture the member for Thornlie painted of those caravan parks is tempting to me. I suspect that the member for Thornlie is much more active than I am, but I like the sound of being in a small, supportive community with a resort-like pool to jump into at the end of the day.

I want to echo a few things that the member for Thornlie said. I am speaking on the Land Tax Assessment Amendment Bill 2022 because I am fortunate to have two caravan parks in my electorate—Coogee Beach Holiday and Caravan Park and Woodman Point Holiday and Caravan Park. Both are very close to each other along Cockburn Road. I have quite a lot to do with the residents in those caravan parks. As the member for Thornlie said, people choose to live in caravan parks as long-stay tenants for a variety of reasons. Some like the retirement lifestyle. I can tell members that the lifestyle at Coogee Beach and Woodman Point caravan parks is enviable. They are located less than a couple of hundred metres from Coogee Beach within the A-class reserve of Woodman Point Regional Park. It is an exceptional location. I do not want to promote it too much, though, because, as I have said to the Acting Speaker, I do not want too many people from the northern suburbs coming down and invading our great locations south of the river. I am sure that the Minister for Finance would agree with that.

**Dr A.D. Buti:** Absolutely.

**Mr D.A.E. SCAIFE:** Absolutely. It is an enviable lifestyle, and people choose to live there for that, in part. They also choose it because it is a more affordable option, in many cases. A lot of the time I find that the residents whom I engage with are what I would call core Labor people.

**Ms M.M. Quirk:** That's the whole state these days, isn't it?

**Mr D.A.E. SCAIFE:** That is the whole state these days. I think the residents of my friend the member for Churchlands are also core Labor people these days. Using the more restrictive, old-fashioned term —

**Dr A.D. Buti:** Historic.

**Mr D.A.E. SCAIFE:** Using the more historic term of core Labor supporters, these people are on the age pension or a disability pension and often suffer from mental or physical disabilities. They have high needs. Living in those communities is an advantage to them because it is affordable and supportive. People in these communities, like the member for Thornlie said, look out for one another. I know from experience, having spoken to some of them, that the residents will check in on another resident who they know is a bit older and has mobility issues. Each day they will check on them and see whether they need anything and they sometimes do their grocery shopping for them. As I said, people who live in long-stay caravan parks do so for many reasons, but a cohort of those residents are vulnerable. One of the reasons that I am a member of the Labor Party, and why I am very proud of this Labor government, is that we look out for those people. One of the ways we have done that has been through our amendments to the legislative framework for residential caravan parks and long-stay tenancies in particular.

I congratulate the government on its recent raft of amendments to the Residential Parks (Long-stay Tenants) Act 2006. Those amendments came into effect only at the start of this year and introduced changes like abolishing the termination of a lease for no cause. We got rid of that. There is now a set of prescribed reasons for terminating someone's long-stay lease. Those reasons can be as diverse as the park being sold or redeveloped through to, perhaps, a tenant who is repeatedly disturbing the peace. Importantly, it is no longer the case that a tenancy can be terminated for no reason. That gives extra certainty to the people who live in long-stay portable homes, in many cases, or caravans.

This bill is another way that we are providing certainty to people living in caravan parks and also to holiday-makers and park operators. The Western Australian government has long had a policy of providing land tax relief to caravan parks and residential parks. I do not claim to be a planning or property lawyer or anything of the type, but I did have read through of the decision of the State Administrative Tribunal case for Henville and City of Armadale [2018]. This was a decision whereby SAT had to interpret the phrase "park home" in the Caravan Parks and Camping Grounds Act 1995. What that decision exposed was that a park home, under the act, must be a vehicle. When interpreting the word "vehicle", the State Administrative Tribunal member in that case found that a vehicle must satisfy a few criteria. Two criteria that were significant to the case were that the park home must be a means of transport and a vehicle within a prescribed class. For members who have gone to caravan parks that have long-stay homes in them, in many cases, they have seen that the homes the people live in are not caravans; they are portable homes. They can be very established homes and really beautiful homes. The chair of the Coogee Resort Permanent Residents' Association and his wife live in a three-by-two portable home. It is like any other home that members might walk in to, and it is a really beautiful place. These are established places; they are not places that someone would drive around the state in. They are not a vehicle by any definition of the word.

The State Administrative Tribunal found that these types of portable homes can withstand movement, but they are not used as a means of transport. They are put on top of a semitrailer or something like that to be transported. Therefore, because of that and because they do not meet the criteria of a prescribed vehicle, they could not be

considered a vehicle, and so could not be considered a park home under the act. The result of that was the assumption that everybody had been operating under, which was that this type of land tax relief could be provided to owners and residents of these homes, was not actually the case. Therefore, the policy assumptions of the state government were not in perfect alignment with the legislation as interpreted by the State Administrative Tribunal in the Henville case.

We will do a number of things with this bill. One thing is we will make sure that the legislation matches the policy assumptions about these caravan parks and park homes that we have been operating under for a long time. That is a really great thing because something like 91 per cent of park homes are owner occupied. Very few of the park homes are rented out. People own the portable home and they lease the land that they park their portable home on. Therefore, in the vast majority of cases—I am not going to say 91 per cent—people will be able to access this land tax relief.

This is relevant to Coogee Beach and Woodman Point because they are both mixed-use parks; they have short-stay holiday accommodation and long-stay residential accommodation. Under the bill, in mixed-use parks containing both short-stay holiday sites and long-stay sites, the portions of the park attributable to caravan and camp sites and owner-occupied sites will be exempt from land tax. Furthermore, if at least 75 per cent of the long-stay sites are owner occupied and 75 per cent of the short-stay sites are for caravan and camp sites, the entire park will be exempt. I have not crunched the numbers for Coogee Beach or Woodman Point, but I think that they would at least come fairly close to meeting those criteria. If it is the case that one of the site types in a park meets the 75 per cent threshold but the other does not, the portion of the park attributable to the site type will be fully exempt. This means that relief will be given proportionately to its use for short-stay and long-stay accommodation. That means that the operators of the park will not be charged land tax, which they would, invariably, as a business, pass on to the residents of the park. That is a good thing. That is tax relief that ultimately has a knock-on benefit to those long-stay residents, in particular, who are my primary concern.

I want to reflect on how important it is that we provide this kind of certainty and relief to long-stay residents of caravan parks, by virtue of the experience of residents at Coogee Beach Holiday and Caravan Park in my electorate. I made a firm commitment to these residents, right before I was even elected, to always make sure that I look out for and advocate for them. One of the first challenges that I was confronted with, even before I was elected to this place, was that the G'Day Group, which was previously known as Discovery Parks, had acquired Coogee Beach caravan park and was proposing to redevelop it. There is no doubt that that caravan park needs redevelopment, and all the residents accept this. It needs new ablution blocks, communal facilities and a general facelift. There are also great opportunities for visitation to the Coogee Beach area, so it is important that we have a topnotch accommodation option for people seeking to stay in the area. But the consequence of that redevelopment was, of course, significant uncertainty for a large number of residents.

Some of those residents discovered the areas that they were living on would be redeveloped and they would be evicted from those sites. It was extremely distressing. It was particularly distressing because, unfortunately, there is sometimes a misunderstanding amongst people who live in these homes in that they believe they have security of tenure in the actual land, but there is an unfortunate reality. At Coogee Beach and Woodman Point, because the locations are so ideal, some people bought portable homes for really inflated prices thinking that they were buying the portable home with it being permanently located by the beach. Therefore, there are cases of people having bought portable homes for over \$100 000 because they understood that they were purchasing a portable home that would be, for the foreseeable future, located within 200 metres of the beach. They then found out, through this redevelopment proposal, that, yes, they own the portable home, but they do not have any long-term security to stay at that location. This was all prior to our amendments to the act, so the leases could be terminated on no grounds whatsoever and these people could be moved on.

It was really distressing for some of these residents to have to uproot their whole life, and the truth is that some of those portable homes were not really portable anymore. They had been there for decades and they were not in a state in which they were able to be transported. People's concerns were: Where am I going to go? Am I going to lose the portable home completely? Am I able to sell the portable home? Will I be able to sell it for as much as I bought it for because I am going to have to tell people about the redevelopment, so people are not going to buy it for the inflated price I did? It was a really distressing period. I worked really closely with the City of Cockburn and the residents, and my first 90-second statement that I made in this place was on this issue, drawing attention to the challenges these residents were facing. This provides a clear redevelopment timetable in stages so that residents have certainty about when they are going to be affected, if they are going to be affected. It provides a guarantee of relocation—that the residents will be relocated, either within the park or to another park of their choosing. It also provides for an amount of up to \$20 000 to assist with things like relocation costs or compensation, if the property has to be sold.

I want to congratulate those residents on their advocacy. I was really proud to assist them. I also give my thanks to G'Day Group, which I think is a very good corporate citizen in respect of this issue. It really listened to the residents and came to the party with what I think was a reasonable proposition. I would also like to put on the record my particular thanks to Peter and Sally Newsome, Jillian Spruyt, Sheila Raine and Gary and Jenny Read, who are the

residents who raised these particular issues with me and worked through them. They were very patient during a very distressing period.

Finally, I would like to acknowledge the work done by another one of my constituents, Ken Mann. Ken is president of Park Home Owners Association Western Australia. Ken lives in the other caravan park in my electorate, Woodman Point Holiday and Caravan Park, and he is an absolute workhorse when it comes to standing up for the interests of park home owners. We all know from getting around to the various community groups and being community-minded people ourselves that running volunteer organisations and peak bodies can be hard work, particularly when advocating on behalf of people like long-stay park home residents, which is a group that is spread out across the state. It is not necessarily a group of people of vast financial means, but they have a real variety of views about different issues, and Ken does a really outstanding job of keeping up the good work, sending out newsletters and communicating with the Department of Mines, Industry Regulation and Safety when it comes to reforms. He was really active as part of the reform process that led to the amendments to the Residential Parks (Long-stay Tenants) Act 2006. I know that the Park Home Owners Association Western Australia was also consulted on these changes, and I am sure Ken would welcome those changes. I just want to put on the record my thanks to Ken. He was in my office just a couple of months ago, chatting about the various issues with me, and I want to say thank you to Ken for all the work he does on behalf of his fellow park home owners.

On that basis, I want to reiterate that this is a good bill that is consistent with longstanding government policy on providing land tax relief to low-cost holiday accommodation such as caravan and camp sites, and for owner-occupied homes. It is a bill that delivers on that policy commitment, which is something that supports vulnerable people who are living in long-stay owner-occupied portable homes in caravan parks. I congratulate the Minister for Finance for bringing it to this place and I commend the bill to the house.

**MS L. DALTON (Geraldton)** [5.07 pm]: I speak today on the Land Tax Assessment Amendment Bill 2022. I am a regional MP, and although I usually prefer to speak on topics relevant to my electorate and the regional lifestyle, I want to say that, as an I understand it, this amending legislation is a great positive to our recreation and tourism industries. It will ensure that land tax costs are not passed on to holiday-makers across the state and will provide other benefits, including relief from the rising cost of living to those who are elderly and on a low or fixed income. This is relevant to not only my electorate of Geraldton, but also the midwest and across the state of Western Australia.

This bill addresses issues with land tax exemption for caravan parks and introduces a new land tax exemption for home owners in full-time care. In my opinion, this amendment comes from a place of caring and consideration, and understanding that not all circumstances are the same across our large state. Land tax is generally not payable on an individual's private residence. However, when an individual stops living in their home because they have moved into full-time care, land tax can apply to their home. With these amendments, people living in the regions and metropolitan areas can be confident that if they need to depart their primary residence to go into full-time care—such as a private psychiatric hospital, an aged-care facility, a palliative care facility, or moving in with a carer—and have not rented out their former residence, they will no longer have to pay land tax. This is a commonsense amendment that will reduce financial pressures on Western Australians moving into full-time care. This amending legislation is also an important tax reform that simplifies administration. I am proud to be a member of a government that, through research and consultation, considers the impact of the legislation on home owners and industry.

I will speak about the benefits of this amendment bill to the caravan park industry in a moment, but first I want to speak about the experiences of landowners receiving a land tax exemption or concession, and what resources are available for those who want to learn more about the topic. This bill introduces a general notification requirement for landowners receiving a land tax exemption or concession. Currently, a person liable to pay land tax must advise the Commissioner of State Revenue if their land tax assessment is incorrect. This bill introduces a new general notification requirement for landowners receiving an exemption or concession, replacing the current specific notification requirements.

I would like to commend the Department of Finance for providing information on land tax in an easily accessible format. Can members believe it? A simple search on the internet, which I have done, brings up clear-language websites with links to fact sheets, tutorial videos and in-person workshops where people can build their understanding of the topic and apply for exemptions with easy-to-understand guides that I find are very, very helpful. Although the onus is on the owner to advise the commissioner of an event or circumstance that may affect their exemption or concession, it also clearly lays out the responsibilities of government to notify landowners that an exemption or concession applies to their land, and the events or circumstances that may affect it before a notification requirement can apply.

I have watched the YouTube video on the topic and it is clear the government does not always know when people have begun building on their previously unimproved lot. It is not always aware that people have moved into full-time care, but it will work with people to make it less of a task to apply for exemptions, creating consistent notification requirements and ensuring that exemptions and concessions are correctly applied to eligible properties. That is easy and accessible for home owners going into full-time care. It is considerate to home owners who are getting the keys

to their newly built home, and it is encouraging for the low-cost holiday accommodation market and owner-occupiers who reside in caravan parks.

Geraldton is a coastal city with rising popularity in the self-drive holiday market. When tourists come to Geraldton, they are welcomed with country hospitality, a temperate coastal climate and endless water and wind-based activities. Investment in and development of primary producer events like the annual Shore Leave Festival has opened opportunities for seafood and land-based producers to showcase products with delicious and inspired value-added menus, enticing a growing foodie market. I recently attended the western rock lobster deck dinner in Geraldton, which is held in support of young cray-fishers. The two-day program is a workshop designed for young participants in the western rock lobster industry who want to strengthen their knowledge and skills around resource management, representing industry and operating small businesses. The comments these young career-makers made to me were that they are keen to bridge the gap of understanding about their industry, and they support new technologies that raise awareness of their industry and products.

Western Rock Lobster has displayed on its website a directory of back-of-boat sellers, and future developments will adopt new technologies that make buying crayfish an experience similar to meal delivery apps like UberEats. People can do this from their device; they can track the boat and meet the fisher who caught the crayfish, and build collaborations with local restaurateurs who can cook their personally selected choice. What a fabulous initiative! Locals and visitors will be empowered to buy locally and take their crays away to experiment with new recipes at home or at their holiday accommodation.

Any support given to caravan parks and camping grounds through exemptions to land tax will indirectly support these young career-makers when the product they sustainably nurture, catch and harvest can be better supported by the domestic and international tourist market. Our caravan park industry is a crucial component of this circular economy, offering families and travellers a low-cost holiday accommodation option in our fantastic WA tourist towns. It is the same all across Western Australia. I and many others have fond memories of caravan park holidays—making friends with other travelling kids, staying up late at the games room, communal cooking and the showers. Memories like that will continue to be made with the land tax exemption under the Land Tax Assessment Amendment Bill 2022. This exemption will provide important support for businesses that offer low-cost permanent and holiday accommodation in Western Australia and will maintain the integrity of the 2018 State Administrative Tribunal decision. On 30 June 2020, these amendments were announced to ensure that the exemption could apply from the 2020–21 financial year. A park will not be disadvantaged by the retrospectivity of the amendments. If a park is exempt to a lesser extent under the amendments, the current exemption will continue to apply and the proposed exemption will apply from the financial year following royal assent of the bill.

I can explain in further detail how this amendment will be applied to caravan and camping grounds and owner-occupied relocatable homes. I first want to commend RevenueWA for making the process transparent and easy to understand. RevenueWA will calculate the exemption that will apply to caravan or residential parks. A park owner will not need to complete the calculations required by legislation; they will only need to provide information such as the number and type of sites and the uses of various areas in the parks. This exemption will provide important support for these businesses that offer low-cost permanent and holiday accommodation in Western Australia.

During consultation, the government received feedback from a respected industry group that stated that a full exemption should apply to all holiday cabins and chalets in a park. Again, our government, with its considered approach, did not make amendments to that effect. Providing a blanket exemption for them would give parks a commercial advantage over other equivalent holiday accommodation providers such as hotels and motels. Other feedback included that in addition to the exemption for owner-occupied sites, a full exemption should also apply to long-term tenanted sites. Again, there would be a commercial advantage to parks over other providers of rental accommodation if these sites were exempt. The policy intent of the exemption for owner-occupied sites is to ensure that land tax is not passed on to the owner-occupiers of relocatable homes. In my opinion, an exemption to long-term tenanted sites would change the use of the caravan park and reduce the options for holiday-makers. Non-vehicle relocatable homes are often used by permanent residents of the park, who purchase the home and use it as their primary residence. Therefore, they are already included in the exemption. The amendments to the act are designed to align with the longstanding policy to provide land tax relief, which is a welcome announcement in my electorate, and I am sure that we would all agree it is a welcome announcement across Western Australia.

I would like to take this opportunity to announce the details of how the exemptions will be applied. Again, I encourage affected parties to access the available resources, attend workshops and take note of the fact sheets and guides. When I speak, I would like members to think of their favourite WA holiday destination and memories of an affordable family getaway. A short-stay park containing caravan sites, camp sites, cabins and chalets will be fully exempt if at least 75 per cent of its accommodation sites are for caravans and camping. If less than 75 per cent of the sites are caravan and camp sites, a proportional exemption will apply to the park. A long-stay park containing sites rented to people as their primary place of residence will be fully exempt if at least 75 per cent of its sites are owner occupied.

If less than 75 per cent of the sites are owner occupied, a proportional exemption will apply to the park. In a mixed-use park, not unheard of in today's housing market, containing both short-stay holiday sites and long-stay sites, the land tax exemptions will apply only to the portion of the park attributable to caravan sites, camp sites and any owner-occupied sites. If at least 75 per cent of the long-stay sites are owner occupied and 75 per cent of the short-stay sites are for caravans and camp sites, the entire park will be exempt. If one of the site types in a park meets the 75 per cent threshold, that portion of the park attributable to the site will be fully exempt.

Members may have a picture in their mind of their favourite holiday destination—their beloved childhood caravan park getaway. Imagine the photocopied park site map they are given upon check-in, how reception points out their site, the quirky internal road names that connect them to the communal facilities and the arrow pointing towards the direction of the beach. Now overlay this land tax exemption to that site map, to the caravan and camping sites, to the communal facilities covering the owner-occupied sites where retirees live affordably and comfortably in their community, and join me in commending this amendment bill as it is expected that the majority of caravan and residential parks will have no change in their exemption status due to the 75 per cent thresholds provided in the amendments. This amendment bill supports low-cost holiday accommodation providers, owner-occupiers who reside in parks and people who must leave their primary residence to access medical care, all of whom will be exempt from land tax or eligible for proportional concessions. As we know, an estimated 91 per cent of relocatable homes in residential parks are owner occupied, which would make these parks fully exempt under the proposed legislation.

In conclusion, the Land Tax Assessment Amendment Bill is positive legislation. It comes from a place of caring and consideration for broader social and economic impacts on not just one industry but many. I commend this bill to the house.

**MR S.A. MILLMAN (Mount Lawley — Parliamentary Secretary)** [5.17 pm]: I also rise to make a contribution to the Land Tax Assessment Amendment Bill 2022. I do so in the knowledge that the two speakers who immediately preceded me—the member for Geraldton and you, Acting Speaker, as the member for Cockburn—have caravan parks and long-stay residential parks in their electorates. I cast that in distinction to my electorate of Mount Lawley, which does not have long-stay residential caravan parks. I rise to make a contribution to this bill because I think it does two things that the McGowan Labor government has developed a reputation for doing—that is, looking after vulnerable people and clarifying the law.

I should have started by saying that I commend the Minister for Finance for bringing this legislation before the house. I will comment on some of his predecessors in that portfolio shortly. This bill will uphold one of those great key Labor values that the members for Geraldton, Cockburn and Thornlie alluded to in their contributions; that is, the exemption for owners in full-time care will alleviate a taxation liability that would otherwise exist. The bill will provide a new land tax exemption for home owners who move into full-time care. These are some of the most vulnerable people in our community. Land tax is generally not payable on an individual's primary residence; however, when an individual stops living in their home because they have moved into full-time care, land tax can apply to their home. This bill will ensure that home owners who have moved into full-time care and have not rented out their former residence will no longer have to pay land tax. These are vulnerable people in the community who have moved into full-time care who would otherwise have been sluggish with this land tax liability were it not for the compassionate amendment bill that was brought before the Parliament by this minister.

This is a commonsense amendment that will reduce the financial pressures on Western Australians moving into full-time care and it is an important tax reform that simplifies tax administration. I am sure this has been mentioned before, but, just for clarification, an individual is in full-time care if they primarily reside in a hospital, mental health service, private psychiatric hostel, aged-care facility, palliative care facility or with a carer. The first thing the bill will do is look after vulnerable people by alleviating their taxation burden. No-one in this chamber can say that that is not a laudable and just aim.

The second thing the bill will do is clarify the law. In his contribution, the member for Cockburn touched on the decision of the State Administrative Tribunal in *Henville v City of Armadale*. I think it is poetic that the minister responsible for bringing this legislation before Parliament, the Minister for Finance, is also the member for Armadale, who has firsthand knowledge of the circumstances that transpired in the case of *Henville v City of Armadale*. For the benefit of Hansard, the citation is [2018] WASAT 108. That decision delivered on 19 October 2018 cast a light on assumptions that were made by parties and by the government about the way the Land Tax Assessment Act 2002 applies in particular circumstances. When we see a tribunal like SAT make a decision such as that made in *Henville v City of Armadale*, we know that a responsible and diligent government will take the necessary steps to reform the statute book to clarify the situation so that people are not caught short in the circumstances that they confront. Subsequent to the *Henville v City of Armadale* decision being handed down by SAT, the government took the necessary decisive policy action that took effect from the 2020–21 financial year—so very quickly after the decision was handed down. In the meantime, a state election intervened, but, subsequent to the state election, the McGowan government got on with the job of ensuring that this legislation was drafted to provide clarity in legislation. Two essential

tasks and two regular attributes of the McGowan Labor government are looking after vulnerable people in our community and clarifying legislation so that everyone knows the situation exactly.

People might be interested to know why I sought to make a contribution on this bill.

**Mr D.J. Kelly:** Tell us!

**Mr S.A. MILLMAN:** Thank you, minister.

It appears that some people were concerned about the predilection of the previous Liberal government between 2008 and 2017 to increase land taxes, because it did it on three occasions—not once, not twice, but three times! On 12 March 2017, my esteemed predecessor, Hon Michael Sutherland, former Speaker in the Legislative Assembly, said to the media that he felt there were some reasons why he had lost the seat of Mount Lawley.

**Dr A.D. Buti:** Great candidate!

**Mr S.A. MILLMAN:** He did not say that, unfortunately, minister, but I appreciate the comment.

He said one of the reasons he felt that the Liberal Party lost was that Barnett was not providing the necessary leadership; one reason was that the Liberal Party had done the rotten preference deal with One Nation; and one reason was that, despite its stated idealistic and ideological position, his own party had increased land taxes three times, and that had resonated in Mount Lawley. He attributed his defeat to those land tax increases.

I think back to 27 June this year when the credit ratings agencies reinstated WA's AAA credit rating. The Premier, as Treasurer, got up in the house today and advised us of the fantastic financial situation that the state finds itself in with a \$6 billion surplus. This is a far cry from what took place in 2013 and 2014. I am going to take a little trip down memory lane as we deal with the Land Tax Assessment Amendment Bill 2022. I am going to take members back to 18 September 2013 when the previous Liberal government lost WA's AAA credit rating. At the time, the Minister for Finance, Mike Nahan, introduced an amendment to the Land Tax Assessment Act that had the effect of increasing land tax. But that was not enough. That amendment came into effect on 19 April 2013, and on 18 September, not six months later, the state's AAA credit rating was lost. On 1 July 2014, Dean Nalder, who by then had replaced Mike Nahan as the Minister for Finance, also increased land tax on 1 July 2014. Dean Nalder did not survive more than nine months in the portfolio as Minister for Finance. By 8 December 2014, he was gone and Bill Marmion was introduced as the new Minister for Finance in the previous Barnett Liberal government. In one year, we had three Ministers for Finance. We had Hon Mike Nahan at the start of the year, Dean Nalder in the middle of the year and Hon Bill Marmion at the end of the year. Three ministers! We have had the same Minister for Finance since March 2021. He has already served a longer term as Minister for Finance than two of those three. In 2014, we had three separate Ministers for Finance. All three Ministers for Finance were responsible for introducing legislation to increase land tax.

I see the newly elected member for North West Central, and I congratulate the member on her election. The newly elected member for North West Central is about to make her maiden speech, and I see that the public gallery is filling with people here to listen to her maiden speech. This is a great moment in a member's political career. As the member is from the Nationals WA, I am sure plenty of people in the public gallery are from the country. It seems to me that, by the time 2014 rolled around—to use a country analogy—the Liberal Party had shut the gate after the horse had already bolted. Members of the public gallery know just how bad an attitude that is!

Let me conclude, because I want to yield the floor to the new member for North West Central so that we can sit and enjoy the maiden speech that she will present to the house. I cannot help but wonder about Mike Nahan and Dean Nalder and, I think, Bill Marmion, although I stand to be corrected, all three of whom stood up and said in their maiden speeches how important it was to cut taxes, yet all three of them as Minister for Finance increased land taxes through amendments to the Land Tax Assessment Act. Perhaps that is why Bill Marmion, Dean Nalder and Mike Nahan are the three wise men of the lost Liberal heartland.

I commend the bill to the house and I congratulate the minister.

Debate adjourned until a later stage of the sitting, on motion by **Ms C.M. Rowe**.

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