



# Parliamentary Debates

(HANSARD)

FORTIETH PARLIAMENT  
FIRST SESSION  
2018

LEGISLATIVE ASSEMBLY

Thursday, 28 June 2018



# Legislative Assembly

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

## CAGED HENS — EGG PRODUCTION

*Petition*

MR J.N. CAREY (Perth — Parliamentary Secretary) [9.01 am]: I have a petition that has been certified as conforming with the standing orders of the Assembly. It has 195 signatures, and states —

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

**We, the undersigned, say**

most West Australians support the ethical treatment of animals and want to see the use of battery cages for egg production banned. The small cages do not allow chickens to behave in a natural way. They have no access to sunlight, fresh air, grass or a nest to lay their eggs, they can't spread their wings, dust bathe, perch and forage or even walk around.

**Now we ask the Legislative Assembly**

to act to phase out the practice of caged hens for egg production.

All egg producers should have hens in low density free range farms with real access to the outdoors, that they can live happy and healthy lives.

[See petition 94.]

## MADDINGTON HOMESTEAD

*Petition*

MR C.J. TALLENTIRE (Thornlie — Parliamentary Secretary) [9.02 am]: I have a petition concerning the preservation of the Maddington Homestead, which reads —

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

We, the undersigned, note with concern the continuing dilapidation of the historic Maddington Homestead and surrounding associated structures and look forward to future restitution and renovation of the locality.

Now we ask the Legislative Assembly to

- strengthen the powers available to government in heritage matters;
- And to press Government to seek owner action in accordance with the current Conservation Order.

The petition bears 32 signatures and has been confirmed to conform with the standing orders of the house.

[See petition 95.]

## MEADOWLANDS DRIVE

*Petition*

MS R. SAFFIOTI (West Swan — Minister for Transport) [9.03 am]: I certify that this petition conforms with the standing orders of the Legislative Assembly. It has 158 signatures, and states —

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

**We, the undersigned, all being Residents of the City of Wanneroo say;**

**(a) Meadowlands Drive is part of a SBS School Bus Service route.**

**(b) Our Special Rural Equestrian Estate is a small, quiet, safe community where our residents with their children and pets, walk the streets, ride their bikes, catch the school buses and ride their horses in a very safe environment.**

**(c) We need our community, especially our children, to stay safe on our local streets.**

**(d) We cannot have Meadowlands Drive become a mining truck access route.**

**Remedy Required**

**Now we ask the Legislative Assembly to make Meadowlands Drive a Local Road Only with NO logging or mining truck access to Silver Road allowed.**

[See petition 96.]

**PAPERS TABLED**

Papers were tabled and ordered to lie upon the table of the house.

**MUSEUM OF THE GOLDFIELDS — “NUGGET” THE BEAR**

*Statement by Minister for Culture and the Arts*

**MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts)** [9.06 am]: I rise to inform the house of a significant event that occurred as part of Western Australia Day celebrations on 4 June 2018. Museum of the Goldfields successfully launched a teddy bear called Nugget 37 kilometres into the earth's stratosphere. I understand that Nugget, equipped with a camera and GPS, made the ascent aboard a high-altitude balloon. Strong high-altitude winds blew Nugget about 300 kilometres from Kalgoorlie and the teddy bear landed in rough terrain. Volunteers from the Eastern Goldfields 4WD Club set off to recover the teddy bear. The GPS's last ping was used to determine the search area and a drone confirmed Nugget's location. After some skilful off-road driving, Nugget, in astonishingly good condition, was retrieved and returned to the museum. I understand the video camera captured spectacular footage—in fact, a “bear's-eye view” of the goldfields, including vision of Nugget floating above the curvature of the earth.

The aim of Nugget's sky-high mission was to inspire people to explore their world, promote science, technology, engineering and mathematics learning in regional communities, and advance our knowledge of the goldfields. The data and footage collected by Nugget will form the basis of future educational programs and resources at the Western Australian Museum. The McGowan government is committed to promoting and enhancing STEM education in Western Australia through a range of initiatives. This includes \$17 million for science programs in up to 200 public primary schools, including resources to create science labs and making coding part of the school curriculum. Earlier this month, the McGowan government also announced more than \$3.3 million in new funding to kickstart WA's STEM skills strategy, and drive WA's future. Nugget will capture the attention of people of all ages and help to stimulate greater interest in STEM programs. This experiment supports the Western Australian Museum's role to inspire people to explore the world around them and share our identity, culture and sense of place.

I thank the local community in the goldfields, MacTrack, the Eastern Goldfields 4WD Club, Redcat Media and Ikka Steel for their support of this out-of-the-ordinary project. The goldfields museum now has an exceptional adventure that can be shared with its visitors.

I table for the house's interest a picture of Nugget 37 kilometres above the earth!

[See paper 1454.]

**The SPEAKER:** How much can the chamber bear?

**OCCUPATIONAL SAFETY AND HEALTH — REFORM**

*Statement by Minister for Commerce and Industrial Relations*

**MR W.J. JOHNSTON (Cannington — Minister for Commerce and Industrial Relations)** [9.09 am]: I rise to inform the house of the McGowan government's progress with its reform agenda in occupational safety and health. Last July, I formed a ministerial advisory panel to advise on the development of a single, harmonised and comprehensive work health and safety act. The new act will cover all workplaces in Western Australia and be aligned with legislation in other Australian jurisdictions.

The ministerial advisory panel was chaired by Ms Stephanie Mayman and comprised representatives from the public sector, the Chamber of Minerals and Energy of Western Australia, the Chamber of Commerce and Industry of Western Australia, UnionsWA and, additionally, the member for Mount Lawley. I am pleased to advise that on Saturday I will be releasing the panel's recommendations for a period of community consultation, which will run until 31 August 2018. The recommendations will be available on the Department of Mines, Industry Regulation and Safety's website. I encourage workplace participants, or any person interested in workplace health and safety, to provide comment on the recommendations. Community members are invited to provide their views on any aspect of the model work health safety laws that may impact Western Australian workplaces and the community. I also welcome additional or alternative proposals to those recommended by the panel. I encourage community members to attend one of the modernising work health and safety laws information sessions in Joondalup, Perth, Katanning, Albany and Bunbury throughout July.

Finally, I take this opportunity to thank Ms Mayman for her work as chair and to thank the representatives on the panel for their valuable and constructive contributions throughout the process. I look forward to progressing these important reforms that continue the McGowan government's commitment to ensuring the fair and proper treatment of Western Australian workers.

**INDONESIA — PERTH—EAST JAVA PROVINCE — SISTER STATE RELATIONSHIP***Statement by Minister for Asian Engagement*

**MR W.J. JOHNSTON (Cannington — Minister for Asian Engagement)** [9.11 am]: It is with great pleasure that I announce that the state government continues to strengthen our relationship with Indonesia, in particular our sister state relationship with East Java, through broader collaboration, including youth development and cultural exchange.

The East Java Persebaya under-19 soccer team will arrive in Perth today for a football exchange program under the initiative to broaden our sister state relationship with East Java. Football West is hosting the visit by the Persebaya under-19 team. The team is here for an eight-day tour to undertake training; play against local teams; tour Perth, Fremantle and Rottnest Island; and visit the Western Australian Institute of Sport. The Persebaya players were selected from different regions of Indonesia. Many players are from low-income families and this exchange offers an important developmental opportunity for these young people. Persebaya's visit provides a great opportunity to strengthen our people-to-people ties with the province. Nothing brings people together more than sport, and we hope that this football exchange will further develop these ties, particularly between young people who will drive these relationships in the future.

East Java has been a sister state to Western Australia for almost 30 years. In September 2017, I was pleased to re-sign the memorandum of understanding covering a range of topics that aim to strengthen our ties. As the Minister for Asian Engagement, I wish to reinforce the importance of our relationship with Indonesia at all levels of society. The McGowan government recognises the significant value and benefits that social and cultural exchange brings to our respective countries and communities. I wish the Persebaya players a memorable stay in Perth and look forward to many more football exchanges with teams from Asia.

**HOUSING AUTHORITY — “AFFORDABLE HOUSING ACTION PLAN 2017–18 TO 2019–20”***Statement by Minister for Housing*

**MR P.C. TINLEY (Willagee — Minister for Housing)** [9.12 am]: Yesterday, I had the pleasure of accompanying the member for Pilbara to Port Hedland to make two very significant announcements. As we are all aware, housing is much more than just a roof over our heads. It provides a foundation for individual, family and community wellbeing. Secure, affordable housing contributes to social and economic outcomes, and is central to a fair and prosperous Western Australia.

Yesterday, I was very proud to release the McGowan government's “Affordable Housing Action Plan 2017–18 to 2019–20”, which will continue the good work that started as soon as we took office. The plan reflects the Department of Communities' focus on the connections between people, place and home, which places greater emphasis on where and how people live, not just what they live in. The plan delivers additional crisis and social housing for our most vulnerable citizens, expands transitional rental housing and continues to support Keystart loans and shared home ownership for aspiring low-to-moderate income homebuyers.

Specifically, the plan provides for a greater focus on real and enduring affordability for people on low-to-moderate incomes, earlier and more connected housing and support services to enable better outcomes for vulnerable individuals and families, and leveraging government investment to create diverse transit-aligned precincts that include options for lower income earners. The aim of our plan is to achieve better outcomes for individuals and families, deliver inclusive and connected communities, and create a housing system that is more responsive to a broader range of needs. Importantly, the plan will increase the previous government's 2010–20 target of 30 000 housing opportunities for people on low-to-moderate incomes to more than 35 000 by 2020. This will include the delivery of a further 7 700 affordable homes between 2017–18 and 2019–20, and investment in construction that will support \$2.3 billion in economic activity and almost 6 000 jobs.

As a key regional priority of the new plan, I also announced the expansion of transitional housing into the Pilbara. The Hedland transitional housing project, funded through the north west Aboriginal housing fund, will see 40 government-owned homes repurposed as transitional housing. Transitional housing supports Aboriginal families to achieve economic independence by providing housing options, tailoring wraparound human services and boosting participation in education and employment. Transitional housing has helped dozens of Aboriginal families in towns across the Kimberley and is now available to support Aboriginal families in Port Hedland. It is a great example of what the affordable housing action plan is all about. These homes will support the broader aspirations of the people that live in them and provide pathways beyond social housing. I am very pleased to table the “Affordable Housing Action Plan 2017–18 to 2019–20”.

[See paper 1455.]

**STATE RECORDS OFFICE***Grievance*

**MR A. KRSTICEVIC (Carine)** [9.15 am]: My grievance is directed to the Minister for Culture and the Arts. On 1 July 2017, the State Records Office of Western Australia was removed from the Department of Culture and the Arts and placed as a directorate under the State Library of Western Australia. This has effectively ended almost two decades of operation of the State Records Office as a semi-autonomous portfolio agency administering the

State Records Act 2000. I am concerned that the machinery-of-government change has placed the State Records Office in a subordinate position to the State Library. This threatens its functional independence and weakens its ability to encourage high standards of record keeping across the public service.

On the one hand, libraries maximise public access to information sources by deliberate collection. On the other hand, records and archives arise mainly from natural accumulation. The mission of government record-keeping practices is to manage and facilitate access to the records and archives of government in accordance with public records law. The State Records Act 2000 requires government agencies to develop record-keeping plans and to review them five yearly. Such reviews are self-reviews by the organisations. Currently, the State Records Office does not have the resources to conduct reviews or to audit them. With agencies undertaking self-review there is the likelihood that identified weaknesses and improvements will not be addressed. More importantly, there is greater credibility to a review process when it is conducted by an independent organisation such as State Records.

The areas in which the State Records Office requires support cannot be met from the library's specialist areas, other than conservation. Could the minister please advise how much money has been spent on conservation services and who is providing conservation services to the State Records Office? The State Library has no records-management personnel or archivists working for it and it has minimal record keeping expertise. No consultation or discussion was made with archival or record-keeping communities prior to the change, and there is no evidence that the state archivist, State Records Commission of Western Australia or the state librarian were presented with anything other than a *fait accompli*.

The creation of the State Records Office as an independent agency working in partnership with the State Records Commission was, in great part, the product of the commission on government working from foundations laid by the WA Inc royal commission in the 1990s. With the introduction of the State Records Act on 1 July 2001, the State Records Office was made a division of the Department of Culture and the Arts, independent of the State Library. That situation persisted until the machinery-of-government change in July 2017. The functions of the commission are set out in part 8 of the State Records Act 2000, and include approving government organisations' record-keeping plans; approving the legal disposal of government records; monitoring the operation and compliance with the act; monitoring compliance by government organisations with their respective record keeping-plans; inquiring into breaches, or possible breaches, of the act; establishing principles and standards for the governance of record keeping by state organisations; and determining the access status of certain state archives.

The commission reports directly to Parliament and is required to provide Parliament with an annual report on the operation of the legislation. The commission is required to monitor the operation of the act and government organisations' compliance with their record-keeping plans. The commission continues to rely on the record-keeping plan review cycle and the investigation of suspected breaches as the chief mechanism for ensuring agency compliance with the act. The commission's annual report states that in 2016–17, out of four active breaches, two were resolved, while the remaining two were carried forward. Likewise, in 2014–15, there were 13 active breaches, nine were resolved and four were carried forward. However, details about these breaches are not outlined nor officially reported to Parliament by the commission or made available via *Hansard*.

Given the commission's designated role is to report about the state's record-keeping practices to Parliament, its failure to do so is concerning, especially considering the rise of local government operations being investigated by the Corruption and Crime Commission and requests to investigate local government operations. Are the breaches being investigated violations of the act? Are they just administrative and procedural lapses in the process of developing and carrying out plans? Are they more serious interventions to deal with behaviours that were not contemplated when the plans were drafted or something else?

I understand that the State Records Office has been significantly under-resourced for some years, which has impacted its ability to adequately perform its functions. For instance, it has no further room to take in paper records deemed as archives from agencies and government organisations, with the result that many records of archival value remain under the care and protection of government agencies and organisations, with many of the archives held in less than ideal storage facilities, thus jeopardising their longevity. The state's documentary heritage and government memory is potentially deteriorating. It is estimated that, at the present time, the State Records Office requires 55 kilometres of additional high-quality storage for long-term archival storage. The Western Australian government summary of appropriations for the state's 2018–19 budget shows that the State Records Office will be operating with a total budget of just over \$2 million for state information management and archival services. This is \$918 000 less than in 2016–17, representing a 30.7 per cent reduction in real funding over three years. The WA government is not only declining to reinvest in a service that is essential to the proper and accountable operation of government, but also actively working to reduce its resources and hence effectiveness. As we move into the world of digital records, it is essential that funding is made available for a digital archive at the State Records Office to ensure our history is preserved to save WA from digital amnesia later. It is now clear though that the effective functioning and resourcing of the State Records Office and its ability to provide services to government is seriously threatened and the ramifications of this could be widespread regarding information governance and accountability for the state. It is important to note that the WA government has stated that the change is administrative and that the

state archivist's statutory responsibilities, as set out in the act, remain unchanged. Similarly, all State Records Office requirements on behalf of the commission are claimed to be unaffected.

In light of the scandal of WA Inc and the ensuing royal commission, why did the government decide to negate all the progress made in implementing the State Records Act 2000 by the previous Labor government, by going against its recommendations and placing the State Records Office within the State Library of Western Australia?

**Mr J.N. Carey** interjected.

**The SPEAKER:** Member for Perth, he will be heard in silence.

Several members interjected.

**The SPEAKER:** I call the member for Perth and the Treasurer to order for the first time. Grievances will be held in silence.

**Mr A. KRSTICEVIC:** Thank you, Mr Speaker.

There are ethical and integrity-of-government issues that go with management regimes for records, documents and data. Records of government must be safeguarded by an independent body to ensure the integrity and reliability of public records, both digital and paper. I thank the house for its attention.

**MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts)** [9.22 am]: I thank the member for his grievance this morning. It is always interesting when the member raises a number of issues that directly relate to the failed legacy of his own government when it was in power. This is another example, a very good example, of the appalling legacy left by the previous Barnett government.

Several members interjected.

**The SPEAKER:** Members!

**Mr D.A. TEMPLEMAN:** Of course, this member has a lack of memory of any of these matters. I want to highlight a couple of things about this issue that are very important. First of all, I am afraid that the member has a number of deficiencies in his understanding that are important to highlight. Firstly, he misunderstands the provision in the act that allows the minister responsible for the administration of the act to determine where jurisdictions such as this can be placed within government. It is very clear in the act that it allows that. The member continues, in his role as opposition spokesperson, to raise a whole range of conspiracy theories that are unfortunately found wanting—consistently. He also does not distinguish between the State Records Office and the State Records Commission. He needs to understand that the former, the State Records Office, is an administrative arm of the latter. The member seems to not understand that.

Let me go through the history of this. On 1 July 2017, the State Records Office became a directorate of the State Library of Western Australia. Prior to that it was part of the directorate of the then Department of Culture and the Arts. But as I mentioned, the act provides the minister of the day the capacity to determine where this should be placed within government, but the fact of the matter remains, the independence of this entity remains. The member still does not seem to understand that. I note that today he has lodged 129 questions on notice. We are happy to answer those, but gee, he is like a bulldog that has no understanding of its surrounds. There have been no changes to legislation—none—to the State Records Act or the Library Board of Western Australia Act 1951. The funding issue of the SRO is appropriated to the Department of Local Government, Sport and Cultural Industries. One of the drivers of the change to administrative placement is in fact directly related to the previous government's operation, in particular the workforce renewal policy and the impact that it placed on the SRO. It is again a classic example of your government's inaction and indeed the legacy left for us to pick up and improve and indeed repair. You fail to understand that.

**The SPEAKER:** Minister, through the Chair, please.

**Mr D.A. TEMPLEMAN:** The SRO and the State Library of Western Australia are separate entities. They simply operate within the same confines, but there is still delineation, which includes the things apart from different entrances and places. There is an entwined relationship because of the nature of the business of both of those entities.

Regarding funding, the member referred to the budget papers. The government continues to fund the activities of the SRO to fulfil its role, despite the legacy of inaction the previous government left from its time in government. I am aware that a campaign has been highlighted with regard to the SRO remaining an independent agency. It remains an independent agency. The campaign and the member for Carine's sponsoring of that claims a 30.7 per cent reduction in real terms of the funding over three years. This is selective. I need to highlight that the 2017–18 state budget papers state that the SRO's higher total cost of services in 2016–17 is actually a result of one-off funding received to undertake a digitisation program. The then Department of Aboriginal Affairs provided \$450 000 funding to the SRO for the digitisation for the state archives in 2016–17. In the 2016–17 budget the SRO funding was also increased by \$305 000, transferred from the then Department of Culture and the Arts for the

administrative placement of the department's record keeping within the SRO. The comparison of the previous government's 2015–16 budget of \$2 119 000 to our 2017–18 budget of \$2 204 000, has seen a four per cent increase for the SRO; no decline. When will the member get this right? When will he continue to come into this place and tell the truth? He does not. He does it consistently. He is a repetitive and recalcitrant —

A government member: Pest.

**Mr D.A. TEMPLEMAN:** You might say that; I would not possibly say that.

The SRO has been insulated from all department savings over that period, because we recognise the importance of the State Records Office in its function, the independent nature of that function, and the fact that it is administratively within the same confines or the same building as the State Library does nothing to affect its independence. It is independent. I am happy to answer the member's 129 questions on notice, but once again, this grievance and the member for Carine's incompetence demonstrates his lack of understanding of this issue and many others.

### **DANGEROUS DOGS — PALMYRA**

#### *Grievance*

**MRS L.M. O'MALLEY (Bicton)** [9.29 am]: Mr Speaker —

**The SPEAKER:** Member for Perth, you do not walk in front of the speaker without acknowledging the Chair.

**Mrs L.M. O'MALLEY:** I make my grievance today on behalf of the residents of Aurelian Street, Palmyra. I thank the Minister for Local Government for listening and responding to their concerns about the capacity for the current dangerous dogs classification and associated remedies under local and state laws to keep them and their local communities safe. I would like to begin by acknowledging the residents of Aurelian Street, Palmyra, who are here in the public gallery today, and thank them for their commitment to making their community safer. I thank them for bringing my attention to a vicious attack by two dogs on an elderly resident of the street and the subsequent events that have led this community, my community, to live in fear of a repeat attack. The residents of Aurelian Street, Palmyra, and other local residents beyond their street, have expressed to me their fear for their own safety and the safety of others after the two declared dangerous dogs were released back to their owners after the Fremantle Magistrates Court handed down a fine to the owners of the dogs, waiving the destruction order sought by the City of Melville. They have expressed their grave concern that the owners have not been ordered to attend dog training with these dogs to reduce the risk of further attacks.

These two dogs were declared dangerous by the City of Melville and impounded for four months as the local government investigated the savage and life-threatening attack on the elderly resident and the couple who went to the aid of their neighbour during the attack. It is important to note that these dogs have previously escaped from their yard out onto the street, which includes households with young children and the elderly, and is located just 50 metres from a popular children's park.

On the day of the attack, the elderly resident was going about her daily activities. She had just taken her rubbish bins to the top of her driveway when the first of the two dogs to attack ran at her from behind and latched onto her leg, sending her to the ground where the second dog joined the attack. She was left with several deep and serious wounds. I have seen the photographs of these wounds and they were truly horrific. The victim of this frightening incident was extremely fortunate to have had two neighbours come to her aid, who themselves sustained wounds during their efforts to help their elderly neighbour. The physical wounds sustained that day have healed, but the ongoing fear and subsequent mental anguish from the trauma of that day remain.

Following the attack, the City of Melville declared the dogs as dangerous and the Fremantle Magistrates Court issued a substantial fine to the owners, who pleaded guilty to the charges brought forward by the City of Melville. The magistrate originally authorised a destruction order put forth by the city, which was later revoked by the Magistrates Court. The outcome meant that the dogs were returned to the owners following modifications to the owners' house and compliance with requirements of ensuring that each dog wears a specified collar indicating that it is a dangerous dog, and the display of warning signs indicating a dangerous dog at all access points to the premises at which the dog is kept. Each dog must be microchipped; clearly signposted, child-proof and dog-proof enclosures must be provided; and the local government must be notified if a dog attacks, goes missing or moves to another owner or address, or if a female dog has puppies. These modifications and requirements will not guarantee the safety of neighbours should these declared-dangerous dogs escape because they do not address the real issue of poor ownership and dog management practices.

These two dogs were not necessarily born bad. A recent study suggests that it is owners and not breeds that predict whether dogs will be aggressive. Data from the study suggests that although general characteristics of dogs may be a factor at population level, it would be inappropriate to make assumptions about an individual animal's risk of aggression to people based on characteristics such as breed. In other words, not every dog currently labelled as a dangerous breed will be aggressive, and aggressive dogs are not confined to a handful of breeds. The residents



of Aurelian Street in Palmyra recognise this failing and are circulating a petition that will soon be tabled in this place opposing breed specific policies or laws. They ask that when the Western Australian Dog Act 1976 is reviewed in 2019, this Parliament introduce the requirement for owners of dogs to attend a dog handling and management training course, and that this requirement be mandated for any owner of a dog classified as dangerous, thereby shifting the focus from breed to deed. They ask that as part of the review of the Dog Act, the Legislative Assembly include a definition for dangerous dogs as those that have attacked a person or other animal, causing physical injury or death, rather than a specific breed or range of breeds.

**MR D.A. TEMPLEMAN (Mandurah — Minister for Local Government)** [9.34 am]: I thank the member for Bicton for her grievance on this very important issue. I also extend my sympathies to her constituent and those who assisted her on the day in what I can only imagine was a very traumatic and frightening experience. I acknowledge the wonderful efforts of her neighbours to assist her during that traumatic time.

This is a very important grievance because it goes to the root of the issues of responsibility and responsible pet ownership and how that relates to legislation, regulations and the responsibilities of stakeholders and agencies such as local governments.

There is no doubt that dogs are an important part of Western Australian families and many are loved pets. The promotion of responsible pet ownership and understanding what it means to look after a pet responsibly are not to be misconstrued. Any person should take into account some very important considerations before taking on the responsibility of owning a pet. For some time, some members of the community and dog advocacy groups have questioned the classification of certain breeds of dogs as dangerous, as the member highlighted in her grievance and the concerns of her constituents. It is fair to say that breed is not the only determinant of a dog's temperament, as has been highlighted. However, it is also widely accepted that a dog's breed is a significant contributor to this potential. There is evidence of that as well. Therefore, it is not unreasonable to restrict certain types of dogs.

In Western Australia, the Dog Regulations 2013 outline the breeds that are currently restricted, which mirror those breeds that are prohibited from importation under the commonwealth Customs (Prohibited Imports) Regulations. The member's constituents also requested that the definition of dangerous dogs be amended to include those that have attacked a person or other animal causing physical injury or death. I am pleased to note that that is already addressed under the Dog Act and in broader terms. Section 33E of the Dog Act 1976 states that a dog may be declared dangerous by a local government if —

- (a) the dog has caused injury or damage by an attack on, or chasing, a person, animal or vehicle; or
- (b) the dog has, repeatedly, shown a tendency —
  - (i) to attack, or chase, a person, animal or vehicle even though no injury has been caused by that behaviour; or
  - (ii) to threaten to attack;

As the member's constituents highlighted, we will be reviewing the Dog Act 1976 in 2019, which will be a very important statutory review. It is important that people make submissions to that review because elements of the existing act and its operation need to be further examined and will be examined in that review. I urge the member's constituents and others to take the opportunity to put in a submission at that time. It is important to hear personal stories such as the trauma that the member's constituent experienced in her dog attack. I can understand the ongoing impact that that has as somebody goes about their normal life in their neighbourhood and street. As a little boy, I was attacked by a dog, and I am still unsure around dogs when I go doorknocking. It can have a lifelong impact. As part of that review, we want to hear stories and examples such as the one that the member has highlighted today.

We also want to come at this from another angle, which is why we have started the initiative to stop puppy farming. Through education programs and regulations we want to prevent dogs from being mistreated or abused and ending up in dog homes. We have to make sure that people understand that when they take on a dog, it is a very significant responsibility and they cannot abrogate that responsibility—they simply cannot! People need to ensure that they understand the implications of taking on a dog and that their responsibilities as an owner are very significant and cannot simply be wiped away. We need to make sure that our legislation is appropriate and will address issues such as those experienced by the member's constituent.

Underpinning this issue is pet ownership, which is very significant in people's minds. In the puppy farming consultation process, for example, over 2 200 submissions have already been received, which demonstrates broader community understanding of the importance of the issue of pet ownership. I encourage people to make submissions to that process. The government takes the issue of dog attacks very seriously. We want to make sure that the legislation reflects the seriousness of occasions when somebody is badly mauled, injured or threatened by a dangerous dog. I thank the member sincerely for bringing this matter forward. I acknowledge her constituents, and I thank them through the member for bringing this to my attention. I can assure the member that we will do everything possible in the review of the Dog Act to address this issue.

**POLICE — FIREARMS TRANSPORT***Grievance*

**MR V.A. CATANIA (North West Central)** [9.42 am]: My grievance is to the Minister for Police. I raise with her the serious issue of potentially illegal transportation of firearms throughout Western Australia, because of Australia Post not being a registered firearms carrier. After decades of firearms carriage by Australia Post, it has become apparent to Australia Post that it has been undertaking carriage of firearms across Western Australia illegally because it was not registered to transport firearms and remains so, choosing not to become a registered carrier now. In answers to questions put to it by Senators Bridget McKenzie and John Williams, on behalf of members of the Nationals WA, such as Shane Love, the member for Moore, who has also been seeking clarity on behalf of firearms owners and dealers across WA, Australia Post advised that it did not absolutely prohibit the lodgement of firearms and firearm parts in the mail. This has created a great deal of confusion amongst firearm owners and dealers across Western Australia, many of whom would not be aware that they are required to use one of the 13 registered carriers of firearms, of which Australia Post is not one. Instead, now we have firearm owners and dealers potentially breaking the law by mislabelling parcels containing firearms or ammunition they may send by Australia Post to avoid detection.

On top of that, for the more than 40 years that the Firearms Act has been in operation, there was no requirement for carriers to be approved by the WA Police Force for transport of firearms and ammunition. The recent change to the regulations for transportation of firearms and ammunition has caused considerable financial and logistical hardship for owners and dealers across regional WA, particularly those north of Geraldton where no registered carriers operate. This requires firearm owners or dealers to travel thousands of kilometres to receive new stocks of guns or ammunition. The policy, after initially trying to ensure an over-developed compliance with the legislation, was so longwinded and detailed that it saw transportation companies simply refuse to transport firearms in Western Australia. Although the WA Police Force has since made further modifications to the regulations, reducing it to a one-page document, it has now become so vague, particularly about what constitutes a locked container, that many of the transport companies are still reluctant to transport firearms or ammunition because they cannot determine whether they are compliant with the policy.

Most registered transportation services do not have statewide coverage, restricting services to the metropolitan area and the south west, with the only registered carrier that services the north of Western Australia no longer establishing new accounts for transportation of firearms or ammunition. In areas where transportation services are available, the industry is experiencing an exorbitant rise in costs, exceeding 50 per cent, since the introduction of the new regulations that are simply unaffordable commercially. Recent quotations from a registered carrier to deliver firearms to Esperance were between \$1 500 and \$3 000. This has caused the dealer to contemplate closing the business as it is no longer commercially viable to have firearms or ammunition delivered. If they were to continue, they would be required to travel to Perth and back two or three times each week to service the owners of firearms throughout that region. Another recent example was a bundle of firearms and ammunition sent to a dealer by a registered carrier just left in the driveway of the dealer for five days, even though a very expensive delivery fee was paid and clear delivery instructions were given.

Although I understand the Commissioner of Police is actively seeking to have Australia Post register to become a carrier and has outlined some reasonable amendments to the regulations, should Australia Post not just be automatically registered because it is a valuable and essential service to areas of WA where commercial operators do not operate? It is happy to do the service, as stated earlier, but is hamstrung by the vague and confusing policy that covers firearm transportation in WA. The current regulations and policy are unworkable in areas outside the metro area or the south west corner of Western Australia, where regular and reliable firearms transportation is delivered. The policy and the system of firearms transportation across regional and remote areas of WA needs to be completely reviewed and a thorough root-and-branch overhaul needs to be undertaken. This needs to be done in full consultation with the firearms industry to ensure that we get it right the first time and do not waste public money with a lengthy and over-bureaucratic investigation of issues that the WA Police Force is already well aware of.

I call on the minister to initiate an independent review of this very serious matter. We see illegal transportation of firearms, firearms thrown in the back of cars and transported to regional Western Australia because the police, the distribution companies and this government do not understand the severity of this issue, causing undue stress on the public by not having firearms carried safely right across regional Western Australia. I call on the minister to have an independent review as soon as possible to put this matter to rest so that firearms, which are the livelihood of many people in regional Western Australia to do their work, can be transported and delivered, and also so that dealers can conduct their business by ensuring that firearms can be delivered through Australia Post, and not taken by the dealers themselves travelling thousands of kilometres throughout regional Western Australia just to be able to conduct their business. I call on the minister to institute a review of firearms transportation in Western Australia.

**MRS M.H. ROBERTS (Midland — Minister for Police)** [9.48 am]: I thank the member for North West Central for his grievance. I have a great deal of empathy for regional firearms dealers and others in regional areas who want to transport firearms. This matter had its roots back in 2016 when the former government held a review. It had some form of consultation, and groups were set up involving some members of the firearms industry. Informal feedback that I have had is that many people who should have been part of that consultation process were not included. Be that as it may, I understand that in December 2016 the results of the discussions that the former government had with people representing the firearms industry and others were forwarded to the various dealers. That is where the issue effectively started—when the police firearms branch began a consultation process in 2016 that I certainly was not aware of, and then the direction we are now in was set in December 2017. This was when the requirement for carriers to be approved began. I can see why there would be requirements for some approval process; we would want to know that firearms were being carried safely within Western Australia. Police also wanted to ensure that they were meeting the obligations in the Firearms Act 1973. I have raised this issue with both the former Commissioner of Police, who was in the position when the changes were initially made, and the current commissioner. I have not been happy with the number of complaints that I have received and I have asked the Commissioner of Police to turn his attention and the attention of very senior police to this, because it seems that the actions of the firearms branch were causing a lot of concern in the community, not just with firearms dealers, but sporting shooters and others who need guns potentially for their work or for legitimate sporting or recreation purposes. I also wanted people to be able to use businesses in Western Australia and not have to go to the east coast in order to either receive a gun or have a gun or gun parts repaired. The police started off with a small number of approved carriers and I might add that the current Commissioner of Police has delegated responsibility for this to Deputy Commissioner Brown, someone of considerable experience, to oversee the changes and have those high-level negotiations with Australia Post. I think there was an assumption early on that Australia Post would naturally be an approved carrier, because I understand it was doing the great majority of the transportation of firearms in Western Australia and probably Australia. Just to correct a couple of things, Deputy Commissioner Brown told the estimates committee in this place on 22 May that the number of approved carriers had increased to 14; I note the member suggested that they were 13. This has been a growing thing, because I wanted people to have options for the transportation of firearms. Then Deputy Commissioner Brown confirmed on 28 June, so very recently, that the number is in fact 15 approved carriers. He said throughout this period of recent months that the police have been continuing to have detailed discussions with Australia Post. He said —

... we are close to a solution that will likely see Australia Post step into the space to become an approved carrier ...

I have been waiting for that to happen for a long time and I feel pretty frustrated that it has not happened so far. I confirm for the member's information that this is not a role that I, as minister, can interfere with. The Commissioner of Police has to enforce the Firearms Act 1973 and he has to approve the carriers. I cannot direct him to approve a carrier. The commissioner advises me that EnLog, Northline, Great Eastern Freightlines, Centurion Transport, Warren District Transport and Great Southern Specialised Transport are all approved regional carriers. I hope that will allow for the safe carriage of firearms in regional areas. I note that the very complaint that the member has received has been received by me as well; that is, some carriers in regional areas do not want to take on new customers. I, too, see that as a problem and I think we probably agree on the solution, which is to allow Australia Post to become an approved carrier. That is what I have asked police to work towards. Again, I cannot direct them to approve that. They have an approval process in place and there are certain criteria that an approved carrier has to meet. Just for the record, the 15 carriers are Armaguard, Prosegur, EnLog Pacific Holding Pty Ltd, Great Eastern Freightlines, Great Southern Specialised Transport, Linfox Logistics, Marair Dangerous Goods Specialists, Matrix GE Pty Ltd, Northline Pty Ltd, Pacific National Pty Ltd, Startrack, Stirling Freight Express, Toll Priority, TNT Express failsafe service and Warren District Transport.

#### **WANNEROO ROAD–JOONDALUP DRIVE INTERCHANGE**

##### *Grievance*

**MS S.E. WINTON (Wanneroo)** [9.55 am]: My grievance is to the Minister for Transport regarding the Wanneroo Road–Joondalup Drive interchange. Before I begin, I want to acknowledge the work by the minister and her office in liaising with me and my office on this important project in my electorate. As part of our election commitments, \$146 million, representing three key infrastructure projects, has been delivered in the seat of Wanneroo. They are aimed at busting congestion and represent 805 jobs in Wanneroo. Today I grieve to the minister about the interchange at Wanneroo Road–Joondalup Drive, which is part of key infrastructure being delivered in my area. The City of Wanneroo has specifically requested that an interchange be constructed at the intersection of Joondalup Drive and Wanneroo Road. As the representative of residents of Wanneroo in the state Parliament, I am proud that this project is becoming a reality, because this government made an election commitment to do so and we are delivering on our commitments. We are futureproofing with this project, and although it is acknowledged that there has been some reduction in congestion at this intersection, the reality is that the enormous and rapid growth in the area will see this intersection again become incredibly congested. In constructing this interchange now, we allow Main Roads to undertake the works while traffic conditions at the intersection are still manageable.

Infrastructure like this has the potential to create issues around local roads; there is no question about that. I have listened to and met with a large range of stakeholders in order to hear their concerns. As the local member, I have been very proactive and involved in the consultation and planning for this project, including attending the technical meetings of the engineers for Main Roads and the City of Wanneroo designing this interchange. I have met with the principals of St Stephen's School and Tapping Primary School, the local schools that will be affected. I have met with residents associations, retirement villages and business owners, and had conversations with the director of infrastructure from the City of Wanneroo. I have doorknocked and I have made myself available to very clearly listen to the concerns that infrastructure projects like this create. My consultation has been significant and I have heard the concerns of the community. I acknowledge that there has been a petition highlighting those concerns in this place and I raise today the major issues that have come to my attention.

The first one I want to raise relates to Cheriton Drive in Carramar. This has been raised as one of the major concerns with me by residents, particularly residents of Carramar. Residents have long lobbied the City of Wanneroo over many years for upgrades to this intersection to allow residents to exit their suburb safely and in a timely manner. There have been petitions to the council on the Cheriton Drive intersection, and for a long time the previous member for Wanneroo and the City of Wanneroo blamed each other, arguing about who should fix it. The fact is that it has never been fixed. It is currently an unsafe intersection, with residents finding it difficult to get out of Carramar. It has been the site of numerous traffic accidents over the years. We need a roundabout at this intersection to provide safer and more reliable access in and out of Carramar. We have an opportunity to fix this longstanding problem for the residents of Carramar. I want to point out that this interchange has not created that problem, but we have an opportunity to solve it as part of a holistic solution to the congestion on Joondalup Drive.

A second area I want to highlight this morning relates to access to the Drivers business precinct, particularly the Clarkson Avenue intersection. This precinct has historically been difficult for local residents to access. Quite frankly, it is a dog's breakfast for any local who lives up there. There have been longstanding plans for a signalised intersection on Clarkson Avenue but no progress has ever been made. Getting in and out is unsafe and inconvenient, and, as a result, I do not think this area meets its full potential and local businesses suffer as a result. Business owners and customers often talk to me, highlighting the problems and constraints that the poor design of that precinct has created. Connected to that is an issue relating to the Clarkson Avenue intersection, and that is the access for residents in and out of Tapping. With some of the changes to the local road networks, residents have raised concerns about the safe access in and out of Tapping and impacts on local schools and bus routes. These concerns are valid and we need to make sure that the interchange improves the local network. I believe that providing a signalised treatment at the Clarkson Avenue intersection would provide a solution to those concerns expressed to me by residents. This would provide a much safer entry and exit point into Tapping for residents, local school users and buses. Again, minister, I highlight that access issues into Drivers Place and the suburb of Tapping are not new; they have been ongoing for many years. I believe we now have an opportunity to look at this corridor in a holistic way to fix the entire area.

Finally, from listening to residents, a major concern is safety for pedestrians and cyclists. As this intersection is near three schools, commercial precincts and a retirement village, there are a large number of crossings there. The residents and I are concerned about the impact the interchange will have on the local path networks. As we are trying to encourage more and more people out of cars and to take alternative transport, I want to ensure that pedestrians and cyclists are safe and can move freely between the suburbs in their community.

I want to conclude my grievance by emphasising that I believe we have a perfect opportunity to address the concerns raised by residents and the City of Wanneroo about this interchange. I will continue to be involved with this project during the construction phase to ensure that residents' concerns continue to be heard and represented. We have an opportunity to solve some very longstanding local road issues. Residents get fed up, and rightly so, with constant roadworks. Here we have an opportunity for a holistic approach to get that road network fixed in its totality and to futureproof it for the years to come. I will continue to work collaboratively with the City of Wanneroo and to raise and advocate for issues that are important to my residents. I have listened to their concerns and I ask the minister to consider the issues I have raised today.

I need to finally highlight that the City of Wanneroo continues to experience major residential development and the population continues to grow by some 8 000 residents a year. The timing of the provision of major regional road infrastructure to match the population growth is critical. Providing congestion-busting infrastructure such as this interchange will have a huge and significant long-lasting impact on my community. I thank the minister for allowing me this grievance.

**MS R. SAFFIOTI (West Swan — Minister for Transport)** [10.02 am]: I thank the member for Wanneroo for this grievance and I want to say at the outset that her engagement with the local community and in understanding the local issues is incredible. She has brought to my attention a number of local issues relating to road safety and road congestion concerns that, let us face it, existed before the discussion about this interchange. There are longstanding issues at some of the key intersections that, frankly, have not been solved over many, many years. I thank the member for Wanneroo for bringing to my notice these issues very early in my role as Minister for

Transport. I thank her also for her positive engagement with the community through doorknocking, engaging with local schools and talking to local groups in a positive way, which means we can get a solution. When a local member takes up issues in such a positive way and engages with a government they represent, we can get good outcomes, and that is what will be demonstrated today.

As the member for Wanneroo knows, this project has been long advocated for by the City of Wanneroo. I will not go through all the times it has been raised with me but there are many. I think, for years, it has been the number one priority put forward by the City of Wanneroo. It is on our agenda not only due to congestion, but also because of strong advocacy by the City of Wanneroo or the elected members at the time. The plan for the project is to reduce congestion while understanding that this is a growing corridor. As the member for Wanneroo said, while there has been some reduction in traffic at that intersection due to the freeway extension, the increase in traffic will see any savings made now undone in a number of years. We know this is a growing area not only north–south, but particularly east–west where we are seeing all the growth in the east. The state government has committed to an interchange at Wanneroo Road and Joondalup Drive. As we said, there is congestion now and that will increase into the future, particularly as we see enormous growth east–west. As a result of looking at this intersection, we have taken on board the member for Wanneroo’s comments in her advocacy for all the other intersections surrounding this proposed interchange at the current intersection. We understand that at the election, for example, she took very seriously the traffic build-up and very significant congestion at Cheriton Drive–Joondalup Drive due to the growth of the shopping district in that area. None of these issues is new, particularly access to Drovers Place, which has been an ongoing issue for years and years. However, as a result of this government undertaking this project, the member for Wanneroo is right; we do not want to do this project in isolation from the entire community.

Let us go through some of the issues the member has outlined. The Joondalup Drive–Cheriton Drive intersection has been identified as an area in need of upgrading for a number of years. As a result of the planning work we are doing, there is a strong possibility that the roundabout for that intersection will be built to ensure that there is access to the local community. Also due to the work we have done, we will include that project in the contract. The Wanneroo Road–Clarkson Avenue intersection is the main access into Drovers Place. Because we have looked at the project holistically, we will be able to deliver a four-way fully unsignalised intersection. Also due to looking at this project holistically, we will enhance the Burns Beach Road roundabout, which crosses two council areas, but which affects the entire community. As a result of the member for Wanneroo’s advocacy, as part of this project, we can now improve the intersection of Joondalup Drive and Cheriton Drive with a roundabout and have a fully signalised intersection to enhance Burns Beach Road.

The other key issue, of course, is pedestrians. We take pedestrian safety very seriously and, as part of this project, a safe-systems assessment was undertaken of the configuration to ensure that it meets state and national road safety requirements. Outcomes of the assessment confirmed that pedestrian exposure to traffic will be reduced, as there is no interaction with east–west traffic. There will also be refuge islands to break the traffic, so people will not have to cross as many lanes of traffic as they would otherwise. As a result of the member for Wanneroo’s advocacy in bringing forward these issues—she particularly raised Cheriton Drive during the recent by-election campaign—we can create a whole solution for the area. I thank her for that work and I will, of course, make a formal announcement later today about the work to improve all those intersections.

I have seen complete hypocrisy from some other elected members about this project. They like cutting ribbons and coming to our sod-turning events, but they do not take responsibility for owning the project. In fact, they tell the constituents who come to the office that they do not support it, but then they put how much they support it on leaflets they circulate around the suburbs. The member for Wanneroo has been strong and worked with us to get outcomes for the community and that is what being a good local member is about.

#### **PUBLIC ACCOUNTS COMMITTEE**

##### *Fourth Report — “Budget Briefing 2018–19” — Tabling*

**Dr A.D. Buti** presented the fourth report of the Public Accounts Committee titled “Budget Briefing 2018–19”.

[See paper 1456.]

#### **EDUCATION AND HEALTH STANDING COMMITTEE**

##### *Fourth Report — “Oral health: facts and friction” — Tabling*

**MR W.R. MARMION (Nedlands)** [10.09 am]: On behalf of the member for Mirrabooka, the Chair of the Education and Health Standing Committee, I present for tabling the fourth report of the Education and Health Standing Committee titled “Oral Health: facts and friction”.

[See paper 1457.]

**Mr W.R. MARMION:** It gives me great pleasure, on behalf of the chair, the member for Mirrabooka, to present the committee’s issues paper exploring oral health management in Western Australia and the role of fluoridation

of public water supplies. I will give a bit of background. After a period of improvement between the 1970s and 1980s, Australia's oral health has plateaued in the past 20 years. Although some parts of the community may have experienced improvement, inequitable access to oral health care means that some population groups fare worse than others. In Western Australia, Aboriginal people, people living in regional and remote areas, people who are socially disadvantaged or on low incomes and people with additional and/or specialised health care have poorer oral health than others in the community. This is a well-recognised challenge for public health policymakers. In addition, they must grapple with challenges such as increasing sugar consumption, poor diet and increased use of bottled water.

As the state government tackles these challenges in seeking to improve the oral health of Western Australians, one thing that remains consistent is its position on fluoridated water as a public health initiative. As in all other Australian states and territories, except Queensland, the state government is mandated to add fluoride to the public water supply. Fluoride delivered through the public water supply is believed to be the best way to ensure that as many people as possible have access to what are widely accepted as the protective properties of fluoride, regardless of socioeconomic circumstances.

Although the Department of Health says that water fluoridation “forms part of a suite of caries prevention initiatives”, it also states that water fluoridation is the foundation of all the strategies currently in place to improve oral health. This has seen access to fluoridated water expand to reach 92 per cent of the state's population since its introduction to the metropolitan area in 1968. However, not everyone in the community supports fluoridation. Some question its oral health benefits, some believe it has harmful health effects, and some resent not having a choice about what is added to their water. Residents in areas where the addition of fluoride has been proposed have also complained about the department's consultation process.

This paper considers some of the challenges for the department in working to improve the oral health of the state's population, including how it deals with community opposition to fluoridation. The department may need to consider its approach to reassuring the community about the use of fluoride and how to address the oral health needs of those who cannot access, or choose not to access, fluoridated water. Also, given that fluoride is but one part of a suite of dental health strategies, and considering the range of factors that determine dental health, is enough being done in other areas?

The committee reviewed key documents such as the National Health and Medical Research Council's information paper on water fluoridation, the “State Oral Health Plan 2016–2020” and the *Oral Health Atlas* and held public hearings with Department of Health representatives and two representatives of the anti-fluoridation group Fluoride Free WA.

The committee has concluded that there is no convincing evidence of serious negative health impacts from drinking fluoridated water. However, the committee believes that the Department of Health needs to promote the benefits of fluoridation in a way that engenders community confidence and counters scepticism and opposition. It should review its approach to education and public consultation so that it becomes the trusted source of information. The committee also believes that the Department of Health relies on fluoridated water to manage oral health in the community at the risk of leaving other important initiatives underdeveloped. Initiatives outlined in the “State Oral Health Plan 2016–2020” must have a status equal to or greater than the set-and-forget policy of adding fluoride to water. For example, no amount of fluoride in the water will eliminate the effects of too much sugar consumption but ways to address this do seem to have been prioritised. Copies of the issues paper are available on the committee's web page.

I would like to conclude by thanking all the members of the committee: the chair, the member for Mirrabooka; the member for Kimberley; the member for Moore; and the member for Wanneroo. I would also like to thank the principal authors of the issues paper: principal research officer, Dr Sarah Palmer; and research officer, Jovita Hogan. I am very pleased to table the report.

## CRIMINAL LAW AMENDMENT (INTIMATE IMAGES) BILL 2018

### *Introduction and First Reading*

Bill introduced, on motion by **Mr J.R. Quigley (Attorney General)**, and read a first time.

Explanatory memorandum presented by the Attorney General.

### *Second Reading*

**MR J.R. QUIGLEY (Butler — Attorney General)** [10.16 am]: I move —

That the bill be now read a second time.

The Criminal Law Amendment (Intimate Images) Bill 2018 implements the government's pre-election commitment to criminalise the non-consensual distribution of intimate images, a form of image-based sexual abuse. This conduct is often colloquially referred to as “revenge porn”. This term is a misnomer. The non-consensual distribution of intimate images is a degrading and dehumanising practice that violates personal privacy and dignity. It is a form of abuse, and should be labelled as such.

Despite the impression created by the term “revenge porn”, image-based abuse extends beyond the “relationship gone sour” scenario where a jilted ex-lover shares an intimate image without consent to seek revenge. According to a comprehensive Australian study on image-based abuse by Dr Nicola Henry at RMIT University and Monash University, image-based abuse is perpetrated for a variety of reasons, including control, intimidation, sexual gratification, monetary gain and social status building. It is also used to threaten, harass, objectify, humiliate, shame and instil fear. These motivations are often apparent from the degrading commentary that can accompany images when they are posted online.

As the Minister for Prevention of Family and Domestic Violence knows all too well, image-based abuse has also emerged as an increasingly common feature in family and domestic violence cases, used as a means of coercing and controlling the victim. It is also used to facilitate so-called “sextoition”, whereby perpetrators threaten to distribute intimate images to compel the victim to engage in unwanted sexual acts or to extract monetary payment.

The damage that image-based abuse can cause is profound. Victims experience damage to reputation, employment prospects, educational attainment, interpersonal relationships and mental health. If victims speak out, they then also are often the target of further online harassment, abuse and intimidation. These harms are exacerbated by a pervasive culture of victim blaming. Far too often in these cases, it is the behaviour of the victim that is called into question rather than the harmful actions of the perpetrator. Victims are made to feel that they are to blame for sending an intimate image in the first place rather than the perpetrator who has distributed the image without consent. Such attitudes shift accountability away from the perpetrator and discourage victims from speaking out or seeking help as they fear they will be blamed and shamed. The Criminal Law Amendment (Intimate Images) Bill 2018 delivers the government’s commitment to criminalise this behaviour and denounce it as unacceptable. It will enable our police and courts to hold perpetrators to account and provide victims with an avenue for justice. It will also make clear that blame for the harm caused by non-consensual distribution lies firmly with the distributor, not the victim, and it will send an unambiguous message to the community that image-based abuse is serious and harmful and will not be tolerated.

Before turning to the detail of the bill itself, I will outline what the bill does not do. The bill does not criminalise the consensual sharing of images between consenting individuals. It does not criminalise a person who sends an image of themselves to another person. This is not a public morality bill; rather, it is a bill that squarely focuses on the violation of privacy and agency that comes with the non-consensual distribution of intimate images.

I now turn to the bill itself. The bill amends the Western Australian Criminal Code to do three things. First, it creates a new offence relating to the non-consensual distribution of intimate images. Second, it empowers courts to make a rectification order requiring a person charged with the new offence to remove or destroy the images in question. Third, it ensures that existing threat offences apply to a threat to distribute an intimate image. The bill has been developed having regard to similar recent legislation enacted in other states and territories and with detailed consultation with local stakeholders, including the Director of Public Prosecutions, the WA Police Force and the Commissioner for Children and Young People. It also accords with the national statement of principles agreed to by the former Law, Crime and Community Safety Council on 19 May 2017.

I will now summarise the content of the bill. Part 1 of the bill addresses preliminary matters. Part 2 amends the Criminal Code. Clause 4 inserts new chapter XXVA, titled “Intimate images”, into the Criminal Code. New chapter XXVA contains the new offence of distributing an intimate image without consent, defences and exceptions to this new offence, supporting definitions and provision for “rectification orders”. The new offence at the core of this legislation is created by proposed new section 221BD of the Criminal Code, titled “Distribution of intimate image”. For the offence to be committed, three elements must be established. There must be a distribution of an intimate image of another person without the consent of the person depicted in the image. The reference to an intimate image “of another person” ensures that the offence does not apply when a person distributes an image that depicts only him or herself. Consistent with the national statement of principles, there is no requirement to prove that the accused person intended to cause any particular harm to the person depicted in the image, or that the victim suffered any particular harm or injury. This is because the non-consensual distribution of intimate images is, of itself, an unacceptable harm. The criminality exists independently of the associated motivations and consequences. The new offence is an either-way offence. The penalty on indictment is imprisonment for three years. The summary conviction penalty is imprisonment for 18 months and a fine of \$18 000.

Each of the key terms used in the offence provision are defined in proposed new sections 221BA, 221BB and 221BC. “Intimate image” is defined in proposed new section 221BA to mean a still or moving image in any form that shows, in circumstances in which a person would reasonably expect to be afforded privacy, the person’s genital or anal area, whether bare or covered by underwear; in the case of a female person—or transgender or intersex person identifying as female—the breasts of the person, whether bare or covered by underwear; or the person engaged in a private act, which is defined separately to mean in a state of undress, using the toilet, showering or bathing or engaged in a sexual act. The reasonable expectation-of-privacy requirement is an important part of the definition. It excludes from the ambit of the offence images captured in circumstances in which there is no reasonable expectation of privacy—for example, a lingerie model on a catwalk. Importantly, the

definition of “intimate image” also includes an image that has been created or altered to appear to show any of the things mentioned above. This is intended to encompass recent software developments that have led to the proliferation of fake pornography videos and doctored images in which a person’s face is superimposed onto another body.

The definition of “distributes” in proposed section 221BC is modelled on the existing definition of “distribute” in chapter XXV of the Criminal Code, which deals with child exploitation material. To distribute includes to communicate, exhibit, sell, send, supply, offer or transmit the image, to make the image available for access by electronic or other means or to enter into an agreement to do either of those things. Consistent with the national principles, the definition is broad and aims to encompass existing and emerging technologies. Importantly, the definition of “distributes” excludes distribution to the person depicted in the image. Of course, such a distribution may be unlawful under other existing criminal offence provisions if, for example, it is accompanied by a threat, forms part of a course of conduct that constitutes stalking or constitutes harassment. The definition also makes clear that a person who sends an image to him or herself—for example, by emailing an image from a phone to a laptop—does not distribute an image for the purposes of this chapter.

The definition of “consent” provided in proposed section 221BB is modelled on the definition contained in chapter XXXI of the Criminal Code, which deals with sexual offences, but with several context-specific additions. The overarching requirement is that consent be free and voluntary. Consent is not free and voluntary if it is obtained by force, threat, intimidation, deceit or any fraudulent means. The definition also expressly provides that consent on one occasion does not of itself establish consent on another occasion; that consent to distribution to or by a particular person does not of itself establish consent to distribution to or by a different person; and that distribution of an intimate image by the person depicted does not of itself establish consent for further distribution by another person. There is no requirement to prove an additional element that the accused knew that the person depicted did not want to consent or was reckless as to that fact. This is consistent with the structure of other analogous offences in the Criminal Code, such as sexual penetration without consent—see section 325. When an accused believed that the victim had consented to the distribution of the intimate image, he or she may seek to rely on the general defence of honest and reasonable mistake of fact. Finally, the definition also provides that a person under the age of 16 is incapable of consenting to the distribution of an intimate image. This is consistent with the general position in the Criminal Code that a child under 16 cannot consent to conduct of a sexual nature.

Proposed section 221BD also sets out a number of defences and exclusions to the new distribution offence. These are modelled in part on defences in relation to child exploitation material offences, with appropriate adjustments. It will be a defence to a charge to prove that the distribution was for a genuine scientific, educational or medical purpose; the distribution of the image was reasonably necessary for the purpose of legal proceedings; the distribution was for the purpose of media activities and the distributor did not intend to cause harm and reasonably believed that the distribution was in the public interest; or a reasonable person would consider the distribution of the image to be acceptable having regard to a list of factors, including the nature and content of the image, the circumstances in which it was distributed, the age and vulnerability of the person depicted, and other factors. This defence may apply, for example, when a mother sends a photo of her child in the bath to a family member.

In addition to the defences listed above, proposed section 221BD also stipulates that nothing in the bill will make it an offence for a law enforcement officer to distribute an image in the course of their official duties; for a person to distribute an intimate image in accordance with or in the performance of functions under a written law—for example, as part of making a complaint to the Office of the eSafety Commissioner pursuant to the enabling legislation for that office; or for a person to distribute an intimate image for the purposes of the administration of justice.

If the accused person raises evidence that one of the exceptions applies, the onus is on the prosecution to disprove that fact. This is in contrast to the defences under which the onus is on the accused to establish on the balance of probabilities that the defence applies. The rationale for this difference is that the question of criminality should not normally arise in the circumstances that are the subject of the exclusions. The defences and exclusions have also been drafted with a view to maintaining consistency with similar legislation that is currently before the commonwealth Parliament—the Enhancing Online Safety (Non-consensual Sharing of Intimate Images) Bill 2017.

The new distribution offence is supported by proposed section 221BE, which empowers the court to require a person charged with the offence to remove, delete or destroy the image, or images, in question. This is known as a rectification order. A person who without reasonable excuse fails to comply with a rectification order will commit a summary offence, the penalty for which is 12 months’ imprisonment and a fine of \$12 000. This provides the court with a mechanism to help reduce further harm arising as a result of the distribution that is the subject of the charge.

Clause 5 of the bill amends the existing threat offences in chapter XXXIII of the Criminal Code to ensure that a threat to distribute an intimate image is an offence. This is achieved by inserting reference to the distribution of an intimate image into section 338, which lists the categories of threat that can give rise to an offence under this chapter of the Criminal Code. The reference to the distribution of intimate images is provided in new paragraph (e). Where necessary, reference to new paragraph (e) is inserted into the offence provisions. The effect of these



amendments is that the offences of threat with intent to gain, threat to unlawfully do something mentioned in section 338 and a statement or act creating false apprehension as to existence of a threat or danger will apply when the threat, statement or act relates to the distribution of an intimate image. The policy context for the threat offences is that threats to distribute intimate images are often used in the context of relationship breakdowns and family violence situations as a means to coerce, control or manipulate a victim. Threats to share an intimate image can be used, for example, to force a victim to engage in an unwanted sexual act, to prevent them from leaving a relationship or commencing legal proceedings, or to blackmail them for monetary payment.

These examples underscore the fact that threats to distribute intimate images can have more sinister motivations than the act of distribution itself. This is reflected in the penalties available under chapter XXXIII of the Criminal Code; for example, threats with intent to gain a benefit, cause harm or to prevent or compel a person from doing something attract a maximum penalty of seven years' imprisonment.

Part 3 of the bill amends the Restraining Orders Act 1997. The purpose of these amendments is to align the relevant terminology and definitions used in the Restraining Orders Act with the terminology and definitions introduced to the Criminal Code via the present bill. Part 4 of the bill amends the Working with Children (Criminal Record Checking) Act 2004. The amendment lists the new distribution offence, when it is committed against a child, in schedule 2 of the bill. The result is that a person with such a conviction will not be permitted to work with children unless exceptional circumstances apply.

I would like to briefly touch on the application of the bill to young people. Young people are not exempt from the new distribution offence. The criminal law does not permit children who have reached the age of criminal responsibility to steal or to commit physical assaults; nor should it permit them to violate another person's privacy and dignity by, for example, posting their intimate image online without consent. At the same time, the bill has been crafted to provide an appropriate, proportionate response to young offenders. It does this in three ways. Firstly, it preserves the applicable protections and diversionary measures under the Young Offenders Act 1994 of Western Australia for a young person who is charged with one of the new offences, including the issuance of a caution or referral to a juvenile justice team. Secondly, the distribution offence itself has been constructed so as not to apply to a person who distributes an intimate image of themselves, or to the person depicted, thus avoiding the criminalisation of "sexting" between young people. Thirdly, a conviction under the new distribution offence will not result in sex-offender registration under the Community Protection (Offender Reporting) Act 2004 of Western Australia. This recognises the reality that young persons convicted of the new offence are unlikely to have displayed the type of sexual deviancy that would suggest an ongoing risk to the community. Existing offences relating to child exploitation material, which do result in registration, will continue to be available in cases involving serious sexual offending.

The measures contained in this bill are just one spoke in the broader wheel of policy responses to this problem. At the commonwealth level, the Office of the eSafety Commissioner works with internet service providers and social media organisations to expunge images posted without consent from the internet. Since 1 July 2017, it has also been possible to seek a family violence restraining order under the Restraining Orders Act 1997 of Western Australia on the grounds of image-based abuse, which provides another avenue of protection for victims in Western Australia.

It follows that should this bill be enacted, victims of image-based abuse will have access to justice through the criminal law, protection through the restraining order system and rectification through the eSafety Commissioner. Although cultural attitudes cannot change overnight, one way to begin this shift is to change the way we talk about this matter. As a start, I encourage all members of Parliament to refrain from using the term "revenge pornography" on the floor of this Parliament, and instead use "image-based sexual abuse", a term that victims very much prefer. I commend the bill to the house.

Debate adjourned, on motion by **Mr Z.R.F. Kirkup**.

## **STRATA TITLES AMENDMENT BILL 2018**

### *Introduction and First Reading*

Bill introduced, on motion by **Ms R. Saffioti (Minister for Lands)**, and read a first time.

Explanatory memorandum presented by the minister.

### *Second Reading*

**MS R. SAFFIOTI (West Swan — Minister for Lands)** [10.46 am]: I move —

That the bill be now read a second time.

The Strata Titles Amendment Bill 2018 will amend the Strata Titles Act 1985 and is the first major reform to strata in 21 years. These reforms significantly improve upon existing strata legislation, addressing problems experienced in strata, while also modernising the language and structure of the act. This bill will also introduce a new form of land ownership—leasehold strata title schemes—creating greater opportunity for the delivery of more vibrant and liveable strata communities across the state. The bill, along with the Community Titles Bill 2018, will enable the delivery and effective management of innovative, well-planned strata properties throughout Western Australia.

Importantly, these reforms will bring Western Australian strata owners, residents, developers and managers a clear, modern, transparent and accountable legislative framework for creating and managing strata. These reforms have been a number of years in the making and are the culmination of work done by Landgate in consultation with a wide range of stakeholders in the community, government and private sectors to achieve the best outcome for all. The reforms were commenced under the previous government and I acknowledge its efforts and look forward to its support as, together, we navigate this legislation through Parliament for the benefit of strata owners, residents, investors and developers.

Under these reforms, strata owners will have more of a say in the ongoing management and operation of their scheme. Owners will be empowered to improve their schemes and retrofit their properties to include items such as solar panels and disability access improvements. The provisions will facilitate better ongoing maintenance of schemes and it will be easier to enforce by-laws. Strata disputes will be resolved more quickly, cheaply and effectively through a single specialist forum. The State Administrative Tribunal will become the one-stop-shop for strata disputes and will be empowered to resolve disputes quickly, cheaply and effectively. Buyers will receive better information about the strata lots they are buying. There will be more flexibility for the staged subdivision of strata and survey-strata schemes, and safeguards will be introduced for the termination of schemes. Statutory duties will be imposed on strata managers to make them more accountable and to encourage higher standards of professional service. These duties include requirement to act in the best interests of the strata company, to disclose any conflicts of interest, to hold the strata company funds in a trust account and to hold a minimum standard of professional qualification. These duties will be enforced by the strata company, which will have a statutory right to terminate the strata management contract by giving notice if the strata manager breaches the statutory duties or the contract. If that breach of duty or the contract causes the strata company to suffer a loss, the strata manager may be ordered to pay compensation to the strata company. Strata companies will be able to keep records in electronic format to allow owners to more easily inspect those records, and strata companies will have streamlined procedures for executing documents. Owners will be able to participate more readily in the management of their scheme, with voting able to occur outside of meetings and electronic voting permitted.

The reforms establish requirements regarding the content of by-laws—that they cannot be oppressive, unreasonable, or unfairly prejudicial to or discriminatory against owners. Furthermore, standards applicable to strata councils will be raised with statutory duties imposed on the council excluding members from voting on matters when they have a conflict of interest. There will be restrictions on the use of proxy votes, and owners will have a forum to review by-laws and resolutions that are unreasonable, oppressive or discriminatory. Owners will be empowered to improve their common property. Larger schemes will need to have a reserve fund and prepare a 10-year maintenance plan.

The bill will provide safeguards for the termination of schemes, including a transparent process, safeguards for owners and a full procedural and fairness review by the State Administrative Tribunal. The majority termination process is more than just a vote; a comprehensive, transparent process must be followed. If the vote produces the required majority but is not unanimous, the termination proposal must undergo a fairness and procedural review by the tribunal. A majority termination proposal cannot proceed without an order from the tribunal. The tribunal can order a scheme termination under a majority vote only if it is satisfied that the termination process has been properly followed, that every owner who objects to the termination will receive fair market value for their lot and the proposal to terminate is just and equitable. Vulnerable owners will be further protected and will have access to funding for assistance to navigate the termination proposal.

The bill will also introduce a new form of land ownership to Western Australia—leasehold strata title schemes. Leasehold strata provides for the creation of a strata or survey strata scheme for a fixed period. It operates under the same governance framework as a freehold strata scheme, with some variations. Each lot within a leasehold scheme is subject to a registered strata lease and individual lots within the scheme may be bought, sold and mortgaged just like a lot in a freehold scheme. The owner of a lot in the leasehold scheme will be registered on the certificate of title as the proprietor of that lot within the strata leasehold estate. The leasehold scheme and each strata lease expires on the expiry day of the leasehold scheme. Leasehold schemes will be beneficial in providing affordable housing, as well as developing freehold land on strategic sites over which the government wishes to retain control in the long term.

I believe the amendments set out in this bill will improve the development and management of strata property across the state, bringing significant community benefit and giving Western Australians greater confidence when looking to own or live in strata. These reforms will help deliver our suburbs of the future, providing people with more options as to where they wish to live. A greater diversity of housing, as well as better integration of land and building uses, will help to ensure that our suburbs cater for all people through their changing needs and life stages.

I thank the dedicated staff from Landgate for their commitment to this reform process over many years—in particular, Sean Macfarlane, who is in the gallery today. I also acknowledge the work done by Parliamentary Counsel to help us in preparing such detailed and complicated legislation.

I commend the bill to the house.

Debate adjourned, on motion by **Mr Z.R.F. Kirkup**.

**COMMUNITY TITLES BILL 2018***Introduction and First Reading*

Bill introduced, on motion by **Ms R. Saffioti (Minister for Lands)**, and read a first time.

Explanatory memorandum presented by the minister.

*Second Reading*

**MS R. SAFFIOTI (West Swan — Minister for Lands)** [10.55 am]: I move —

That the bill be now read a second time.

I am excited to be delivering the second reading speech introducing the Community Titles Bill 2018 as part of the package of strata reforms. Together with the Strata Titles Amendment Bill 2018, these reforms will bring strata owners, residents, commercial occupiers, developers and managers a clear, modern, transparent and accountable legislative framework for creating and managing strata. This bill has been a long time coming, having been considered for development since the Community Titles Advisory Committee was established in 1997. Other jurisdictions have had community schemes for many years and they are considered a key part of modern strata legislation. New South Wales first introduced community schemes in 1989, and they similarly exist in South Australia and Queensland as well as internationally, where they are used to great effect in building vibrant, sustainable and diverse communities.

Drawing on the experience of existing models and after extensive consultation on both this bill and reforms for the Strata Titles Act 1985, I am confident that this bill creates an exciting model for community schemes in Western Australia. The principal purpose of the bill is to provide for a new form of land title—a community title based on new subdivision by a community scheme. Community schemes can play an important part in delivering more vibrant communities, particularly in activity centres, urban corridors and around station precincts. Community schemes will provide for well-planned, larger-scale land subdivision and development projects by enabling a single freehold parcel of land to be subdivided into as many as three tiers. Community schemes are made up of individual community titles schemes that can be defined by land area, similar to existing survey-strata lots, or by cubic space, such as an apartment or unit. These two types of community titles schemes—community titles land schemes and community titles building schemes—can exist within the same community schemes, providing for a mix of development types and building uses within the scheme.

A community scheme can subdivide a building into a maximum of three tiers, providing for improved management of common property and a mix of uses. The flexibility of these schemes will provide for better, more cohesive mixed-use development, effectively incorporating shops and restaurants, offices and residential apartments. Each of these different uses would be governed by a separate set of by-laws, allowing them to be better tailored to the needs of that use. A community scheme is effectively a culmination of individual community titles schemes, subdivided from a single parcel of land. Each community titles scheme will have its own community corporation established when the scheme documents are registered.

A community scheme can provide for shared ownership of common property by all owners, as well as common property that is owned only by the owners of a particular community titles scheme. It can provide for shared ownership of utility and sustainability infrastructure and amenities that may not be feasible for a single existing scheme to own and operate. Community schemes do not have to be larger-scale land developments, although they do lend themselves to ambitious plans. This legislation opens up the possibility of all sorts of innovative and creative spin-offs, leading to jobs and growth in the economy.

An integral component of a community scheme is the new planning instrument—a community development statement—which must be approved by the Western Australian Planning Commission before a subdivision approval for a community scheme can be given. The commission must be satisfied that subdivision by a community scheme is appropriate for the site in question. While the community development statement is in force, it provides the backdrop for the commission and local government to approve subdivision and development applications for the subject land under the Planning and Development Act 2005. It also provides certainty for developers, owners and buyers of community lots that the scheme will be developed as set out in the community development statement. The State Administrative Tribunal will become the one-stop shop for disputes in a community scheme that cannot be resolved directly between the parties.

The bill contains provisions that cover a community scheme's lifecycle—that is, its creation, its management and, possibly, its termination. The bill introduces regulation of scheme managers by requiring them to have a written contract with the community corporation and giving the community corporation power to terminate the contract in specified circumstances. The bill imposes general duties on scheme managers and controls what scheme managers must do with funds of the community corporation. A scheme manager must lodge a periodic return at Landgate containing aggregated information about the community titles schemes they manage. Landgate may also publish a list of scheme managers, as well as use the information acquired from them to assist the development of policy and advise on matters related to scheme managers.

Community titles will be a facilitator, an activator and a driver of change, improving the way strata is developed and managed throughout our state.

I commend the bill to the house.

Debate adjourned, on motion by **Mr Z.R.F. Kirkup**.

### **COMMUNITY TITLES AMENDMENT (CONSISTENCY OF CHARGING) BILL 2018**

#### *Introduction and First Reading*

Bill introduced, on motion by **Ms R. Saffioti (Minister for Lands)**, and read a first time.

Explanatory memorandum presented by the minister.

#### *Second Reading*

**MS R. SAFFIOTI (West Swan — Minister for Lands)** [11.02 am]: I move —

That the bill be now read a second time.

This bill is intended to be debated cognately with the Community Titles Bill, as it relates exclusively to it. Its intent is to retain consistency and simplicity in the way Landgate charges fees for title registration. As a safeguard, this bill will be subject to the same sunset clause as similar Landgate legislation, whereby this arrangement will lapse after a maximum of five years, unless continuation is deemed appropriate following a statutory review. I commend the bill to the house.

Debate adjourned, on motion by **Mr Z.R.F. Kirkup**.

### **LIQUOR CONTROL AMENDMENT BILL 2018**

#### *Returned*

Bill returned from the Council with amendments.

Leave granted for the Council's amendments to be considered in detail forthwith.

#### *Council's Amendments — Consideration in Detail*

The amendments made by the Council were as follows —

No 1

Clause 11, page 7, after line 19 — To insert —

- (2) Delete section 25(6)(a).

No 2

Clause 19, page 12, after line 26 — To insert —

- (d) the status of the licence that applies to the premises (for example, whether the licence is conditionally granted or suspended);
- (e) the name of the licensee of the premises.

No 3

Clause 28, page 21, after line 14 — To insert —

- (4) In section 55(3) delete “corporate which produces wine or spirits, wine or spirits” and insert:  
corporate, liquor

No 4

Clause 32, page 23, after line 25 — To insert —

- (ba) in paragraph (e) delete “a Sunday,”;

No 5

New Clause 43A, page 30, after line 22 — To insert —

#### **43A. Section 75 amended**

Delete section 75(2)(b) and insert:

- (b) if not required to be advertised is not subject to objection, but may be made the subject of a submission or an intervention under section 69; and

No 6

Clause 52, page 35, lines 25 to 26 — To delete “a fine of \$10 000, but the minimum penalty is a fine of \$1 000.” and substitute —

a fine of \$10 000.

No7

New Clause 64A, page 42, after line 17 — To insert —

**64A. Section 174B inserted**

After section 174A insert:

**174B. Liquor accords: authorisation for purposes of *Competition and Consumer Act 2010* and Competition Code**

(1) In this section —

*liquor accord* has the meaning given in section 64(1b).(2) For the purposes of the *Competition and Consumer Act 2010* (Commonwealth) and the Competition Code, the following conduct is authorised by this Act, to the extent that it would otherwise contravene that Act or that Code —

(a) the entry by any person into a liquor accord;

(b) conduct engaged in by any person for the purpose of promoting or giving effect to the terms of a liquor accord.

No 8

Clause 65, page 42, line 27 to page 43, line 13 — To delete the lines.

No 9

New Clause 67, page 43, lines 24 and 25 — To delete the lines and insert —

**67. Section 178 amended**In section 178(1) delete “section 95 of the *Liquor Licensing Amendment Act 1998*,” and insert:  
the *Liquor Control Amendment Act 2018* section 67,

**Mr P. PAPALIA:** My adviser is on her way. In advance, I will speak very slowly and advise Hansard that she is Emma Roebuck, who is my policy officer. She is making her way from Dumas House as we speak. I am very comfortable this matter has been brought on. It was done at the request of the shadow minister, and we are happy to respond to the detail of any questions he has. In advance of that, I will say that the whole process, as I understand it—my staff have been there the whole time in the discussions and the debate in the upper house—has been very collaborative, and a lot of hard work has been done by my staff and also Donna Kennedy from the department. Contributions from all members in the upper house have been incredibly positive and supportive, and they have resulted in a range of changes being accepted and conceded. As we indicated, following the debate here, because it is such a broad-ranging amendment to a piece of legislation, and it is about alcohol, there would always be a need to compromise and work on refining the outcome, which we have achieved. I place on the record my thanks to all those who participated in debate, in particular Hon Aaron Stonehouse, MLC, who was very helpful on a range of the amendments. Hon Tjorn Sibma, MLC, made a great contribution, as did Hon Colin Holt from the Nationals. Each of the smaller parties—the Greens and One Nation—also participated very positively, and it has resulted in a good outcome. I will now let the member for South Perth pose his questions.

**Mr J.E. McGRATH:** The opposition took this bill very seriously. It is good legislation that we thought had to be brought before the Parliament. There are a lot of good outcomes from it. We obviously did not agree on everything, but we did not disagree on much—it was only a couple of things. At the end of the day, we want to get this legislation through today, so that it can progress. We want to get it through today, because the minister is here, and he can explain to us his reaction to some of the amendments made by the upper house. It has been a good process, and that is what Parliament is all about. We have had an opportunity to debate the issue and to put our side of the argument, but at the end of the day the legislation must go through, so let us have a look at these amendments.

**Mr P. PAPALIA:** Before moving that the first amendment be agreed to, I will say as part of all the collaborative work in the upper house that we have undertaken to work during the winter recess, in a consultative fashion with peak bodies and all interested parties on the regulations associated with implementing the changes. That will take place before the law is formally enacted in the next sitting. I move —

That amendment 1 made by the Council be agreed to.

**Mr J.E. McGRATH:** Can the minister explain the reasons given in the other place for this amendment?

**Mr P. PAPALIA:** This amendment was not moved by the other side. It was identified as necessary for consistency through the legislation. It is more of an administrative change that was identified after the bill had moved through this place and was on its way to the other place. The agency identified that it needed to change that particular part of the bill and remove that clause.

**Mr J.E. McGrath:** Did that relate to clubs?

**Mr P. PAPALIA:** No.

**Mr J.E. McGRATH:** For the sake of clarity, what did this amendment relate to?

**Mr P. PAPALIA:** It is to ensure consistency in the use of definitions around parties to proceedings objecting to an application.

**Mr J.E. McGrath:** So it is not necessary.

**Mr P. PAPALIA:** No, it is just to ensure compliance and consistency across legislation. The agency identified that what was being proposed was inconsistent, so it wanted to remove it.

**Question put and passed; the Council's amendment agreed to.**

**Mr P. PAPALIA:** I move —

That amendment 2 made by the Council be agreed to.

**Mr J.E. McGRATH:** I remember this amendment was raised by the member for Scarborough with respect of the name of the licensee of a premises and giving greater transparency about who owns the licence. Back when I was younger, the name of the licensee would be, say, Harry Brown or whatever his name was, and then there was a system by which corporations or businesses were buying licences and we would not really know who owned the pub. I think the member for Scarborough was asking for a bit more transparency on that.

**Mr P. PAPALIA:** Yes, that was raised by the member for Scarborough in this place and I think at the time we said we would investigate whether that was possible and it was, so we are complying.

**Question put and passed; the Council's amendment agreed to.**

**Mr P. PAPALIA:** I move —

That amendment 3 made by the Council be agreed to.

**Mr J.E. McGRATH:** This amendment deletes the words “corporate which produces wine or spirits, wine or spirits” and inserts “corporate, liquor”. Could the minister please explain why this is being done?

**Mr P. PAPALIA:** The intent is to incorporate beer, so all forms of liquor, into the proposed section. The member would remember that during the debate we were talking about the fact that microbreweries and the like were not given the same concessions or opportunities as cellar door operators, wine producers and spirits producers, so this is just to bring everyone into line to remove the limitation of “wine or spirits”, which excluded beer.

**Mr J.E. McGRATH:** Will this amendment enable producers selling wine or spirits to sell beer? What opportunities would this change provide to them?

**Mr P. PAPALIA:** The original section of the act states —

Where the licensee is a body corporate which produces wine or spirits, wine or spirits produced by a related body corporate shall be deemed to have been produced by the licensee.

We are just getting rid of the words “which produces wine or spirits, wine or spirits” and replacing them with “liquor”. The proposed section now covers any producer of beer as well. It is just to ensure that breweries are given all the opportunities available to producers of other types of liquor.

**Mr J.E. McGRATH:** So, it refers to anything produced at that premises, but a winery that has people coming in for a wine tour, still cannot offer beer, or can it? Would that apply if a winery was selling produce from its winery?

**Mr P. PAPALIA:** No, the amendment is not changing any obligations or restrictions on what the producer can produce. In the past a lot of the opportunities provided to wine producers or distilleries were not available to breweries, for beer, and all the amendment is doing is incorporating all of the liquor producers under the same set of rules and obligations. They still have to produce that product.

**Question put and passed; the Council's amendment agreed to.**

**Mr P. PAPALIA:** I move —

That amendment 4 made by the Council be agreed to.

**Mr J.E. McGRATH:** This amendment states —

Clause 32, page 23, after line 25 — To insert:

(ba) in paragraph (e) delete “a Sunday,”;

I am not sure why this is being done.

**Mr P. PAPALIA:** This relates to places like a small country club such as a golf club or a footy club. In the past they have not been able to host another organisation on a Sunday. It is just a historical artefact, really, and the amendment removes that restriction to enable those places to provide their facilities on a Sunday.

**Question put and passed; the Council's amendment agreed to.**

**Mr P. PAPALIA:** I move —

That amendment 5 made by the Council be agreed to.

**Mr J.E. McGRATH:** We just need some clarification about this insertion. Obviously, the minister is agreeing to these amendments, but could he please just explain to the chamber what this amendment entails?

**Mr P. PAPALIA:** The member will be very happy about this amendment. This is the pop-up response. It is about “temporary bars”. I am happy to table the draft policy that has been prepared for this.

[See paper 1458.]

**Mr P. PAPALIA:** That is the draft policy for temporary bars or pop-ups. We are viewing as large a facility catering to more than 500 people. For those applications, people will have an opportunity—if the director deems it appropriate to advertise—to object to those types of proposals.

**Mr J.E. McGRATH:** Thank you, minister; that is good. Where will that advertising take place? What will be the format for the ads so the public is aware that an application has been made to have a pop-up bar?

**Mr P. PAPALIA:** To be consistent with the current practice for all advertising done by the director, it will be on the website.

**Question put and passed; the Council’s amendment agreed to.**

**Mr P. PAPALIA:** I move —

That amendment 6 made by the Council be agreed to.

**Mr J.E. McGRATH:** This amendment seeks to delete a fine of \$10 000 but the minimum penalty is a fine of \$1 000. Can the minister explain why the other place wants this amendment and what will be the ramifications? What will the fine be for?

**Mr P. PAPALIA:** This is in relation to sly grogging. The change to remove the lower-end minimum penalty and have just a fine of \$10 000 was moved by the Greens and accepted by the other place.

**Mr J.E. McGRATH:** I gather that for any amount of alcohol that someone is sly grogging, the fine will be \$10 000.

**Mr P. PAPALIA:** It will be up to \$10 000. There will still be latitude for the magistrate to determine a lower fine. Remember that this sly-grogging amendment enables the police to tip the stuff out in front of the offenders. That is probably a bigger penalty than any fine. Having spent the money, time and effort seeking out in all likelihood thousands of dollars’ worth of alcohol, they will have it tipped out in front of them and will have wasted all their money and time. I am hoping that will be a greater deterrent than some of the other penalties to be imposed.

**Mr J.E. McGRATH:** The worry is that a magistrate could impose a fine of \$100 or \$200. We would like to think the fine could be a bit higher than that, given sly grogging is a serious problem in the north. I am surprised the upper house wanted to get rid of the \$1 000 minimum. With this amendment, after the alcohol being tipped out, they can be fined anything up to \$10 000. I know the minister is not opposed to it, but is the minister concerned that the \$1 000 minimum fine is being deleted?

**Mr P. PAPALIA:** No, member. I know where the members of the other place are coming from. It is not our intention to fill our jails even further with people who are sly grogging. The intention is to impose the penalty of the alcohol being tipped out in front of them and that deterrent being the primary deterrent. I did not want to inadvertently cause another wave of people filling prisons because they cannot pay a fine that is imposed on them. I concede that it is not a bad thing to get rid of the minimum penalty because they might lose \$2 000 worth of grog through being caught. I think that is a pretty good penalty and deterrent. In the event the magistrate deems they have learnt their lesson or are less likely to re-offend through that penalty, I am okay with it.

**Question put and passed; the Council’s amendment agreed to.**

**Mr P. PAPALIA:** I move —

That amendment 7 made by the Council be agreed to.

**Mr J.E. McGRATH:** Is new clause 64A more an administrative matter?

**Mr P. PAPALIA:** This amendment is on the State Solicitor’s advice that we need to ensure the locations that achieve liquor accord such as in Kalgoorlie—the member may be familiar with it—are not breaching this act, otherwise they could be accused of engaging in cartel-like activity, I am informed. It was legal advice to ensure they can keep doing what they do where all the local people get together with police and have their own accord. It is to ensure they do not breach this act.

**Question put and passed; the Council’s amendment agreed to.**

**Mr P. PAPALIA:** I move —

That amendment 8 made by the Council be agreed to.

**Mr J.E. McGRATH:** This is the deletion of line 27 in clause 65. What is the purpose of this deletion?

**Mr P. PAPALIA:** This was part of the amendment that proposed a code of conduct. Some concern was raised about it in this house. Hon Tjorn Sibma, MLC, acting in response to some concerns expressed to him by the Australian Hotels Association moved that that part of the amendment be deleted. We are happy to do that. There were concerns within the constituency of the AHA that somehow it might replicate a move that had taken place in South Australia. Legislative change imposed obligations on hospitality providers in South Australia that they were not supportive of. That was not the intent nor was it likely to happen, but noting their concerns and to make them feel comfortable, Hon Tjorn Sibma proposed this amendment and we accept it.

**Mr J.E. McGRATH:** Can the minister be a bit more specific about what the AHA's concerns related to?

**Mr P. PAPALIA:** It relates to a code of practice for any licence applications. The intent was to collate a range of obligations that licence applicants currently have to meet, such as an emergency plan, health and safety plans and various other rules and obligations they would have to meet independently of each other. The idea was to bundle them up and create a code of practice so that when applicants signed the code of practice the agency knew they were complying and would not have to demonstrate that they were complying with all those bits of code of practice. For its own reasons, the AHA felt concerned that there might be some other intent. There is not, but that aside, we are quite comfortable with removing that entire proposal and allowing the current practice to continue.

**Question put and passed; the Council's amendment agreed to.**

**Mr P. PAPALIA:** I move —

That amendment 9 made by the Council be agreed to.

**Mr J.E. McGRATH:** I can see that the other place was very forensic during its consideration of this bill. Once again, could the minister explain why the lines have been deleted, and also explain the insertion?

**Mr P. PAPALIA:** This amendment is a consequence of debate in the upper house during which the Liberal Party and Hon Aaron Stonehouse raised concerns about the need for a statutory review of the act. As a consequence, it has been proposed that the act be reviewed within five years. I have no doubt, as has been the case in recent times anyway, that the legislation would be reviewed before then regardless but we were very happy to accommodate the request for it to be part of the legislation. That request came from both the member for South Perth, and Hon Aaron Stonehouse in the upper house. We want to thank both members for suggesting the proposal.

**Mr J.E. McGRATH:** I agree with the minister. The act will obviously be reviewed many times because the liquor industry is always changing, along with entertainment, tourism and things like that. Five-year reviews are fairly common in acts of Parliament. We obviously support the amendment.

**Mr P. PAPALIA:** Also, I reiterate that Hon Aaron Stonehouse contributed very positively and professionally to this amendment. The advisers worked closely with him and the Liberal Party in the other place. That work has resulted in a better outcome, and that is a good thing. That is how it should work. Alcohol is a challenging environment. Passing legislation will always be complex and it will always end up in compromises of different descriptions, and in this case a lot of collaboration. I would like to again thank everyone in the other place for their support over the last little while and also the member for South Perth and the opposition in this place.

**Question put and passed; the Council's amendment agreed to.**

**The Council acquainted accordingly.**

## **PORTS LEGISLATION AMENDMENT BILL 2017**

### *Second Reading*

Resumed from 29 November 2017.

**MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition)** [11.33 am]: I rise to make a contribution to the Ports Legislation Amendment Bill 2017 on behalf of the Liberal opposition. The opposition supports this legislation. Indeed, this is the second tranche of a ports reform agenda that was set in place by Hon Troy Buswell when he was a minister in the former Barnett government. These reforms commenced as far back as 2009. In 2013, Hon Troy Buswell, the Minister for Transport at the time, introduced the Ports Legislation Amendment Bill 2013. He flagged that that legislation was the first tranche of reforms and that the reforms had come out of a number of processes, the first being a five-year review of the Port Authorities Act 1999. That review was required under section 144 of that act. The report into the review of that act was tabled in Parliament on 14 October 2009.

The Education and Health Standing Committee of the Legislative Assembly produced a report titled "Inquiry into the Cause and Extent of Lead Pollution in the Esperance Area". The issue of lead pollution was running very hot around the time of the change of government back in 2008. Significant lead contamination in the port of Esperance was having deleterious health effects on children and people living in the Esperance vicinity. A big clean-up job



was required when the Barnett government was elected in 2008 to ensure that the lead could be cleaned up and the safety of that community could be preserved. As I recall at the time, birds were falling out of the sky and dropping dead mid-flight because of lead contamination. After those birds were subsequently examined, lead levels were tested in some of the children in Esperance and other people in the community. Elevated lead levels were found in the people living in the vicinity of Esperance port, which required a not insignificant government effort at that time to ensure that the safety of that community could be ensured.

The Council of Australian Governments also conducted a review into Western Australian ports. Those reviews are always incredibly important given the importance of port infrastructure in facilitating, and indeed strengthening, the economy of Western Australia and also Australia. Back in 2013, Hon Troy Buswell's speech referred to the state's exports having increased from \$25 billion per annum in 2000 to \$101 billion in 2012–13. At the time it was estimated that there would be significant increases in the throughput of our ports. Over time we have seen that that was indeed the case.

In May 2013, the Barnett government released the "Western Australian Regional Freight Transport Network Plan". That detailed transport planning blueprint looked at providing strategic priorities and objectives for the state's road, rail and port infrastructure. Obviously, port infrastructure featured in that plan quite prominently. At the time the underlying Department of Transport study plan found, as set out in *Hansard* —

... that by 2030, trade through the state's ports is expected to increase to more than one billion tonnes per annum, representing growth of 140 per cent from 2012.

Significant increases in throughput need to be managed strategically and effectively.

There was also a ports governance review in 2011. The government agreed to a number of recommendations of that review. The review agreed that seven of the state's eight port authorities should be consolidated into four regional port authorities and that 13 non-port authorities currently managed by the Department of Transport would come under the jurisdiction of these regional port authorities. That amending 2013 legislation affected the amalgamation of those seven port authorities into four regional port authorities. As part of this amending legislation of 2017, we are now considering rolling in the other 13 non-port authority ports as part of this continued reform agenda.

It was always intended that this legislation and this reform would occur in two tranches. The 2013 reform involved the removal of the legislative entitlement for commercial representation on port authority boards. That is basically taking away a commercial conflict of interest where the customers of the port were involved in the port governance arrangement, which presented a conflict of interest, obviously, having a commercial interest that can be in conflict with other commercial interests that may use the port. We need to be very careful about managing the kind of input that larger operators, for example, can have on the management and governance of a port. That 2013 legislation also enabled the establishment of port community consultation committees, including local government, to facilitate public information sharing. It also removed the uncertainty and the regulatory framework of 24-hour port operations. Obviously, environmental considerations had to be given with the ports operating 24 hours a day, but it seemed that there was some uncertainty at the time about the regulatory framework and whether the ports could in fact operate on a 24-hour basis, and that ambiguity was removed with the first tranche of legislative reform.

As I said, the 2013 legislation enabled the four new regional port authorities to include the Kimberley Ports Authority, initially comprising the port of Broome; the Pilbara Ports Authority, initially comprising the ports of Port Hedland, Dampier and Ashburton; the Mid West Ports Authority, initially comprising the port of Geraldton; and, the Southern Port Authority, comprising the ports of Bunbury, Albany and Esperance. What we have before the house, the Ports Legislation Amendment Bill 2017, is the second tranche of the reform agenda that was commenced by Hon Troy Buswell. This amending legislation will amend a number of other acts, including the Jetties Act 1926, the Lights (Navigation Protection) Act 1938, the Marine and Harbours Act 1981, the Marine Navigational Aids Act 1973, the Port Authorities Act 1999, the Shipping and Pilotage Act 1967 and the Western Australian Marine Act 1982. The management of our ports is definitely a complex legislative area and, indeed, any kind of governance review that tries to collapse some of that regulation and make the management of our ports more efficient and, out of that efficiency, safer, is something that the opposition welcomes.

The essence of the Ports Legislation Amendment Bill 2017 is to enable the transfer of nine ports that are currently regulated under the Shipping and Pilotage Act 1967 to the Port Authorities Act 1999. This includes the ports of Barrow Island, Cape Preston, Carnarvon, Derby, Onslow, Varanus Island, Walcott, Wyndham and Yampi Sound. The focus of this reform is to enable the regional port authorities to assume the responsibilities that currently sit with the Department of Transport under the Shipping and Pilotage Act and to bring all Western Australian trading ports under a single consistent regulatory regime. It is obviously very sensible legislation. The Department of Transport, as I understand, will still oversee and manage small boat harbours and marinas but the larger ports will be covered under this new regime. As I understand it, in most cases the regional port authorities will acquire only water areas and seabeds at the transferring ports because the land abutting the ports is not vested in the body corporate, being the Minister for Transport, and the assets along some of that land are privately owned. The port authorities' role will primarily relate to marine safety oversight of private ports facilities. This includes some really

important transfers of responsibilities. For example, the port authorities will take over the appointment of harbour masters, approve ship pilots, be responsible for the safe movement of vessels, be responsible for the approval of new jetties that fall within the port's jurisdictions and the placement and maintenance of navigational aids and they will have responsibility ultimately for ensuring that the ports are safe and free from obstruction.

Six state agreements will need to be amended to reflect the new governance arrangements before the port facilities can transition towards the Port Authorities Act 1999. I am advised that those amendments will be minimal but they will nevertheless require agreement of the companies concerned and obviously legislative amendment of those state agreements is likely to be required and this Parliament will need to peruse those as the government progresses with the continued reform. There will no automatic transfer of a port upon proclamation of the act; rather, transitional orders will need to be made covering all the details before any port transfers occur. My understanding is that the ongoing consultation with interested parties, which has been occurring since 2009, will continue to ensure the smooth approval and general agreement and concurrence on the way forward. I anticipate that the Minister for State Development, Jobs and Trade will not have a problem agreeing to changes to these legislative instruments to enable the reform to progress.

The bill reverses a previous reform that formed part of the first tranche of the ports' agenda that was implemented in 2014, which was to do with section 60(2)(ka) and proposed arrangements to facilitate the participation of potential suppliers in the provision of port services or, if no arrangements are proposed, the reason and justification for their absence. This section of the legislation was designed around, I think, some of the Council of Australian Governments reforms of the time. The COAG reform agenda put in a requirement that the Western Australian ports look at all potential opportunities for private and external contractors to be engaged in the management of port facilities. My understanding is that that was around an efficiency drive to ensure that the ports were undergoing due diligence in ensuring that in looking at the best and most efficient operation for a port, the best way, for example, of providing a service whatever it may be—stevedoring et cetera—that the port authority had investigated all the options on the table and not just run with the status quo, whatever that may be. That was to form part of the reporting arrangements and was written into the amending legislation in 2013. But now that our ports model is quite mature with the four port authorities acting very efficiently and with good governance arrangements, the 2013 requirements for board membership and to ensure that we had appropriate people with appropriate skillsets represented on those boards to manage the strategic and business plans for our ports is now somewhat redundant because since the reform agenda started, our experience has been that those port authority boards are acting in very good faith and making good business decisions, and, certainly, structurally the system appears to be working efficiently and effectively.

We believe—and this is part of the reason that we commenced this regulatory reform in 2009—that the regional port authorities are better placed geographically to plan for and meet their marine safety obligations. There are specific requirements in specific areas. Ports are obviously big enablers of economic expansion for any state. Some of the infrastructure that sits within our ports is quite volatile, some of it can be quite dangerous and certainly any interruptions to the operations of a port can be quite significantly disadvantageous to the economies of Western Australia and, indeed, Australia. It is really important that we have the governance arrangements in place and ensure that local management of these ports is vested to the level that is operationally involved with the management of the ports.

I turn to other aspects of this legislation. I understand that there are different arrangements for the Kimberley ports with the transfer of Derby and Wyndham ports into the Kimberley Ports Authority. I think there are different arrangements with the seabed and the landholdings. The Kimberley Ports Authority will become the landlord at Derby and Wyndham, which is somewhat different from the 11 ports that will be transferred as part of this reform. I understand that the Kimberley Ports Authority will inherit land, jetties and other related port infrastructure, as well as water and seabed, which is a little different from the arrangements with the other ports transferring over as part of this reform and this enabling legislation.

I think some other aspects of the legislation are really sensible. Some of these legislative instruments have been around for a long, long time, such as the Jetties Act 1926. Obviously, it has been amended at some point in the interim. I notice that there is reform, revamp and some contemporisation of fines and penalties for some of the offences that people can commit against the Jetties Act, the Marine and Harbours Act and the marine safety legislation. Various clauses in the legislation contain amendments that increase the penalties from as little as \$200 or \$500 for different offences up to a fairly consistent \$12 000 for offences against those different legislative instruments. It is quite important that there are significant penalties for people who fail to comply with their regulatory requirements and who, indeed, through their actions can cause considerable safety concerns for users of the port. They can cause all sorts of issues with hazards that can remain in port areas and not be removed. Indeed, these days a \$200 penalty is probably not a significant deterrent for people, whereas a \$12 000 penalty in some of those circumstances is probably more consistent with what people would expect to pay as a consequence of noncompliance with these various legislative instruments and regulations.

I do not have a lot more to add to the debate. The opposition is very supportive of this reform agenda, which was started substantially by Hon Troy Buswell in 2009. Amending legislation in 2013 came into effect in 2014, and the new port structures are working very well. In fact, a recent review of the southern ports amalgamation came out with a big tick. It has a few recommendations for improvement, but generally it gave a big tick for the governance arrangements, the strategic plan and the business plan, which have certainly strengthened the operation and the capacity of the Southern Ports Authority in Esperance, Albany and Bunbury. Indeed, it proves that the reform agenda set in place by Hon Troy Buswell was a good reform agenda that was generally in the interests of the future development of the state and to facilitate the economic prosperity of the state.

I know my colleagues have contributions to make to the debate on this legislation. I commend the government for bringing this legislation forward. As I said, the opposition agrees with this legislative reform and we welcome any further reforms to the regulatory environment in which our ports operate.

**MR W.R. MARMION (Nedlands)** [11.53 am]: I rise to support this very good Ports Legislation Amendment Bill 2017, which was initiated by Hon Troy Buswell when he was Minister for Transport.

Today, we are basically implementing tranche 2. The previous government, with Troy Buswell as minister, implemented tranche 1. Tranche 1, which the shadow Minister for Transport just talked about, amalgamated the regional ports. This was important because when we came into government we found that ports were competing against each other for borrowings to develop their infrastructure and that they might be competing for the same project. A project proponent would go to each of the regional ports and ask, "What deal can I get to use your port to export my product?" We found that the Esperance or Albany ports might be putting requests into Treasury for millions of dollars' worth of infrastructure for the same project, so it made sense to combine the ports of Bunbury, Albany and Esperance into the Southern Ports Authority to cover that sector of the state, for the Mid West Port Authority—Geraldton was really the only port there at the time—to cover the midwest region, for the Pilbara Ports Authority to cover Port Hedland, Dampier and Ashburton and for the Kimberley Port Authority to take in all the ports north of Port Hedland.

That was tranche 1. Today, we are here to support tranche 2. The problem we have with all the ports we have in Western Australia is that they come under a number of different acts. Predominantly, the Port Authorities Act covers what we would call the major ports—that is, Broome, Port Hedland, Dampier, Ashburton, Geraldton, Fremantle, Bunbury, Albany and Esperance. Those ports have a board to govern their operations and report to the minister, whereas the other ports, which some people might call lesser ports in terms of their size, are managed by the Department of Transport under the Shipping and Pilotage Act. These ports are Carnarvon, Port Walcott, Onslow, Barrow Island, Varanus Island, Cape Preston, Derby, Wyndham and Yampi Sound. Some of those ports have more than one facility. Onslow port covers Airlie Island and Thevenard Island; Carnarvon port covers Cape Cuvier and Useless Loop; and Yampi Sound port covers Koolan Island and Cockatoo Island. It made sense many years ago, and here we are today finally bringing in legislation to make ports more efficient and their governance structure a lot better. Indeed, it is a good reform for Western Australia.

Ports are very important to the state's economy and it is important that they are managed well. If we are to have trade outside Western Australia—so, basically exporting our valuable products—we need ports. We have to be sure that the state government, which is running the ports, has some leverage and control over their operations. I am a strong supporter of the current system. Indeed, we know from the experience in other states that we have to be very careful if we are going to change the management structure of ports so that the state has some control when a proponent that may want to export out of our state finds that it cannot.

Port Hedland port is a good example of the state having some control of the port, because it is a very difficult port to manage. It has problems with high tide. It has only one channel, which I think is about three miles long. Indeed, if the channel is blocked, it stops the whole operation of Port Hedland port. When I first became the member for Nedlands, a retired pilot for Port Hedland used to come and have a coffee with me. He was very concerned and said that there should be two channels into Port Hedland port to minimise the risk of perhaps an iron ore ship slewing sideways or sinking in the channel and blocking the whole channel. Running a port is a very difficult operation, with lots of risks involved, and requires a lot of good on-ground management.

I want to mention some of the issues around ports, because we support this bill entirely. The benefit of this legislation is that when it is phased in, the ports that currently come under the Shipping and Pilotage Act will come under this legislation. I understand that we cannot bring the ports under this legislation straightaway because some of them are under state agreement acts that need to be adjusted, but from what I have read and been briefed on, there is no problem with that because all the state agreement proponents are happy with this legislation, so it is just a case of phasing in those changes. That will mean higher levels of safety, because instead of coming in under the Shipping and Pilotage Act 1967 with the Department of Transport managing the safety aspects, under the Ports Authorities Act 1999 the operators of ports, a lot of them private, will be required to do a marine safety plan. They will be checked out by the various ports authorities and will have greater safeguards for the management of the ports.

As the shadow Minister for Transport mentioned, there is one slight anomaly in the way the transition will work in that two of the ports, Derby and Wyndham, have assets controlled by the Marine and Harbours Act 1981. My understanding, from reading the second reading speech, is that these assets will be transferred to the Kimberley Ports Authority. That will happen in two different ways; the minister might like to explain how they will be transferred because I understand that the Derby port is managed by the council, Wyndham port is managed by a private operator and the facilities are owned by the Department of Transport, managed by the Marine and Harbours Act. The ownership will transfer to the Kimberley Ports Authority.

There are a couple of issues around some of the ports. One of the issues of the management of ports is its interaction with the local community. On the one hand, all Western Australia's ports are basically major regional centres; I will use Esperance as an example. They are in either the town itself, or very close to the town, which is historically required for the trade linkages with the town. As ports have grown and standards such as environmental, air quality et cetera, have changed, there becomes a bit of a conflict with the location of ports being central to a regional centre. Esperance is probably one that stands out, with a major rail line and road routes right through the town. Indeed, one of the problems was the shipping of lead through the town and the contamination caused because of the proximity of the rail line being close to residents. Under a special health plan run by one of the Chief Health Officers, Michael Jackson, it cost around \$25 million to go through a lot of the water tanks in Esperance. That is important to realise. When we are siting a port, particularly now when we have a greenfields opportunity, it is important that we are careful with the location and its proximity to residents, particularly if it will be transporting hazardous materials, or materials that need to have some distance from people. Of course, these days, a lot of bulk materials are being transported in safer ways. Lead is a good example; previously, it was transferred in bulk, but now it is transported in double lined bags in locked containers. Times have changed, but obviously that adds to the cost of the efficient operation of the ports.

There is nothing else I really need to add and other people want to speak to this. We certainly support this legislation. I point out that I have visited most of the ports in Western Australia in my time either working in the regions or as a minister. Derby and Wyndham are interesting ports because historically they were ports that exported livestock, cattle and sheep. They were quite large ports that have become smaller, but as the cycle is changing with opportunities for mining exports out of Derby and Wyndham, the need for their operation is coming back into fruition. The challenge for Derby is that it is about 100 kilometres up a sound with terrible, massive tides. When the tides go out, the ships sit on the ground. It is well located, but with its proximity to Broome, Broome has probably become the preferred port. That is why it is a designated port whereas Derby has diminished, and that is the reason it has been run by the council. Because of the mining industry around there I know there are moves for Derby to be updated so that it can operate similarly to Broome.

I will just touch on some of the future ports that now come under the Port Authorities Act and not under the Shipping and Pilotage Act. One will be the Balla Balla port. I would be interested to know how that is going and hear the minister's comment on that. Obviously, the land around James Price Point is earmarked, and I would be interested in the minister's comment on the likelihood of any future port at that site. I would also be interested to know how the Anketell port is going. Of course, I will finish with the Geraldton port. The Geraldton port was upgraded in the early 2000s for dredging. It is a shallow port. In fact, the dredging of that port was very difficult because of the waves and the weather conditions. It is a difficult port to run, but it was too shallow and so a lot of money was spent by the Geraldton Port Authority in the mid-2000s to deepen the port. That is the reason the nearby Oakajee site has been flagged for some decades now, as being a nearby deepwater port. When the minister wraps up, I would be interested in her view on the future of Oakajee given that the Geraldton port is a shallow port; it is difficult for bulk exports and even for tourist ships that come into Geraldton. Depending on the currents, wind, tides and, I guess more so, the waves, the actual docking of boats at the Geraldton port is a bit tricky. I could go on and talk about all the ports, but the importance is we get this bill through. Certainly, this is a bill initiated by Hon Troy Buswell, a very good Minister for Transport; he really got his hands dirty in transport, he knew what he was doing. This was one of his reforms initiated by him. He probably deserves all the credit and certainly, I very much support this bill.

**MS R. SAFFIOTI (West Swan — Minister for Transport)** [12.08 pm] — in reply: I thank the member for Nedlands for those comments and for the continuing praise of Hon Troy Buswell.

**Mr W.R. Marmion:** He is a good Bunbury boy.

**Ms R. SAFFIOTI:** You missed the one who came after him, member for Nedlands. It was not very nice.

**Mr W.R. Marmion:** He initiated this, we are talking about this bill.

**Ms R. SAFFIOTI:** Well, it was not very nice. I could feel the tension from over here. It is a bit awkward really. It was all a bit awkward that he forgot about the other Minister for Transport who preceded the member for Nedlands. Anyway, we will get over that awkwardness.

I thank the opposition for its support and I thank the members for Scarborough and Nedlands for their contribution. This is a part of the continued reform process for ports in WA. I acknowledge the first tranche of reform that was

undertaken under the previous government. Of course, people have differing views of how successful the reforms have been so far. We have just gone to the review process for the Southern Ports Authority. Continually, we see a tension between a strict commercial view of what we should be doing and some other views about further economic growth in the community. Cruise ships are an example. Boards wanting to operate from a 100 per cent commercial viewpoint might say that cruise ships do not bring much value to the bottom line of the port itself, but the wider economic impacts for the facilitation of growth in the community and local economy are great. We will continue to see that tension in most government-owned or privately owned monopoly economic infrastructure between strict commercial imperatives and measures or projects that can be undertaken to facilitate wider economic growth. Issues have been raised directly in this chamber about the Southern Ports Authority. The concept of how connected the ports are to the local community is often raised. They have a role in not only facilitating trade, but also growing the local economy.

I am still seeking some advice on a couple of questions the member for Nedlands asked. The transfer of assets from Derby and Wyndham will be done by ministerial order and then the vesting of the land and the seabed. I will go through some information on the prospective ports. The Mid West Ports Authority, which operates the Geraldton port, is going through a master plan process, which has gone out for community consultation. A number of submissions have been made about the future role and growth of Geraldton port in the community. As we go forward I will continue to place importance on strong local communication in how the boards operate, because working with the community and explaining what they do in the community is very important. The member raised the issue of cruise ships at Geraldton port. The shoreside tensioning units have facilitated more consistent and reliable visitation of cruise ships. Generally, the cruise ship industry will be expanded through the master plan process. A state agreement is currently being negotiated for Balla Balla port, for which the Premier; Minister for State Development, Jobs and Trade is responsible. We are awaiting further commitments and discussion with proponents for a port at Anketell Point, but that has not progressed significantly over the last number of months given where the iron ore industry has been at, but, hopefully, that project will continue to move forward. Planning for a port at Oakajee is continuing. I deal with this with my Minister for Planning hat on. In particular, we are continuing to facilitate the requirements for the land-based industrial estates and the infrastructure corridors that will facilitate the port. That is an update on all those ports.

**Mr W.R. Marmion:** James Price Point?

**Ms R. SAFFIOTI:** The James Price Point process is, as the member knows, on hold after what happened under the last government. My advice is that it has all been put on hold.

I thank members for their support. I think it makes a lot of sense for local port authorities in management and control of these facilities, rather than the Department of Transport, to bring more consistency in how we work across the regions. Ports are a major and key part of our economic infrastructure to drive economic outcomes. Regional towns with ports are big drivers of jobs and economic activity. In many instances they are the foundation of the local economy. I am very much aware of our role to continue to increase trade, but also to improve communication with local communities and, where possible, diversify, in particular with cruise ships.

I thank members for their support and look forward to the further stages of debate.

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading.

*Third Reading*

Bill read a third time, on motion by **Ms R. Saffioti (Minister for Transport)**, and transmitted to the Council.

**APPROPRIATION (RECURRENT 2016–17) SUPPLEMENTARY BILL 2017**  
**APPROPRIATION (CAPITAL 2016–17) SUPPLEMENTARY BILL 2017**

*Cognate Debate*

Leave granted for the Appropriation (Recurrent 2016–17) Supplementary Bill 2017 and the Appropriation (Capital 2016–17) Supplementary Bill 2017 to be considered cognately, and for the Appropriation (Recurrent 2016–17) Supplementary Bill 2017 to be the principal bill.

*Second Reading — Cognate Debate*

Resumed from 29 November 2017.

**MR D.C. NALDER (Bateman)** [12.18 pm]: I stand to discuss the Appropriation (Recurrent 2016–17) Supplementary Bill 2017 and the Appropriation (Capital 2016–17) Supplementary Bill 2017. I would first like to highlight the outcome of the 2016–17 financial year. The final outcomes for which we are ultimately putting these bills through were a lot better than had been forecast prior to the end of the financial year. It was fantastic to see that the deficit was a lot smaller and the net debt position of the state was less than had been forecast earlier. It

reflected positive signals that the bottom of the economic cycle that the state had found itself in had been reached. That economic cycle was exacerbated on a couple of fronts. The first was that the Western Australian mining sector was shifting from construction to production, particularly the expansion of iron ore developments in the north west and the development of our offshore gas fields with Chevron at Barrow Island and Woodside at Wheatstone LNG. Moving from construction to production caused significant structural changes in the Western Australian workforce. The challenge for Western Australia during that economic cycle, and the budgetary cycle that the state faced, was that at the same time the bottom fell out of iron ore prices globally, which disrupted the level of iron ore royalties. Forecasts from Treasury, at a federal level or globally—no-one foresaw the drastic changes in commodity prices in that period, particularly for iron ore. The effect it had on the budget bottom line, and the speed with which it flowed through to the budget bottom line was unprecedented, placing an enormous amount of strain on the government of the day, much to the delight of the opposition at the time, which could poke the finger at the government for the challenges it was facing. It was a real challenge, and we do not shy away from that fact. As part of that process, when structural change is occurring in employment in the mining sector, and at a time when the government was finding it very difficult financially, it is even more important and more prudent for the government to be cognisant of what is happening in the economy and in households, and how that broader economy is being impacted. Throughout this period there were large impacts on retail spending, which was flowing right through the retail economy, and impacts on household expenditure as well as household investment. Other elements of the economy were being adversely affected, which in turn flowed further into the revenues being generated by the state.

Suffice it to say that the final outcome of the 2016–17 financial year was better than we had been forecasting six months earlier. That was a great outcome, and as at 30 June 2017 the final audited accounts showed net debt at \$31.96 billion, three months after the present government was elected. Six months earlier it had been forecast to be in the vicinity of \$33 billion at one point, and then the *Pre-election Financial Projections Statement* started pointing to about \$32.5 billion, but we ended up at \$31.96 billion. That is what we say is effectively the number that was handed over to the current government. We hear the Premier jump up and talk about an inherited debt of \$40 billion, but we know \$31.96 billion was in the audited accounts. The Premier is trying to use estimates developed and prepared by Treasury to take a specific point in time about where the financials are heading. The government was using the *Pre-election Financial Projections Statement*, which suggested that the net debt, left unchecked, would grow to \$41.1 billion by the end of the forward estimates. That is where I believe the current government is using the numbers of the forward estimates, but if it uses those in isolation, that means it does not take any responsibility for the budgets it is bringing down itself. As I said, the forward estimates are established by Treasury, but if we are looking at the estimates developed by Treasury, the reality is that we should look at the last estimates that were developed by Treasury before this government took over. The government is using the *Pre-election Financial Projections Statement*, but another assessment undertaken by Treasury during the election stated that if the Liberal Party had been successful at the election, the net debt position would be \$28.8 billion by the end of the forward estimates, not \$41.1 billion.

I reinforce this because the recurrent and capital appropriations for 2016–17 flow through to the debt and deficit position of the state, and as at 30 June 2017 the debt position of the state was \$31.96 billion. If we use the argument that the Premier and the Treasurer have been using, that it has been based on forward estimates, and that is what is in future budgets, and therefore that is what they are inheriting, we should look at the final estimates that Treasury put out, which was during the election, forecasting that that if a Liberal government had been returned, the net debt position of the state would be at \$28.8 billion. What is important about that is not just the fact that the Premier is misleading the people of Western Australia and misleading the people in this house, it is that the difference between a \$40 billion debt and a \$29 billion debt, with an interest rate that is forecast to grow in the forward estimates to around 3.4 per cent, is in excess of \$300 million of additional interest charges that the current government is growing. Although at 30 June 2017 the state's net debt position was \$31.96 billion, by the end of the next financial year the state's net debt position will be up over \$39 billion.

This government talks about spending in the past, but is continuing to spend at a rate equal to or greater than the former government, despite some of the benefits that are now flowing back through to the state. I will touch briefly on those. Firstly, the goods and services tax payments that the state was receiving the 2016–17 year, and the year before that, bottomed out at 30 cents in the dollar. In the next 12 months, income from the increase in GST alone will be up 50 per cent. We are shifting towards 47.5 per cent, which is still too low and still not right, but it is 50 per cent higher than what it was. We are shifting from around \$2.2 billion to \$3.3 billion in revenue flowing through in GST receipts for the state. In fact, the majority of the improvement in the bottom line of the state budget is coming from commonwealth grants and from the GST improvement, which is considered part of commonwealth grants. We are getting money from the federal government for infrastructure projects and we are getting an improved bottom line in GST. This is nothing to do with the actions of the current government. That is where the majority of the improvement in our deficit and, ultimately, our debt position is coming from.

The government continually putting the onus on the previous administration for the financial position of the state is factually incorrect and misleading. This government knows better. It is playing politics with the budget, and that

in itself is disappointing. I would like to take that to another point in considering the recurrent and capital spending for the 2016–17 financial year and compare it with what we are seeing now and in the two following financial years, 2017–18 and 2018–19. In 2016–17, the government was cognisant of the financial position of the state, but at the same time was aware of how the rest of the economy was travelling. Although there has been a debate for a long time about moving towards cost reflectivity on household charges such as electricity, the government was acutely aware of the impact increases in household charges were having on homes and families. Although we had higher forecasts of increases in household charges in the forward estimates, in the whole term of the previous government, it never exercised any of those in any individual budget, because of the downturn in the economy.

**Mr D.T. Punch** interjected.

**Mr D.C. NALDER:** I beg your pardon, member for Bunbury. Would you like to make comment?

**Mr D.T. Punch:** I didn't say a word.

**Mr D.C. NALDER:** The government had forecast increases of the magnitude of six per cent to seven per cent in electricity prices, but on average delivered increases of around only four per cent. In the final year of this budget, in the appropriation of recurrent expenditure that we are talking about for the 2016–17 year, electricity prices were increased by three per cent. That is because we knew that we had to try to move towards cost reflectivity, but we were, as I said, acutely aware that households could not tolerate that level of increase, given the state of the economy. I reinforce that the state of the economy was driven by a couple of factors. One of them was this shift from construction to production that created a structural change in employment conditions in Western Australia. The other one was the downturn in commodity prices putting pressure on existing mines and on mining companies to drive efficiencies through that, leading to job shedding in the mining sector and putting a lot of fly in, fly out workers out of work, and therefore putting pressure on families. We were very conscious of it at the time we put the three per cent increase in in 2016–17. The now Premier said it was mean-spirited for the government to put through a three per cent increase in electricity charges in 2016–17, yet what did he do when he came into government? What changed in the economy when he came into government? Not a lot has changed. Households out there are still hurting. But what did we see in the first budget following the Labor government coming into power? We saw a 10.9 per cent increase in electricity charges. According to the now Premier, the former government was mean-spirited for increasing electricity charges by three per cent, but he had no qualms about increasing household charges on average by 10.9 per cent. It was not just by 10.9 per cent, because the government increased fixed household charges for electricity. Through freedom of information we became aware of advice provided to the Treasurer that stated that for single pensioners this was equivalent to an increase in electricity charges of close to 30 per cent. The increase in electricity charges was 30 per cent in one year at a time when the economy was hurting. What is really interesting about this is that the Labor Party in opposition called us mean-spirited for an increase of three per cent, but in government it did not mind hitting single pensioners with a 30 per cent increase 12 months later, when the economy had not improved. If I were to share anything from the feedback through the polling and everything else in the Darling Range by-election, it would be that household charges are hurting people.

The Labor government did this by playing politics. This is interesting for new members: historically, governments have to go hard on charges in the first two years of their term and then back off in the second two years, hoping people will forget. Let me assure the government that we will continue to remind it about what it did and when it did it. The government says that this is all in the name of budget repair, yet we have still watched debt grow from \$32 billion to \$39 billion in two years, and that in itself is fairly disappointing. The feedback we have got from the broader community over these last couple of weeks is that households have been hurting as a result of the government's increased charges. That was mean-spirited and I think the current government has exhibited political opportunism, believing that if it goes hard early, it can get away with it in the second two years of its term and take the pressure off. A three per cent increase in electricity charges in 2016–17 went up to 10.9 per cent in the following year, and there has been another increase in 2018–19. If I compare the year 2016–17, which is what we are debating today, with the relativity of today, household charges continue to go up. If we look at household charges more broadly, we have seen a 13 per cent increase for the average Western Australian home in one day over 12 months. In a 12-month period, we have seen household charges increased by 13 per cent.

Relating this back to the economy so that members can understand the second and third-order consequences of what is going on, what is more important is that the Premier likes to refer to the period 2008–09 when comparing electricity charge increases to justify why he has whacked up household charges at this time, trying to say that they have been by less. I have talked about the fact that that is compounded, but the most important thing is that we are in totally different economic circumstances than we were in 2008–09. It is interesting that the electricity charges that were increased in 2008–09 date from before that time. If any new Labor members are interested in this, those large increases in electricity were built into the forward estimates of the Carpenter Labor administration. The next government may have gone a bit further, but they were built in by the previous administration. I am coming back to my main point here about the state of the economy. If we look at the state of the economy and what has been happening with the discretionary income of households —

**Mr D.T. Punch** interjected.

**Mr D.C. NALDER:** The member for Bunbury does not like this debate; he does not like being told the truth.

**Mr D.T. Punch** interjected.

**Mr D.C. NALDER:** Sorry, can the member please repeat that?

**Mr D.T. Punch:** I am just referring to the play on words about how you say you may have gone a little further.

**Mr D.C. NALDER:** We take responsibility for the budgets we set.

**The ACTING SPEAKER:** Member, can you address the Chair. It is disorderly to bait other members and then not expect them to reply.

**Mr D.C. NALDER:** We take responsibility for the budgets we set. I am giving the background of how they came about. It would be prudent for the member for Bunbury to take note of some of the ramifications flowing through the broader community and the concerns it has with what this government is doing. As I said, not only did we see an increase in household charges of 13 per cent, which works out to 13 times the rate of inflation, at the same time household wages growth remained stagnant at roughly the rate of inflation. Putting up household charges in excess of the rate of inflation eats into discretionary income. If there is a flat economy when this is done, the government is only flattening the economy further and negatively impacting upon the ability of people to spend. If the government is looking for the economy to turn around to drive other things such as productivity improvements and increased spend, and it is forecasting increased retail spend, it cannot whack households excessively, greater than the rate of inflation, and expect those things to occur. They cannot occur. That is what we see happening in the economy. We have almost created a two-speed economy in Western Australia. I think it has been pretty disappointing. It has been interesting to hear the feedback that the community has made quite clear in the last two weeks. If this Labor government wants to understand the swing away from it in the primary vote, I suggest it has a close look at this issue and apologises to the people of Western Australia for the pain they have been put through.

In the 2016–17 capital appropriations, the previous administration’s plan of what it would spend on infrastructure and its capital spend were all laid out. Rightfully, there was criticism because we did not proceed with an infrastructure project called Metro Area Express—we rightly accept the criticism—but the budget was there. What is fascinating about the 2016–17 capital appropriations is that everything that we were going to undertake was all laid out. If I compare the capital appropriations of 2016–17 with the current appropriations, it gets very confusing to understand what this government has committed to spend. I have never before heard a government make an announcement to undertake a project, put out a press release with the Prime Minister about a shared agreement and how it will be funded, book the share of funding from the commonwealth as revenue—therefore improving the appearance of the state’s deficit position so it shows up as revenue—and expensing the commonwealth on the capital side, but not putting in the state’s equivalent share that was announced in the press release as an agreement from the Premier. It is dodgy. It makes these numbers in the budget presented to this house and the people of Western Australia questionable at best. Again, as a government, it has misled the people of Western Australia. It is inappropriate and irresponsible financial management. Despite hearing from the Treasurer nine times in his budget speech about responsible financial management, the fact that the government put out a joint press release from the Premier and the Prime Minister of Australia committing to an infrastructure project, stating that it is a 50 per cent shared arrangement for the new projects—I am talking just rail at the moment at Ellenbrook, the Midland station and the Byford rail extension—and to book that commonwealth funding and not include the commensurate state funding is totally inappropriate. The initial argument from the transport minister when questioned in the estimates hearing was that the business case had not been concluded; that is why the state has not been expensed. If that is the correct approach, why did the minister book the commonwealth funds? The commonwealth has not given over the money at this point, but the state has booked it and the business case has not been finalised. The only reason the state government has done that is to manipulate the financial outcomes in this current budget.

The 2016–17 budget compared with the 2017–18 budget was very transparent about what was being undertaken. That is a fact that cannot be denied. The other fascinating thing about comparing the 2016–17 budget year with the current financial year are the expense lines. At first glance, we could say, “Wow! The government has been able to keep a lid on expense growth”, and give it a full tick for that. Looking at the expense lines within the departments, we could say, “Yes, it has, and the state government has achieved a great result with the expense lines in the department.” We have concerns about what has been booked in the forward estimates because there are reductions, yet the government has committed to no reduction in frontline services. We question its ability to deliver on that given the reductions in the forward estimates across the majority of departments. If I were to put a focus on anywhere, it would be health, education, corrective services, police and agriculture. It will be a massive challenge for the government to deliver on the zero or negative growth shown in the expense lines over the forward estimates. I say that again, taking into consideration what Treasury has built into the forward estimates as its assumptions around the state of the economy.

**The ACTING SPEAKER (Ms M.M. Quirk):** Member for Vasse!



**Mr D.C. NALDER:** It is showing a marked improvement in the state of the economy with growth in real wages. We are seeing a marked improvement, supposedly, in dwelling investments and in the business community. If we are to realise those effects, we will see improvements in real wage growth and inflation, which are forecast. If those are to come into effect, how the state government will keep the expense line of these departments at zero or negative growth is yet to be seen. That is a massive challenge for the state government moving through. Coming back to these expense lines, it was fascinating to see that a major contributor to the low growth in expense this year and over the forward estimates is a cost-shifting exercise between the state and the commonwealth whereby we have moved to the National Disability Insurance Scheme. Interestingly, from a revenue and expense position, it is essentially a zero cost gain, because the reduction in revenue is commensurate with the reduction in expenses. However, if we peel back expense growth, it gives the perception that in the 2018–19 year, the expense growth is a lot lower than it is in the 2016–17 year in delivering a 0.92 per cent growth. However, that is not the real underlying expense growth for the state budget. Although I acknowledge it is an accurate way of portraying it, responsible financial management would highlight that it is not the real underlying expense growth. There should be a footnote to acknowledge that it has been impacted by the transfer or cost shifting of the NDIS to the commonwealth government. As I said, this has an impact in the vicinity of 0.8 per cent over 2018–19 and greater beyond that. These are some of the reasons the opposition is concerned and some of the additional issues that also are a concern compared with the relativity of 2016–17.

It is fascinating that Labor would have us believe it is the only true party for the regions.

**Mr D.A. Templeman** interjected.

**Mr D.C. NALDER:** We take from that that it is the only party truly committed to royalties for regions.

**Mr D.A. Templeman** interjected.

**Mr D.C. NALDER:** I will highlight what the government has done to royalties for regions —

**Mr D.A. Templeman** interjected.

**The ACTING SPEAKER :** Minister; you are waking us up!

**Mr D.C. NALDER:** — in the current budget and the forward estimates from this government's activities. I will highlight in these last three minutes before I get sat down what this government has done. Although it is telling the people of Western Australia that it is committed to the regions and it is the only party committed to royalties for regions, it has effectively slashed and burnt the royalties for regions budget, but it has done it by stealth. It has transferred costs that are historically paid for out of the consolidated account. There is one argument about whether it is right or wrong to do that, but the bigger issue is that it is being done sneakily. The government is not being transparent and open with the people of Western Australia. By the end of the forward estimates, 58 per cent of the royalties for regions budget will have been taken up, out of expenses that were historically paid for out of the consolidated account.

**The ACTING SPEAKER:** Member for Cottesloe, the only person who should be standing is the person speaking; thank you.

**Mr D.C. NALDER:** Fifty-eight per cent of what has historically been paid from the consolidated account is now being paid for by royalties for regions. That has effectively reduced the royalties for regions budget by 58 per cent. The key point here is the flow-on effect on the expenses bottom line. When I take into account the NDIS and the cost shifting between the consolidated account and the royalties for regions budget, the government is portraying a much larger reduction.

Debate interrupted, pursuant to standing orders.

[Continued on page 4200.]

## PERTH COMICS ART FESTIVAL

*Statement by Member for Maylands*

**MS L.L. BAKER (Maylands — Deputy Speaker)** [12.50 pm]: This week, the inaugural Perth Comics Art Festival is being held at Edith Cowan University's Mt Lawley campus. The event features an academic symposium, short courses for secondary students, art exhibitions, comics and zine making, and artist workshops for kids. The impressive list of participants include husband and wife Elizabeth Marruffo and Campbell Whyte, who run children's art school milktooth in Bayswater. Artist Elizabeth Marruffo is curating *Inner Atmospheres* at Gallery 25, which opens tomorrow. The exhibition explores the relationship between painting and comics. Comic artist Campbell Whyte's fabulous work will also feature in the festival. Comics are an ideal medium to empower those who might not otherwise be able to tell their stories; for example, through television shows or films. Tomorrow, the Australian Comics Symposium will be held, discussing everything from how cartoonists Michael and Mary Leunig's work reflects Australian society, the rise and fall of working-class Australian trickster *Ginger Meggs* and comics in Australian libraries and museums. Also tomorrow, the *Comics West* exhibition will

open at Spectrum Project Space, curated by Australian graphic novelist Bruce Mutard. This aims to shine a spotlight on WA comic makers and to show that comics are more than superheroes and gags. The festival culminates in a family festival day on Saturday, staged at several venues across the ECU Mt Lawley campus, including a comics and zine fair, artists' talks and comic workshops. Congratulations to ECU, the artists and everyone involved. What a great addition to Perth's growing artistic scene.

### **ROSSMOYNE AND WILLETTON SENIOR HIGH SCHOOLS — FUNDING**

*Statement by Member for Riverton*

**DR M.D. NAHAN (Riverton — Leader of the Opposition)** [12.52 pm]: The McGowan Labor government needs to reverse its harsh and unfair cuts to both Rossmoyne Senior High School and Willetton Senior High School. That is the message not just from me but from the community I proudly represent—the people of the Riverton electorate. For those who are unaware, a petition signed by 1 066 Western Australians was submitted to the Legislative Council recently in response to the McGowan government's cuts to these two great schools, which include a \$2.3 million cut in ongoing funding as well as the removal of \$11.78 million for stage 3 of the Willetton Senior High School rebuild. This is simply not good enough. I would like members of this house to know that this is not about politicking and that these cuts are seriously affecting children in these schools. The lead petitioner, Gaelia Hunt, has two children who attend Willetton Senior High School who both have learning difficulties. Her 14-year-old child has dyslexia and has struggled with literacy throughout his schooling. Her 12-year-old child has verbal dyspraxia and mild autism. The consequences of these funding cuts have meant that the additional support that her children have been receiving has been withdrawn. The introduction of the student-centred funding model several years ago provided the required funding for this support. It was a godsend and now it is gone. On behalf of families like Gaelia's, I implore the government to reinstate the funding for our schools.

### **MYVISTA — AGED-CARE ACCOMMODATION — MIRRABOOKA**

*Statement by Member for Mirrabooka*

**MS J.M. FREEMAN (Mirrabooka)** [12.53 pm]: Today I had the opportunity to join the MYVISTA team when turning the sod on the Mirrabooka development of aged residential and independent living accommodation. My role in pursuing aged-care provision in Mirrabooka was acknowledged, as was the work of the previous Minister for Health, in ensuring that Department of Health land on Mirrabooka Avenue was made available for this important infrastructure development—after much pressure from me, I might add. This high-quality aged persons development will supplement the 1 500 aged-care beds promised by WA Labor in the 2017 election and being delivered upon by the McGowan government. With a 112-bed residential care facility, MYVISTA Mirrabooka will be an important contributor in alleviating the pressure on public hospitals. It will also meet the demand on MYVISTA, which, as a quality care facility, has a waiting list that it is seeking to accommodate.

When the three stages of MYVISTA are completed, this aged-care development will have a residential care facility that will incorporate high care and dementia care services with associated amenities, including a therapy pool and gymnasium. It will include a village open space hub, incorporating high-quality landscaping facilities, passive recreational opportunities, barbecue areas and capacity for community events, which will make the 45 apartment-style living units and the MYVISTA corporate offices the envy of many. Included in this exciting development is commercial tenancy space, which is anticipated to include medical practices, physiotherapy and pharmacy. I congratulate the MYVISTA board.

### **NYABING COUNTRY WOMEN'S ASSOCIATION — EIGHTY-FIFTH ANNIVERSARY**

*Statement by Member for Roe*

**MR P.J. RUNDLE (Roe)** [12.54 pm]: On 26 May, I attended the eighty-fifth anniversary celebration of the Nyabing Country Women's Association. More than 50 people joined in the celebration, which was held during National Volunteer Week. The Nyabing branch has been operating since 1933 and has raised almost \$100 000 for the CWA and local community projects. Nyabing branch president Alyson Cooper extended a warm welcome to visitors, locals and members, with some travelling from Perth, Busselton and Geraldton. Heather Allen, state president of the CWA of WA, presented the Nyabing members with their eighty-fifth year certificate. Jo Addis was awarded the prestigious CWA of WA honour badge for 49 consecutive years of service to the district and the Nyabing branch. Others in attendance included Margaret Rudwick, state management committee representative; Joan Stutley, who was recognised for the longest association with Nyabing branch, having started in 1948; current Nyabing CWA members Kylie Freeman, Megan Freeman, Felicity McKenzie, Jill Kent, Ashen Collins, Kath Crosby; visiting and previous CWA members Lorna Larter, Irene Matthews, Cheryl Hobley, Cathy Crosby, June Mills, Judy George, Jocelyn Ward, Cheryl Cheetham, Paulene Urquhart, Sharon Mudie, Marilyn Gray, Peta Patterson, Faye Adams and Pat Crosby; and Nyabing Primary School senior students for presenting their great lakes speech and drama recital. I thank Alyson Cooper.

**BATTLE OF HAMEL — 100<sup>TH</sup> ANNIVERSARY***Statement by Member for Hillarys*

**MR P.A. KATSAMBANIS (Hillarys)** [12.56 pm]: Wednesday, 4 July will mark the 100<sup>th</sup> anniversary of the Battle of Hamel, a significant turning point in the last 100 days of the Great War. Consisting largely of battalions from the 4<sup>th</sup> division of the Australian Imperial Force, and supported by four American companies, the battle was ably planned and led by the brilliant and outstanding Australian Lieutenant-General Sir John Monash, his first battle as corps commander. The assault commenced in the early hours of the morning of 4 July 1918. In 93 minutes, all objectives were obtained and 1 400 German prisoners and many weapons were captured. Australian troops suffered 1 062 casualties, with 800 killed. The Battle of Hamel was a brilliant victory for the Allies. Australian war historian Charles Bean remarked that it was the most thoroughly successful undertaking by the Allies since the German offensive of March 1918. It provided an important foothold around the Somme area and ended any thoughts of any future offensives by the German Army. Monash's war plan of a coordinated approach of tanks, aircraft, artillery and machine guns provided a template for larger offensives later in the war.

Western Australian Sergeant Thomas Axford of the 15<sup>th</sup> Battalion was one of the two Australians to be awarded the Victoria Cross from actions during this battle. His citation states in part that Axford —

... with great initiative and magnificent courage, at once dashed to the flank, threw his bombs amongst the machine gun crews, jumped into the trench, and charged with his bayonet.

We remember those Australian and American servicemen who fought in the Battle of Hamel. It was the start of 100 years of mateship and alliance between our two countries that continues to endure today.

Lest We Forget.

**RIDE AGAINST DOMESTIC VIOLENCE***Statement by Member for Armadale*

**DR A.D. BUTI (Armadale)** [12.58 pm]: On 26 and 27 May this year, 36 riders participated in the third annual Ride Against Domestic Violence, riding from Busselton to Perth over two days. This year, riders representing the WA Labor Party; the WA Liberal Party; the Construction, Forestry, Mining and Energy Union; BGC; the North Perth branch of Bendigo Bank; the South Fremantle Football Club; Laing O'Rourke; UnionsWA; and Western Australian business came together to raise awareness against the scourge of domestic violence and to raise funds to support women's refuges.

The Ride Against Domestic Violence has come a long way in three years, and this year we expect to raise close to, or in excess of, \$100 000 for educational programs run by Sandy Taylor from Preventing Violence Against Women and to support seven women's refuges—Starick, South West Refuge, Tuart House, Pat Thomas House, Zonta House, the Lucy Saw Centre and Warrawee Women's Refuge. There are many people to thank for the enduring and growing success of Ride Against Domestic Violence, but too many to name in this 90-second statement.

Of course, I thank all the riders who participated in this year's event, but I specifically mention the Deputy Premier and member for Kwinana, the member for Bateman and the member for Dawesville. I also thank the members of the management committee and the event organiser, Deb Vlam, for ensuring the success of the 2018 Ride Against Domestic Violence. I thank all the sponsors, all those who donated to the event and all those people who helped along the way, including the member for Mandurah; the member for Vasse; the member for Fremantle, who is also the Minister for Women's Interests; and the member for Perth. I also thank Purple Coaches for transporting the riders down south and, finally, all the hardworking staff of the numerous women's refuges who provide much needed support and assistance to victims of domestic violence.

*Sitting suspended from 1.00 to 2.00 pm***QUESTIONS WITHOUT NOTICE****VISITORS — CARCOOLA PRIMARY SCHOOL***Statement by Speaker*

**THE SPEAKER (Mr P.B. Watson)**: We have the student leadership group from Carcoola Primary School, North Pinjarra, in the member for Murray-Wellington's electorate, in the gallery. We welcome you here today.

**WESTERN AUSTRALIAN JOBS ACT****488. Dr M.D. NAHAN to the Premier:**

Before I get to my question, I would like to acknowledge the staff and primary school kids who are with us today from the Mandurah Catholic College in the seat of Dawesville.

I refer to the Premier's so-called Western Australian Jobs Act, which requires Western Australian participation plans for all tenderers of WA government contracts, and the Labor Party's policy of purchasing polling booth

material from New South Wales, as witnessed in the campaign for the seat of Darling Range on the weekend. Why were Western Australian suppliers overlooked by the Labor Party, and can the Premier explain how his government has any credibility on Western Australian jobs given his own party has ignored his advice?

**Mr D.A. Templeman:** Have a look at the bridge to the stadium, mate!

**The SPEAKER:** Excuse me, members! The Premier is on his feet.

**Mr M. McGOWAN replied:**

It is a Thursday and it is the last sitting day before the school holidays. I think the Leader of the Opposition needs a holiday—I really do. I really think he needs to have a bit of a break and maybe get things back together.

**Mr S.K. L'Estrange interjected.**

**The SPEAKER:** I know we are in a jovial mood before the holidays, but we will do it quietly.

**Mr M. McGOWAN:** He is in a jovial mood, Mr Speaker, and that is why he has given me a joke question in the last question time of this autumn session of 2018. If he wants an answer about election material, maybe he should ask the party itself. But I can tell him that we are the government that passed a jobs bill to ensure that we have high levels of local content with government contracts out there. I can tell him that because I saw the photos myself of all the cement being poured onto the Matagarup Bridge. It is Western Australian cement. We know where you were getting your cement from! You were getting your cement from Malaysia when you were going to build the bridge. We have used Western Australian cement and that bridge is being built here in Western Australia by Western Australians. We stand on our record of ensuring that Western Australian industry gets the lion's share of jobs in Western Australia. We are working very hard on achieving that. For instance, tomorrow I will be making an important announcement with Rio Tinto about Western Australian jobs. Last week we saw BHP and South Flank development announce \$5 billion worth of work to be undertaken. We have seen all the efforts by this government to ensure that Woodside brings Browse gas onshore here in Western Australia and Scarborough gas onshore here in Western Australia to create jobs for Western Australians. We have seen every single minister out there working hard to make sure that Western Australia's economy improves. What do we see today? We see job vacancy advertisements going up again. This morning I was down at the Chamber of Commerce and Industry of Western Australia. I wish I had brought the magazine because it is the second last edition of *Business Pulse*, with the Treasurer of Western Australia on the front cover and the words "the budget we love". People at the CCI were cheering when I raised that down there this morning. I made a speech to them about the fact that we are bringing in an unsolicited bids-market-led proposal arrangement for Western Australia. It has been missing for so long. I was able to talk to them about Infrastructure WA, which is all designed so that we have proper use of government resources and a proper capital works plan for the long time. This is a government that cares about Western Australian jobs. The Liberal Party sent those contracts to Malaysia!

#### WESTERN AUSTRALIAN JOBS ACT

**489. Dr M.D. NAHAN to the Premier:**

I have a supplementary question. Will the Premier confirm that in his Western Australian Jobs Act, bids from New South Wales are defined as local content, and can he explain how awarding jobs and work to New South Wales creates jobs in WA?

**Mr M. McGOWAN replied:**

I am unaware what the Leader of the Opposition is referring to. If he wants to read the legislation, which I note the Liberal Party voted for in this house—the Liberal Party in this chamber always seems to be a little slow on the uptake, but they voted for it.

**Dr M.D. Nahan interjected.**

**The SPEAKER:** Members! We have all these young children in the gallery today who are trying to hear the answer. I am sure you want to let them hear it.

**Mr M. McGOWAN:** The Liberal Party voted for it and we are bringing it in. We have the Department of Jobs, Tourism, Science and Innovation working frantically to make sure that it is ready to be operational by September or October this year and we expect to see higher levels of local content as a consequence.

#### NATIONAL PARTNERSHIP ON REMOTE HOUSING

**490. Mr K.J.J. MICHEL to the Minister for Housing:**

I refer to the National Partnership Agreement on Remote Indigenous Housing that will expire on Saturday and the commonwealth government's failure to commit to long-term funding for remote housing in Western Australia. Can the minister outline to the house why it is so important that the commonwealth does not walk away from supporting the families who live in these communities?

**Mr P.C. TINLEY replied:**

Before I start, on behalf of the member for Joondalup, I would like to acknowledge in the public gallery today representatives from the Ocean Ridge Cricket Club.

I thank the member for the question and for his time yesterday in Port Hedland as we delivered a significant McGowan government promise to provide transitional housing for Aboriginal people in Port Hedland with the refurbishment of 40 homes, 30 of which had been taken up from the failed Hedland 125 project, I might add, and 10 from surplus Government Regional Officers' Housing.

**Mr D.T. Redman:** So they have been useful, have they?

**Mr P.C. TINLEY:** Yes, they have finally been found to be useful. The direction from the agency is that when a person goes to Port Hedland to make sure they stay in Osprey Village because it needs the uplift in its room occupancy rate, mate! The Hedland 125 project—another failed Liberal–National Party policy—has finally been tidied up by the Labor government. It took the adults in the room to actually get it sorted out.

I thank the member for the question that I am coming back to, which is about the closing arrangements with the commonwealth—the clock is approaching midnight, I suppose, on Saturday—that will see the end of the National Partnership Agreement on Remote Indigenous Housing. One of the most basic needs of the most vulnerable people in remote and regional Western Australia is shelter, but more than that, housing provides —

... shelter, privacy, safety and security, supports health and education, and has a significant impact on workforce participation.

Nobody in this room would argue with those words, but they came from Nigel Scullion, the Leader of the Country Liberals in the Northern Territory. They were his words in his 2017 report titled, “Remote Housing Review”, which identified the requirement for Western Australia to produce over the next 10 years 1 300 homes in order to keep pace with population and to attend to the overcrowding issues that are sometimes found in remote communities. It seems that on Saturday, the federal government will walk away from 50 years of involvement in remote and Indigenous communities. Many of those communities are a result of the history of dispossession of Indigenous people, first nation Western Australians. Twenty years before the Wave Hill walk-off, we had in the Pilbara —

**Mr V.A. Catania:** Did you strike a \$61 million deal with the minister?

**Mr P.C. TINLEY:** I beg your pardon.

**Mr V.A. Catania:** Did you strike a deal with the minister?

**Mr P.C. TINLEY:** Member for North West Central, I cannot believe that you actually put your head above the parapet.

**Mr V.A. Catania** interjected.

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

**Mr P.C. TINLEY:** I cannot believe you even put your head above the parapet, member for North West Central.

**Mr V.A. Catania:** It is \$61 million. It is in writing.

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

**Mr P.C. TINLEY:** You have been in this place since 2005 and the first time you mentioned remote communities was yesterday—since 2005!

**Mr V.A. Catania:** That is not true at all.

**The SPEAKER:** The minister has the call.

**Mr P.C. TINLEY:** The member for North West Central needs to investigate *Hansard*. He knows where it is. He knows how to search it. If he does not, I can provide him with somebody who might be able to give him a bit of instruction.

**Mr V.A. Catania** interjected.

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

**Mr J.N. Carey** interjected.

**The SPEAKER:** Member for Perth, you are at the back of the house and I call you to order for the first time.

**Mr P.C. TINLEY:** For the benefit of members and the member for North West Central, I would like to introduce him to his own electorate. That electorate has 22 remote communities. Since 2005, in the member's entire time in this place, he decided that yesterday —

**Mr V.A. Catania:** It has 23.

**Mr P.C. TINLEY:** Who knows? Somebody knows how to research! It has four town-based reserves.

**Mr V.A. Catania** interjected.

**Mr P.C. TINLEY:** You would not know. I imagine from Mount Claremont, mate, all of your electorate is remote! You really have some gall to come in here and —

Several members interjected.

**The SPEAKER:** Members, I do not like people telling everyone where members live in their electorates.

**Ms J.J. Shaw** interjected.

**The SPEAKER:** Member for Swan Hills, I call you to order for the first time. Members of Parliament are obviously in high-profile positions. We do not like telling people where other people live. You can get up in the chamber and say where you live, but I find it a bit hard when you mention where other people live.

**Mr P.C. TINLEY:** Thank you, Mr Speaker. I take your guidance seriously.

I want to highlight the hypocrisy. I said in this place several weeks ago that the next time the member for North West Central gets up and does something for remote communities, it will be the first time.

**Mr D.T. Redman** interjected.

**Mr P.C. TINLEY:** I want to know why —

**The SPEAKER:** Minister! Member for Warren–Blackwood, you know the rules. I call you to order for the first time.

**Mr P.C. TINLEY:** Why would the National Party put out press releases and make spurious claims about the validity and genuineness of the McGowan Labor government approaching this issue when it is the very first time it has raised it? Why does the member for North West Central not table the letter that he has written to the Prime Minister seeking support from the government? Has he done that? No. Has the Liberal Party put pen to paper beyond the press release and beyond a question without notice to see whether it can do any good for the people of Western Australia? We are talking about some of the most vulnerable people in Western Australia who need and deserve our assistance. As a single voice from Western Australia, the member for North West Central should do some of the heavy lifting himself. He is a complete and utter disgrace. He had all these conversions on the road to Damascus. Well, Damascus ain't in your electorate, member for North West Central! Somehow he can support Moora college several hundred kilometres from his own electorate office. Seriously, members opposite ought to take a hard look. The behaviour of members opposite is fundamentally dishonest. The behaviour of the Leader of the Opposition is disingenuous and dishonourable. If members opposite had any guts, they would pool the intellectual horsepower they have between them, which would not pull the skin off a custard, and try to put pen to paper and make a difference for the people of Western Australia.

*Withdrawal of Remark*

**Dr D.J. HONEY:** I take deep objection to the minister's —

Several members interjected.

**The SPEAKER:** Leader of the House, I call you. I was on my feet.

**Ms M.M. Quirk** interjected.

**The SPEAKER:** I call the Minister for Women's Interests to order for the first time.

**Mr P. Papalia:** It was not her.

**The SPEAKER:** Who was it?

**Mr P. Papalia:** It was the member for Girrawheen.

**The SPEAKER:** It was the member for Girrawheen. I apologise to the minister. The member for Girrawheen is such a quiet little thing; I cannot generally hear her. I will take the point of order in silence, please.

**Dr D.J. HONEY:** I take deep objection to the member opposite referring to my colleagues and me as dishonest and —

Several members interjected.

**The SPEAKER:** Minister for Sport and Recreation, it is a point of order. I will hear it in silence.

**Dr D.J. HONEY:** It is imputation and I believe he should be asked to withdraw.

**The SPEAKER:** What part were you referring to?

**Dr D.J. HONEY:** He referred to me and the other members on this side of the house as dishonest. He said that exact word.

Several members interjected.

**The SPEAKER:** He was talking in general terms, so I do not think that you can be personally offended. If you are, I am sure the minister is getting to the end of a very long answer. Is that the finish?

**Mr P.C. TINLEY:** I am done. All over.

#### LANDGATE — COMMERCIALISATION

#### 491. Mrs L.M. HARVEY to the Minister for Lands:

Can the minister explain why a company would pay \$650 million to the government for the commercialisation of Landgate if it is not selling something of value or privatising some aspect of Landgate? What exactly will the new contract enable the new owner to make a profit from?

**Ms R. SAFFIOTI replied:**

Again, the member for Scarborough put something in the preamble that is false. She put a number to a potential commercialisation. That is what she has done. I am not going to justify her ridiculous preambles with answers on this issue. That preamble again is false and incorrect. If the member does not know the difference between —

**Mrs L.M. Harvey:** It is in your press release.

**Ms R. SAFFIOTI:** If the member does not know the difference between commercialisation and privatisation, I am sorry.

**Dr M.D. Nahan:** What is it?

**The SPEAKER:** Leader of the Opposition!

**Ms R. SAFFIOTI:** If the member does not know the difference between commercialisation and privatisation, I am sorry.

**Dr M.D. Nahan:** There is none.

**The SPEAKER:** Leader of the Opposition!

**Ms R. SAFFIOTI:** You ask a question.

**Dr M.D. Nahan:** What is the difference?

**Ms R. SAFFIOTI:** The Leader of the Opposition should stand up and ask a question on this matter. His first question was on bunting!

Several members interjected.

**Ms R. SAFFIOTI:** He walked in and his first question of the day was about bunting and then he chooses —

**Dr M.D. Nahan:** It is about WA jobs, or don't you care?

**The SPEAKER:** Leader of the Opposition! Look, I care. I gave you four warnings. I call you to order for the first time. Minister, get to the point.

**Ms R. SAFFIOTI:** Now the Leader of the Opposition is worried about our workers. He said WA workers were not going to do a good job on the bridge. He said that the bridge would be inferior because it was being built in WA. That is what the Leader of the Opposition said.

As I said, if the member for Scarborough wants to learn about commercialisation versus privatisation, she can. I will give the member a hint. Privatisation is when we sell an asset.

**Mr D.C. Nalder:** What are you doing? You are not selling anything?

**Ms R. SAFFIOTI:** We are not selling an asset. We are not selling Landgate. No.

Several members interjected.

**Mr S.K. L'Estrange:** What are they buying?

**Ms R. SAFFIOTI:** We are not selling an asset.

**The SPEAKER:** Members! Minister, through the Chair, please.

**Ms R. SAFFIOTI:** We are not selling an asset. Again, I am not sure in what language I need to say that. I look forward to the supplementary question.

## LANDGATE — COMMERCIALISATION

**492. Mrs L.M. HARVEY to the Minister for Lands:**

I have a supplementary question. Can the minister confirm that the real value for the Landgate business and for the new contract, which she is expecting to bring in money to fund the Redress scheme, comes from the sale of the private data of Western Australian households?

**Ms R. SAFFIOTI replied:**

No.

## NATIONAL REDRESS SCHEME

**493. Ms A. SANDERSON to the Treasurer:**

I refer to the state government's decision to sign up to the National Redress Scheme —  
Several members interjected.

**The SPEAKER:** Members! Start again, member.

**Ms A. SANDERSON:** I refer to the state government's decision to sign up to the National Redress Scheme and provide responsible funding for the state's participation in the scheme. Can the Treasurer outline to the house why it is important for survivors of sexual abuse that this scheme is provided with secure, reliable and responsible funding?

**Mr B.S. WYATT replied:**

I thank the member for the question. As the Premier announced yesterday, the WA government has made the right decision that I think all members of this house would support—that is, to sign up to the National Redress Scheme. We have done that. Importantly, we have also provided a reliable funding mechanism for that scheme. We did that because, although not dependent upon each other and we are committed to national redress regardless, we are not in a position to simply layer spend upon spend like the former government did. Even the most morally virtuous decisions of government have to be funded, and that is what we have decided to do. Indeed, one of the very first questions I received when the Premier signed up was, “How are you going to pay for this?” We now have an answer for that. I was not surprised, I dare say, that the Leader of the Opposition is unable to learn from his time in government. When asked yesterday about the commercialisation of the Landgate asset, the Leader of the Opposition said that we should fund it no matter the source; the source should not matter. Ultimately, the days of simply spending without worrying about revenue are over.

That is in striking contrast with the previous government when it had a larger than expected increase in GST; it was very quick to go out and spend it on a range of different things at a factor of about 10 times more than the extra revenue, yet when it came to the spend side, it was not so interested in actually finding a funding source. One of the reasons we did that is that we saw what happened when this did not happen last time with Redress WA. Do members remember what happened with Redress WA? I remind colleagues that when the former government had and was running large surpluses after inheriting net debt-free in the general government sector, it halved payments to those survivors in the Redress WA scheme. I want to remind the house of the responses of some of those people. I refer to Michelle Stubbs, an adult survivor of child abuse in WA, who said that it was not right and that it was legally immoral. There was a range of letters, but I refer to another one from a victim who said that he thought that applying for redress would somehow ease the pain, but that that had not been the case and that it had opened up old wounds that kept festering, only to be compounded by the government's insensitive decision to reduce the maximum amount payable to victims. That is what the Leader of the Liberal Party did because he did not care. He simply cut the maximum payment. After asking those people to come forward and explain what had happened to them, he then said, “Actually, we're going to cut in half what we're going to pay to you.”

We in the Labor Party do not want to do that. We have signed up, in good faith, to an important mechanism that will require national ventilation of a period of great shame for this country, and we want to ensure that it has a reliable funding source. I do not subscribe to the Nahan strategy or Nahan methodology of spending without restraint, not worrying about where the money comes from. Those days are over, for the very reason of the legacy left by the former Liberal government.

## LANDGATE — COMMERCIALISATION

**494. Mr D.T. REDMAN to the Premier:**

Can the Premier explain to the public of Western Australia exactly what commercialising an arm of Landgate means?

**Mr M. McGOWAN replied:**

The member can read the press release, if he likes, that was put out by two ministers yesterday. During the earlier interlude, I googled “commercialisation” because I thought I might get a smart alec question from someone like the member. Here it is; I can provide the member with the *Oxford Dictionary* definition, if he likes. Maybe it is just the Wikipedia definition: “the process of managing or running something principally for financial gain.”



## LANDGATE — COMMERCIALISATION

**495. Mr D.T. REDMAN to the Premier:**

I have a supplementary question. Can the Premier confirm that there will not be fee hikes in Landgate's remaining services following the commercialisation?

**Mr M. McGOWAN replied:**

Some functions will remain with Landgate. We are not privatising Landgate, if that is the suggestion the member is making. Of course, for Landgate's services, each and every year, during the last government, during the government before that, and during the government before that, and the organisations that were the forbearers to Landgate, there was a program of charges that increased over the last 175 years or so. That is the nature of these things—that on occasion, charges go up. That is the natural order. If the member wants to look at the forward estimates, he will see what the arrangement is.

**Mr D.T. Redman:** Fee hikes.

**Mr M. McGOWAN:** There you are, going on about fee hikes. We remember the days when you put up electricity prices by 80 per cent—25 per cent in one year. We remember the days when you put up three lots of land tax in three successive years. We remember the days when you put up stamp duty year in, year out when you were in office, at the same time as running up massive deficits and at the same time as putting up the state's debt. We also know that the national Liberal Party's plan is to sell off Western Power. We also know that that is your plan. The reason I know that that is your plan is that the Leader of the Opposition said it.

**Dr M.D. Nahan** interjected.

**Mr M. McGOWAN:** There we are. Does he deny it? No, he does not deny it. I was down there at the Chamber of Commerce and Industry when the Leader of the Opposition made the speech saying they were going to sell off Western Power. I was down there a few months ago when he said that. Let us just understand: that is —

*Withdrawal of Remark*

**Mr D.A. TEMPLEMAN:** The Leader of the Opposition needs to withdraw the comment he made. He knows what he said. He needs to withdraw it.

**Dr M.D. Nahan:** The Premier just made —

**The SPEAKER:** No, it is —

**Dr M.D. NAHAN:** I withdraw.

*Questions without Notice Resumed*

**Mr M. McGOWAN:** We all saw —

**Dr M.D. Nahan** interjected.

**The SPEAKER:** I call the Leader of the Opposition for the second time.

*Point of Order*

**Mr V.A. CATANIA:** The member for Warren–Blackwood asked a specific question: are fees going to go up under the privatisation of this —

**The SPEAKER:** That is not a point of order. He was dealing with the answer. I am sure the Premier will get to the point.

*Questions without Notice Resumed*

**Mr M. McGOWAN:** We all saw the disgraceful and disgusting conduct of the Leader of the Opposition yesterday in this place when dozens of survivors were in the chamber wanting to hear some kind words towards them, and all we saw was the Liberal Party trying to score disgusting political points.

Several members interjected.

**The SPEAKER:** Members!

## PLASTIC BAGS — BAN

**496. Ms L.L. BAKER to the Premier:**

I refer to the devastating environmental impact of single-use plastic bags and the action taken by the McGowan Labor government to join with the major retailers and the majority of states and territories to ban lightweight plastic bags. Can the Premier outline to the house why this government has taken this environmentally responsible action?

**Mr M. McGOWAN replied:**

I thank the member for Maylands for the question. Western Australia will take a major step forward this weekend in dealing with plastic. The government will join the majority of other states and territories in banning single-use lightweight plastic bags. As we know, Western Australia has the largest coastline in Australia, and, I think, one of the largest coastlines of any sovereign state anywhere in the world. Of course, plastic and plastic bags are very detrimental to marine life, whether it is turtles, fish, whales, dolphins or other forms of marine life. It is very detrimental and potentially deadly. For the sake of our children and grandchildren, we need to start to take more action in respect of plastic and, of course, we are starting with plastic bags this weekend.

Last year, 673 million single-use plastic bags were used by Western Australians. Most ended up in landfill, but it is estimated that seven million of them were scattered across the environment of Western Australia, many of them finding their way into waterways and, hence, the ocean. In coming up with the arrangement this weekend, we have held six workshops with bag suppliers, retailers and community groups. We have held 15 information sessions across the state, and 95 per cent of the submissions received supported the ban on plastic bags that comes in this weekend. We will be joining Queensland, Victoria, South Australia, Tasmania, the Australian Capital Territory and the Northern Territory, and we will be joining Coles, Woolworths and IGA, which are supportive of this decision. The member for Hillarys does not support it. We are also committed to the container deposit scheme, which we expect to bring in in 2019 or 2020. This is an important step forward for environmental protection in Western Australia. It breaks my heart when I see those images of whales, dolphins, turtles and other marine life dying because they are choking on the plastics we put into the ocean.

I am very disappointed that the Greens and the Liberal Democrats have moved to block this. They have moved a disallowance motion in the upper house, or at least the Greens have, supported, as I understand it, by the Liberal Democrat member there. I am very disappointed that the Greens have sought to do that. I think it is a very strange action on their behalf. I want to see this ban put in place, and I think the majority of Western Australians want to see this ban put in place. I urge the Greens and the Liberal Democrats to withdraw the effort they are putting in place. I also urge the Liberal Party and the Nationals WA to not support the sort of wrecking behaviour and conduct that is currently going on in the Legislative Council.

**QUADRIPLLEGIC ACCOMMODATION — SHENTON PARK****497. Mr S.K. L'ESTRANGE to the Minister for Health:**

I refer to the 2016–17 midyear review and subsequent Labor budgets where an additional \$43 million was allocated for purpose-built community housing accommodation for people with spinal cord injuries, including residents of the state Quadriplegic Centre in Shenton Park. Can the minister update the house on the progress of the building of the new 28-bed facility at Shenton Park?

**Mr R.H. COOK replied:**

I thank the member for Churchlands for the question. It is an important one, because I think, as all members on either side of this place would agree, that the Quadriplegic Centre is a dilapidated facility that has very much passed its use-by date. We are focused on moving forward with that particular development, and that is why we have \$43 million in the budget in the forward estimates to ensure that we can more appropriately accommodate those residents.

The most important aspect of this is that we actually contemporise the treatments of those patients or residents in a way that meets modern expectations in terms of the model of care and the model of treatment that we provide. We are not going to build another Quadriplegic Centre. That is not where the modern treatments for people with these sorts of conditions is at. But it is true to say that there are some residents who have been there for many years and for whom it is a home. So we are going to have to make sure that we move forward in a way that is appropriate for their experiences and their aspirations.

Last year we set up a consumers' advisory committee to advise the government about the sorts of options available in relation to the modern treatment regimes and to work out the best way to care for people with spinal cord injuries. We are sitting down with each of the residents and asking them what they need. We have engaged Western Australia's Individualised Services, an independent organisation, which will be responsible for putting together care plans for each resident so that they can talk to us about what personal plan would work out for the long-term residents and how they want to live, who they want to live with, where they might live, and what supports they need. This will include personal care, therapy, equipment and other supports. They will also be able to choose the service provider that they would like to support them. So it is about moving from a traditional way of delivering this sort of care, in a big hospital-like facility, to a modern facility that is more akin to independent living. Some residents will want to move closer to their families. Some will want to have a more independent living arrangement. We are going to make that a reality for them and make sure that they have a modern care environment. But for others, who have been there for decades, the quad centre is their home and the other residents and patients are their family. We will be doing everything we can to care for them to make sure that they have the appropriate care.

We have put options on lots of land directly adjacent to the car park that sits outside the Quadriplegic Centre, and, where it is requested to do, will be establishing modern community living, group-dwelling facilities in that area to make sure that those patients do not have the disruption to their lives that would make them anxious and would make them concerned about the future.

We are aiming to have this project completed by the end of 2020, but I want to assure everyone in the chamber, and particularly the patients, their carers and their families, that we will not be pressuring anyone to move out before they are ready. We will not be turfing anyone out of the Quadriplegic Centre unless we have a care plan in place that meets their expectations and their hopes for the future. We will move forward in a compassionate way and in a way that provides a great future for these patients.

#### QUADRIPLLEGIC ACCOMMODATION — SHENTON PARK

##### **498. Mr S.K. L'ESTRANGE to the Minister for Health:**

I have a supplementary question. I thank the minister for his answer. The residents have communicated to the opposition that they are very concerned, because they are under the impression that no building facility is going to be constructed out there. That is what they are telling us. Why has the government not effectively communicated this changed management plan to those residents, particularly the vulnerable residents with serious spinal injuries, who are most concerned about their future?

##### **Mr R.H. COOK replied:**

Yes, I think that is right. There has been a gap in the communication between when the consumer advisory committee or council had been in place in the second half of last year and when we consulted with them very recently, which is the reason this particular issue has been raised of late. We are endeavouring to do better than that in terms of communicating with all the residents and patients and their families and supporters. Indeed, we are holding a briefing session with the staff as well, because many of the staff have been there for many years and are equally anxious about what the future holds for them. That will be held on 28 June. Certainly through Western Australia's Individualised Services, the organisation that is there to work with each of the patients around their care plans, we will be working much more effectively with them into the future. We are getting a new chief executive at the North Metropolitan Health Service, which is the HSB with responsibility for this, and she, in conjunction with the acting chief executive, who was the one who has most recently communicated, are determined to work better with patients and their families to make sure that everyone is comfortable about how we are moving forward.

#### POLICE — CRIME RATES

##### **499. MR S.J. PRICE to the Minister for Police:**

I refer to the Australian Bureau of Statistics' figures that were released this morning regarding victims of crime. Can the minister outline to the house what these figures show about the McGowan Labor government's commitment to reducing crime and protecting our community?

##### **Mrs M.H. ROBERTS replied:**

I thank the member for Forrestfield for the question and for his commitment to policing and to driving crime rates down. I know that it is a significant issue in his community around Forrestfield and certainly in many others. The fact of the matter is that since we have come to government, we have been very much focused on delivering better policing services to the community and to driving down crime rates. People in here will well remember those bad years back to 2015 and 2016 when we saw crime going up month after month—not going up by two, three or four per cent, but going up by double-digit amounts.

Right from the time we came to government, former police commissioner Karl O'Callaghan was quick to modify what had been put in place over those years, to move away from the local policing teams, and to deliver on Labor's election commitments, such as the 24-hour police stations, and the extended-hour police stations like we see in Forrestfield. In Forrestfield, the police station no longer shuts at four in the afternoon but is open until seven each night.

These changes in strategy are seeing some significant changes. I am happy to inform the house, even though people opposite are probably still in a state of denial, that Western Australia is the only state to have seen a reduction in the number of victims of crime in every category. Assault decreased for the first time in three years, down by 1 599 victims. Robbery decreased by 18 per cent, from 1 301 victims in 2016 to 1 069 victims in 2017. That is in contrast with a national decrease of two per cent; ours was 18 per cent. Both armed and unarmed robbery decreased by 25 per cent and 10 per cent respectively. Motor vehicle theft decreased from 8 357 victims in 2016 to 7 201 victims in 2017. That is the lowest rate of motor vehicle theft since 2010. Other theft as a category decreased by some seven per cent.

I want to congratulate the Western Australia Police Force for their efforts. Of course crime is driven by a range of other things, and WA police alone cannot reduce crime in the community. But by responding quickly to crime, solving crimes and working on crime prevention, they can make a significant difference. We still have a lot of

work to do. No level of crime is acceptable. But the new commissioner, Commissioner Dawson, is moving on from those initial first steps. Going live in July will be the new policing districts—a much more local and responsive police force, with more officers in uniform working out of police stations throughout our state. We have, of course, also established the meth border force. Apart from, as I pointed out to this house previously, them taking 1.4 tonnes of methamphetamine in seizures in Western Australia over the past financial year, just today, again, the Commissioner of Police was able to report a seizure of 25 kilograms—that is \$25 million worth—of methamphetamine taken from a vehicle on Great Eastern Highway. In addition, 280 grams of cocaine, a semiautomatic pistol, more than \$10 000 in cash and some ammunition was seized. That is a really significant seizure. I again congratulate our very fine Western Australian police officers on the seizure of such a significant amount of methamphetamine and other drugs on Great Eastern Highway. Those drugs will not make their way into our community. This is a fine effort by WA police, and I congratulate Commissioner Dawson and his team.

LIVE EXPORT — MINISTER FOR AGRICULTURE AND FOOD

**500. Mr P.J. RUNDLE to the Premier:**

I refer to the submission made by the RSPCA detailed in the thirty-sixth report of the Standing Committee on Legislation, “Animal Welfare Amendment Bill 2017”, which was tabled today in the Legislative Council, which stated —

It is not clear to RSPCA WA why this approach has been taken. RSPCA WA is concerned this approach could disrupt the nationally consistent approach, create a lack of regulatory clarity for regulators and industry and lead to delays in the implementation of National Standards ...

**Mr W.J. JOHNSTON:** I have a point of order.

**The SPEAKER:** There is a point of order. So there was no point of order? Start again, member.

**Mr P.J. RUNDLE:** Thank you, Mr Speaker.

Several members interjected.

**The SPEAKER:** Well, if you keep calling for points of order when someone is asking a question, they can start again!

**Mr M. McGowan:** Just let him do it.

**The SPEAKER:** What was that, Premier?

**Mr M. McGowan:** I was talking to one of my colleagues.

**The SPEAKER:** No-one answered. Member for Roe.

**Mr P.J. RUNDLE:** Would you like me to start again or just complete the last bit?

**The SPEAKER:** Just complete the last bit.

**Mr P.J. RUNDLE:** Will the Premier’s government follow the advice of the RSPCA, or will he continue to allow his Minister for Agriculture and Food to undermine the industry that she is meant to support?

**Mr M. McGOWAN replied:**

The member has asked me about an approach and a submission, and I am unaware of what they are. The question does not make plain what they are. I guessed from the last couple of lines that it was an attack on Alannah MacTiernan. I suspect it is probably in relation to the live sheep industry. Have I got that right?

**Mr R.S. Love:** No.

**Mr M. McGOWAN:** It is not? Okay. Well, it is an approach in relation to an issue that the member did not identify in the question about a subject matter that I do not know. It was a very confusing question, but it was about Alannah MacTiernan—I got that bit. I will answer the bit about Alannah MacTiernan as best I can. I am aware that last Thursday the Nationals WA moved a suspension motion attacking Hon Alannah MacTiernan and demanding her resignation. I am also aware that on Tuesday the National Party moved a suspension, on Wednesday the Liberal Party moved a suspension, and the opposition is about to move another one. Do not members opposite think that they might want to treat the standing orders and the processes of this Parliament with a little more respect than by doing this every single day?

Several members interjected.

**The SPEAKER:** Members!

**Mr M. McGOWAN:** Back to Alannah MacTiernan. The suspension last Thursday demanded her resignation over the live sheep issue. The following day, Mr Littleproud, the federal minister for agriculture who is from Queensland, announced the complete suspension of the live sheep trade. What did the member for Warren–Blackwood do? He said, “He’s done the right thing. He’s on the right track.”

Several members interjected.

**Mr M. McGOWAN:** That is what he said. I read the transcript from regional radio: “Mr Littleproud has done exactly the right thing here in suspending the industry.” The day before, the National Party demanded that Alannah MacTiernan be sacked when she did not suspend the industry. Do National Party members think that anyone takes them seriously at all on these issues now?

LIVE EXPORT — MINISTER FOR AGRICULTURE AND FOOD

**501. Mr P.J. RUNDLE to the Premier:**

I have a supplementary question. Does the Premier still have full confidence in his minister —  
Several members interjected.

**The SPEAKER:** Order! Start again, member.

**Mr P.J. RUNDLE:** Does the Premier still have full confidence in his Minister for Agriculture and Food, given her mean, anti-ag agenda?

Several members interjected.

**The SPEAKER:** Members!

**Mr M. McGOWAN replied:**

Do I have full confidence in Alannah MacTiernan? Let me think. What do members think is the answer to that? I would have thought the answer is yes. But the question does give me an opportunity to talk about Alannah MacTiernan again! I am pleased that the member for Roe has given me that opportunity. The member for Roe is so lucky that she is not in this chamber with him, because she would chew him up and spit him out. He would be a small puddle on the floor after she had finished with him. She would have him for dinner. She is a top minister. She is doing a terrific job. She has been trying to educate the live sheep industry about the problems that it will potentially face. Lo and behold, it has now hit them fully, because the federal Liberal–National government suspended the trade. Instead of the National Party and members of the industry actually working out that there is an issue that they need to address, what do they do? They come in here and demand that the state minister, who did not make the decision, be sacked. Do National Party members not think that they might have their logic a little bit askew?

EMERGENCY SERVICES — CREW CAB PROTECTION PROGRAM

**502. Mrs R.M.J. CLARKE to the Minister for Emergency Services:**

I refer to the McGowan Labor government’s commitment to supporting our dedicated emergency services volunteers, and particularly those based in regional Western Australia. Can the minister update the house on the rollout of the crew cab protection program and how this will benefit our emergency services volunteers as they work tirelessly to defend and protect our communities?

**Mr F.M. LOGAN replied:**

I thank the member for Murray–Wellington for that question. I also thank the member for Murray–Wellington for joining me on part of the rural fire division tour around Western Australia, and particularly that part between Pinjarra and Bunbury, because her presence and comments were very well accepted. I thank her very much indeed.

The member spoke about crew cab protection. As members may remember—the Speaker will remember this—this came about because of the tragic death of the firefighter at Black Cat Creek, who was burnt in a burnover. A burnover is a full-on bushfire that actually envelopes and completely consumes a fire engine. Unfortunately, that volunteer lost her life. As a result of the lessons learnt from that death, the government of the day began a crew cab protection program. Stage 1 related to the installation of burnover blankets and radiant heat shields, and was completed in 2016. Stage 2 commenced in September 2015 and will be completed in June this year, and includes the installation of in-cab air, a water deluge system for the vehicles and critical component lagging and panels. Stage 3, which is the installation of automated vehicle location devices, has now been completed across all vehicles involved in fire and emergency services across the whole state.

I am very pleased to be able to say that the McGowan Labor government is actually going even further. As a result of this year’s budget, another \$8.7 million has been allocated to fit fire crew protection in the 261 fire appliances throughout the state that were not included in the program done by the previous government. Many of those are in northern Western Australia. I will get to the ones in northern Western Australia, but there are 25 volunteer fire and rescue or bush fire brigades in the metropolitan region that will have burnover technology installed, which includes brigades in Yancheep, West Swan, Bedfordale and Kwinana. The 82 high-fire season bushfire appliances will also be done. They are the appliances that go up north during its fire season and then come back down south during our fire season. There are 23 appliances in the goldfields–midlands that will have their crew cab protection done, 17 appliances in the Kimberley, and 22 appliances in the Pilbara. There will be eight appliances in the electorate of North West Central. I acknowledge the work of the previous government in moving quickly after the death of a firefighter to install crew cab protection. That will allow firefighters to survive a burnover, should it envelop their vehicles. I am pleased to have that technology installed, and I am even more pleased that we have put the money in place to ensure that all the other vehicles left around the state will also have that protection installed so those firefighters will be able to survive any burnovers that may impact on them.

CORRECTIVE SERVICES — CORRUPTION AND CRIME COMMISSION —  
 “REPORT ON CUSTODIAL OFFICERS AND THE RISKS OF CONTRABAND ENTERING PRISONS”

**503. Mr Z.R.F. KIRKUP to the Minister for Corrective Services:**

I refer to the comments made yesterday by the Corruption and Crime Commissioner regarding corruption in our state’s prison system and that he does not believe enough action has been taken by the government on this matter.

- (1) Does the minister agree with this assessment by the Corruption and Crime Commissioner; and, if so, what action will he take to respond to the commissioner’s concerns?
- (2) Would the minister agree to a bipartisan parliamentary inquiry into the culture of corruption and cover-up in our state’s prison system?

**Mr F.M. LOGAN replied:**

- (1)–(2) I thought that we dealt with this matter yesterday when the member put it as a motion to suspend standing orders, but, unfortunately, we will have to go through the whole thing again today. As I said to the member yesterday, the reason the Corruption and Crime Commission is investigating these matters is that we have brought these things to the attention of the CCC and the police.

**Mr Z.R.F. Kirkup:** They predate that as well.

**The SPEAKER:** Member for Dawesville!

**Mr F.M. LOGAN:** That is the reason it is happening. The member is right that all these problems predated our government, and they went back a long way. Every prison system in the whole of Australia and internationally grapples with these issues every single day. The member knows that and I know that. The work we are doing within the Department of Justice under the McGowan Labor government is first of all to fix the problems that members opposite left us. That is what we are doing. Members opposite got rid of the drug strategy and they did nothing to develop a new strategy after 2012. There was no direction on the issue of contraband under the previous government. Members opposite got rid of the drug coordinating group in 2015, and then there was even less direction by the previous government to deal with contraband. We are having to deal with those issues now. Very soon, I will be announcing a new drug strategy for Western Australia in 2018–2021, and the member can have a look at it.

In terms of dealing with the issue, I have already outlined to the member that we are addressing every single one of the five issues identified by the CCC. We are also addressing the systemic issues in security that were identified by the Auditor General’s examination of our prison system. Change is happening right now, member for Dawesville, and I urge the member to let the Department of Justice get on and do its work in securing our prison systems from the scourge of contraband. It does not need to go to one of the member’s committees so that he can basically grandstand on the whole issue. It is a very serious matter, which has been left in the hands of professionals. I am very pleased, Minister for Police, that Commissioner Dawson also indicated that the police are actively going to assist the Department of Justice in providing one detective sergeant to work with it on a full-time basis in the department’s offices. That is the sort of cooperation that we need. We also have that cooperation with the CCC, which is doing a good job. Let these people get on and do their work. Stop trying to grandstand on these issues; they are too serious.

CORRECTIVE SERVICES — CORRUPTION AND CRIME COMMISSION — “REPORT ON CORRUPT  
 CUSTODIAL OFFICERS AND THE RISKS OF CONTRABAND ENTERING PRISONS”

**504. Mr Z.R.F. KIRKUP to the Minister for Corrective Services:**

I have a supplementary question. I thank the minister for his response. Given the comments by the Corruption and Crime Commissioner that the issues are widespread and go well beyond Acacia Prison, why will the minister not agree to a bipartisan parliamentary inquiry into the culture of corruption and cover-up in our state’s prison system?

**Mr F.M. LOGAN replied:**

The reason I will not agree to it is that the member for Dawesville will just use it for the purpose of grandstanding; that is all he does.

**Mr Z.R.F. Kirkup** interjected.

**The SPEAKER:** Member for Dawesville!

**Mr F.M. LOGAN:** The member for Dawesville will just use it to grandstand. He walked into this house only yesterday and continues to make things up about the Telstra outage, which was dealt with, and now makes things up about the CCC report into the officer at Karnet Prison Farm. He simply made it up; he fabricated things. How can we possibly trust this matter—a very serious matter—being put to a committee that the member is on, which he would simply use to grandstand? The answer is no.

**The SPEAKER:** That is the end of question time.

**“REPORT OF THE SPEAKER’S PARLIAMENTARY DELEGATION TO CHINA, APRIL 2018”***Tabling — Statement by Speaker*

**THE SPEAKER (Mr P.B. Watson):** I table the “Report of the Speaker’s Parliamentary Delegation to China, April 2018.”

[See paper 1459.]

**LANDGATE — COMMERCIALISATION***Standing Orders Suspension — Motion*

**DR M.D. NAHAN (Riverton — Leader of the Opposition)** [2.55 pm] — without notice: I move —

That so much of standing orders be suspended as is necessary to enable the following motion to be moved forthwith —

That this house condemns the McGowan government for its deceitful privatisation of Landgate, for breaking a key election promise of no privatisations and the complete lack of transparency on its intention, including its plan to sell the private and confidential data of hundreds of thousands of Western Australians without their consent.

Yesterday, government members made one of the most hypocritical, dishonest, underhanded moves I have ever seen in this house. Government members walked in here and said, effectively, “We’re going to prioritise parts of Landgate but, because we’re the Labor Party, we’re not calling it privatisation.” This is the government that won an election 15 months ago largely on an anti-privatisation campaign. Over and over again, Labor Party members said they would stop privatisation. This is important; it goes to the ethical standards of this government. I quote —

WA Labor recognises that selling your assets is a short term fix, not a long term plan.

Privatisation means future generations risk being left without these essential assets and the revenue they generate for the state.

WA Labor will stop the privatisation of existing public sector services and where possible and economically beneficial to do so bring services back into the public sector.

What is the government doing? It is planning to privatise part of a monopoly government asset, one that is already commercialised. It is a commercially run business—a government business enterprise—and has been for a number of years. It pays taxes to the state and pays a dividend to the state, and it has for a number of years. It has been on a reform agenda for some time led by the previous government. As the current government states in one of the few honest statements in its press release, “Landgate has transformed itself into a world-class operator.” Yes, it has. It is efficient, profitable, productive and provides an excellent service for the consumers of Western Australia. But we are not dealing with just any asset. This deals with arguably the most important database in the state—our land title systems, the transactions on those land title systems, information on mortgages and information on changes to mortgages.

**The SPEAKER:** Leader of the Opposition, you are now talking about the urgency of —

**Dr M.D. Nahan:** Yes, I am.

**The SPEAKER:** Excuse me; you are talking about the urgency and not the actual facts of the matter.

**Dr M.D. NAHAN:** Yes, I am trying to explain to you why this is urgent. Members opposite walked in here yesterday without any documentation, except a press release—they have a study but they have not given it to me—that included inaccurate descriptions of what they are going to do in doing something they swore to the public of Western Australia that they would not do. Members opposite are going to sell a major asset and this is the last day of sitting. They have had three chances today and one yesterday to answer a question about this, but they refused. They refused to answer or describe what they are doing, what assets they are going to sell, what safeguards will be put in place, what types of activity will be sold, the duration of that sale, who they would sell it to, and how they are going to protect the quality and privacy of the data. Government members have refused to answer. Firstly when they made the statements, they should have tabled the scoping study upon which they based this. Secondly, the government had plenty of time. We asked two questions of the minister and the Treasurer was asked a dorothy dixer. Did they answer the questions? No. The public expects a response, particularly from a government that campaigned and won an election on the basis that it would not privatise. Government members are using the weasel word “commercialisation”. Landgate is already commercialised. It was officially commercialised two years ago. It is dishonest. The government is planning to sell a long-term right to a private sector entity to operate the electronic functions and activities of this firm. That is what I think. That is privatisation. The Minister for Transport uses weasel words like “commercialisation”, but she is just being dishonest.

*Withdrawal of Remark*

**Mr W.J. JOHNSTON:** The Leader of the Opposition just accused the minister of something that is unparliamentary and I ask him to withdraw.

**The SPEAKER:** Will you withdraw?

**Dr M.D. NAHAN:** I withdraw.

*Debate Resumed*

**Dr M.D. NAHAN:** She is playing footloose with the truth and she knows it. We in this chamber have had many debates about privatisation. One example is the debate on the Utah multiuser facility. It is an asset in the port at Port Hedland. We did not propose to sell the port at Port Hedland. We proposed to enter into a long-term lease for the use of the Utah facility. That is exactly what this government is doing. We all agreed that what we did was privatisation. Members opposite certainly did. Now they are using weasel words like “commercialisation” to try to hide the fact that they are going to sell the long-term right for a commercial issue. This will have a lot of implications. Again, what is this? It is a necessary monopoly asset that deals with some of the most important and vital information of all Western Australians. It is essential for households, commerce and the functioning of government. And the government is going to partially flog it, but it is not going to tell us why, how or to whom, or what safeguards there will be or what restrictions there will be on the sale. These are necessary statements. We gave the government plenty of chances to do so and it refused. It wants to go out to the public of Western Australia and masquerade as the anti-privatisation party that is not going to privatise but actually is going to privatise because it thinks it will earn in the vicinity of \$640 million. That is what the press release states. But it is not privatisation. Why would someone pay the government in the vicinity of \$640 million for something that is already commercialised if it is not going to give them the right to reap the commercial gains? It is.

The problem is that government members just cannot tell the truth. They are trying to hide what they are doing. Now they are trying to hide behind the word “commercialisation”. They are trying to hide behind the redress scheme. The redress scheme is a separate issue. The Treasurer agreed that he is going to fund the redress scheme no matter what happens to Landgate. The two are separate, but they are trying to hide behind it.

*Standing Orders Suspension — Amendment to Motion*

**MR D.A. TEMPLEMAN (Mandurah — Leader of the House)** [3.03 pm]: I move —

To insert after “forthwith” the following —

, subject to the debate being limited to 15 minutes for government members and 15 minutes for non-government members

In moving this amendment to the motion moved by the Leader of the Opposition, I remind the opposition that this is the third motion to suspend standing orders that has been moved this week. Again, the opposition simply disregards the ongoing conventions of this place. Every day of this week, a motion to suspend standing orders has been moved and one was moved last week, so that is four sitting days in a row. I remind the opposition that on each occasion the motion has been agreed to. This demonstrates the incapacity of the opposition to not only articulate an argument, but also understand and respect ongoing conventions that were respected by those on this side of the house while in opposition. I remind the house that this is the fourth consecutive motion to suspend standing orders. It is unprecedented. It is not conducive to the effective operation of the Legislative Assembly.

We had a legislative program for this week. After this motion is debated, there is a necessity to deal with the important consideration of a message from the other place. We will also deal with the appropriation bills before we rise tonight. I had expected that we would be able to leave early tonight, but I put on notice all members—this was through agreement—who have a contribution to make to the second reading debate on the appropriation bills that we will continue with that for those who wish to make a contribution, but members opposite will need to decide whether they will make a contribution because this house will now sit late. That is fine. I remind opposition members that the way that they are conducting themselves with the continuous moving of motions to suspend standing orders is unprecedented and demonstrates the ineffectiveness of the way they conduct their arguments in this place.

We will agree to a debate of 15 minutes for each side, but I remind everyone that this afternoon we will deal with the message from the other place on the Corruption, Crime and Misconduct and Criminal Property Confiscation Amendment Bill 2017 and then we will move on to the appropriation bills and conclude that debate tonight. Members should not argue that that is unfair, because that is the way that they deal with the operations of this house. That is what we will do. We will make sure that the government’s program is dealt with, as was highlighted in the letter given to members with due notice on Friday last week. Again, this is a demonstration of the ineptness and incapability of the opposition to not only articulate a message, but also understand the conventions of this place.



**DR M.D. NAHAN (Riverton — Leader of the Opposition)** [3.07 pm]: I want to make it clear to the government how it is holding Parliament in contempt with this action.

Several members interjected.

**Dr M.D. NAHAN:** I am talking to the amendment.

Several members interjected.

**The ACTING SPEAKER:** Everybody in the chamber can speak to the amendment. The amendment has not been put.

**Dr M.D. NAHAN:** The issue is that yesterday the government proposed the privatisation of a very important asset and it did not give an adequate explanation for it. When we asked questions about it, the government effectively refused to respond.

*Point of Order*

**Mr W.J. JOHNSTON:** The amendment is in respect of the debate being limited to 15 minutes for each side. The member has to address why we should not support limiting the debate to 15 minutes for each side. It is a debate on the amendment, not on the substantive issue. It is not even a debate on the motion that the Leader of the Opposition has moved. It is a debate on the question of whether we should insert words to limit the debate to 15 minutes for each side. He has to keep his comments to that matter and that matter only.

**The ACTING SPEAKER (Mr I.C. Blayney):** The Leader of the Opposition can address the arguments that were put by the Leader of the House.

*Debate Resumed*

**Dr M.D. NAHAN:** I will not be long.

**Mr D.J. Kelly:** You will not be long in your job.

**Dr M.D. NAHAN:** Yeah, right!

The real issue here is that the government walked in here after a long, arduous campaign against privatisation, and told the Parliament that it was going to privatise the issue. Then it had plenty of time to answer questions on it, to give a ministerial statement or to issue a document to this place. Now we are rising for six weeks and we have been lectured by the Leader of the House that we should not have done this. I thank the government for providing 15 minutes to each side of the house for debate on this suspension of standing orders, but it is absolutely necessary. It would not have been necessary if the government had done the right thing and explained the problem and answered the questions.

Amendment put and passed.

*Standing Orders Suspension — Motion, as Amended*

**The ACTING SPEAKER (Mr I.C. Blayney):** As this is a motion without notice to suspend standing orders, it will need the support of an absolute majority for it to proceed. If I hear a dissentient voice, I will be required to divide the Assembly.

Question put and passed with an absolute majority.

*Motion*

**DR M.D. NAHAN (Riverton — Leader of the Opposition)** [3.12 pm]: I move —

That this house condemns the McGowan government for its deceitful privatisation of Landgate, for breaking a key election promise of no privatisations and the complete lack of transparency on its intention, including its plan to sell the private and confidential data of hundreds of thousands of Western Australians without their consent.

As I indicated earlier, this is the height of hypocrisy by a government. This government was elected 15 months ago on a strong, ardent, longstanding commitment to no privatisation. Its number one campaign pledge was no privatisation: WA Labor will stop privatisation. Indeed, at the by-election for the seat of Darling Range, the bunting had on it again a claim that Labor was against privatisation. What do we have here? The Minister for Transport and perhaps the Treasurer have walked into this place without full disclosure and said, “We’re going to commercialise the automated section of Landgate.” The trouble is that Landgate was commercialised some years ago. It is commercialised now. It was commercialised as a government trading enterprise. The reason they have used the word “commercialised” is that they cannot afford to tell their constituency—not only the public that voted them in, but also their support base—that they are breaking one of their number one commitments.

This government plans, with very scant information, to take part of the commercialised aspects of businesses of Landgate and sell them under long-term lease to a private sector provider. This is what New South Wales did.

Everyone from the ABC to the New South Wales government recognises that this is privatisation. This government is planning to hand over a commercial business to a private sector provider and it hopes to get in the vicinity of \$640 million for that transaction. Then members opposite come in here and say, “It’s not going to require legislation”, and therefore they will not be bringing legislation into this place to minimise scrutiny, even though the 48 pieces of legislation that Landgate comes under could be affected. There is a lack of transparency. The government has not dealt with the fact that Landgate is already making a profit. Its profit rate in both dividends and income tax equivalent to the state is expected to push \$50 billion at the end of the forward estimates in 2021. Is the government selling that? Is the \$640 million of the asset sale going to include that? The government says it is going to protect data—but how? What safeguards will the government put in there? How will it stop its private provider from just scooping up all the data and transferring it somewhere and selling it? We do not know that because the government has not told us. It is not going to bring in legislation. It has provided no adequate information about that whatsoever to Parliament, and it expects us to sit there and just let it go through to the keeper. We would be remiss and the public would be angry if we did not hold the government to account, firstly, for its broken promises, and, secondly, for the sale of an asset without due scrutiny or adequate detail on these issues.

Various accounting houses have carried out studies into Landgate before. Under the previous government, Landgate went into a major efficiency activity where it reduced its costs and became commercial, and that is why in three or four years’ time it will generate around \$50 million in profit to the state. I can see the Premier standing up at the next election and saying repeatedly, “We will not privatise monopoly assets because they generate revenue streams for future generations and undermine the asset.” That is what this government is doing and it is trying to hide and use weasel words to get around it. Good governments cop it sweet. If this government is going to break promises, it should break them and be honest. This government cannot do that.

**MR D.T. REDMAN (Warren–Blackwood)** [3.17 pm]: I want to talk on this, too. This is really interesting. Labor ran this in yesterday and expected us to sit down and not say a darn thing today—absolutely amazing! I do not understand the debate today about whether it is right or wrong to run a suspension of standing orders. This is the question: when is privatisation not privatisation? It is when the Labor Party does it. It absolutely railed against us in the last campaign. A massive campaign was run out there by the unions, yet government members have come in here and started to work away at privatising all these government assets. That is misleading to the people of Western Australia and that is why we are on our feet now to run debate in this house.

What has happened so far? The Labor Party had an election commitment to stop the privatisation of existing public sector services. In the Premier’s words, what is the definition of “privatisation”? It is the transfer of a business industry or service from public to private ownership and control. Landgate is a service. Is it transferring from public to private ownership? Absolutely—because there is a contract. It says so in the media release. Have they got control of it? Absolutely. This is a smack against the people of Western Australia on the basis of a campaign that the Labor Party took to the last election. This is the second backflip we have seen from this government on this issue of privatisation. The last one was selling off our wind farm assets to some sort of Dutch infrastructure fund. The government did not even tell the people that they were going to do it. There was no consultation whatsoever. It was just put out the door. The Labor Party was talking privatisation when it took that to the last election. Who else is the government misleading? Obviously, the people of Western Australia is one, but it is also misleading its own people—UnionsWA. I have an interesting submission here from UnionsWA to the Economics and Industry Standing Committee, of which I am a member. The submission is on the website, so it is a public document. The document states at the top “UnionsWA: WA’s Peak Union Body” and it is signed off by Meredith Hammat, the secretary of UnionsWA. I quote a paragraph —

In 2011 UnionsWA, with the support of public sector unions, launched the Save Our Services ... campaign which aimed to ensure all West Australians, particularly those most in need, can access decent health care, schools, public transport and other government services. This can only be done by keeping public assets in public hands and to that end it fought the previous State Liberal–National government’s agenda of privatisation, outsourcing and cuts.

At best, it is outsourcing. At worst, it is privatisation. Government members cannot say that it is not in conflict with what their very supporters—in this case, UnionsWA—put out as a campaign at the last election. They cannot run that campaign, come in here, tweak an argument, run it through and expect people not to jump up and down and say that they are hypocrites. That is exactly what has gone on here.

We have heard commentary from the Premier even today; he could not answer the very simple question and explain to the people of Western Australia what the government means by the commercialisation of an arm of Landgate. He said to go back to the media release. I thought that would be bread and butter for the Premier of Western Australia, who came in here yesterday and said that the government is going to mobilise some of its assets and get some money for them. Mind you, it is not a little bit of money. The inference from the media release is \$650 million, and that is not small bikkies by any stretch of the imagination. The Minister for Lands ran an argument that the government will come up with the differences between privatisation and commercialisation as though that is some sort of argument that it is okay to take it through. It is not okay. The

people of Western Australia do not accept the argument that the Labor Party took it to the last election and now say that it is okay. Unions do not say that it is okay. The Labor Party's very own people do not say that it is okay. We have an argument to privatise an asset that is in the control of and owned by the state government of Western Australia.

If the government is putting out to contract for someone else to own and operate a commercialised asset or service and that entity is prepared to pay \$650 million, why would we not do that in government? Labor ran that argument when we sat on the other side of this place and considered these options. This is not about what our position was. This is about the Labor government's position. This is about what the Labor Party took to the last election and its credibility with the people of Western Australia about a decision it is making now, right as we go into the winter break when there will be less scrutiny on something that is massively hypocritical. The government needs to be held accountable for it.

**MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition)** [3.26 pm]: I, too, rise in support of this motion for which we have sought a suspension of standing orders to argue. I put on the record that it is a bit rich to be lectured by the Leader of the House about appropriate process in this place, when in our private members' time yesterday, we as an opposition—13 of us here and our partners, the Nationals—had our time taken up by government members. We get three hours of private members' time a week in this place and what do we see week in, week out? The member for Cannington was on his feet and made a filibustering contribution of utter diatribe. He consumed 45 minutes of our private members' time and contributed nothing to the debate that we were having—nothing. The Treasurer stood and contributed 28 minutes of information. That was appropriate. He was responding to our arguments. The member for Cannington was just consuming our time. The only options available to bring matters to this place are private members' business —

*Point of Order*

**Dr A.D. BUTI:** If the member wants to waste her time on this, I do not really mind, but it has nothing to do with the motion that is being debated at the moment.

**The ACTING SPEAKER (Mr I.C. Blayney):** Thank you. There is no point of order, but I will ask you to come back to the subject.

*Debate Resumed*

**Mrs L.M. HARVEY:** We have private members' business, matters of public importance and suspensions of standing orders, and that is what we have sought today. The government thought that having got through the Darling Range by-election, it could sneak out a privatisation agenda and no-one would notice. We noticed. I will tell members the difference between commercialisation and privatisation. Commercialisation is managing an enterprise or an entity to make a profit. That is what commercialisation is and that is what private businesses do.

That is not what government does. Privatisation is when a service or an entity transfers from government ownership into the private sector. The government's media release states quite clearly and explicitly that the decision to partially privatise Landgate will help to fund Western Australia's participation in the National Redress Scheme, which is expected to need \$640 million. The second page states —

An independent, competitive process will be undertaken to identify potential commercial service providers.

That is not government. That is a potential commercial service provider. That is called privatisation, unless the Labor Party does it. It calls it commercialisation if that is the case. That is what is happening here and that is why we are outraged and have brought it to the attention of this house. The minister stood and said that is not what the government is doing. Explain the media release. We have asked the minister multiple questions without notice and she has refused to explain what she means by commercialisation—refused. She has a big report informing the government's decision. She has not tabled that. What are we supposed to do with the information provided here except assume the bleeding obvious? When every other land titles registry had their functions privatised, it was through a long-term lease—a 35-year period, a 40-year period, depending on the state—or sale. There is an up-front deposit from the commercial operator to government and then usually a return on investment in the years after that. Whether it is a long-term lease or whether it is taking a function for a discrete time or it is moving the entire function out, it is privatisation. Call it what it is and own up. The government should own up and explain to the community of Western Australia what it is doing. Even on Landgate's own website, bulletin 311 states that the following automated services will move into this commercialised regime —

- Searches of the titles register
- Property interest reports
- Electronic Advice of Sale service
- E-conveyancing lodgement support services

That means they will be under the control of a commercial service provider yet to be determined by this state government. All we are asking the government to do is explain what its media release states. Explain how it will get \$640 million from a commercial service provider. If it is not selling a commercial service provider something, it is not leasing it something, it is not giving it access to the information held securely by Landgate to use for its own profit, what is it doing? The government has refused to explain it. The Premier has refused to explain it. We demand answers on behalf of the taxpayers of Western Australia. The constituency and the community out there who voted for Labor on an anti-privatisation agenda need answers on the government's agenda.

**MS R. SAFFIOTI (West Swan — Minister for Planning)** [3.28 pm]: I will respond to this motion. It is half past three on a Thursday. The opposition's first question today was on bunting. Let us go through that again. The opposition thought that it was so urgent —

**Mr D.T. Redman:** That joke has expired.

**Ms R. SAFFIOTI:** Sorry; is the member interjecting on or intimidating me? I think the member is staring intensely at me, and I do not like it. I do not like it.

**Mr D.T. Redman:** You of all people do not need to be downplaying the issue that was debated yesterday. It is a very different issue.

**Ms R. SAFFIOTI:** Why are you attacking me? Why are you raising this?

**Mr D.C. Nalder:** You raised it.

**Mr S.K. L'Estrange** interjected.

**Ms R. SAFFIOTI:** Is it okay to attack a woman, is it?

**Mr D.C. Nalder:** You raised it.

**Ms R. SAFFIOTI:** Three men here attacking a woman.

**Mrs L.M. Harvey** interjected.

**Ms R. SAFFIOTI:** I am feeling uncomfortable, member. I ask you to stop.

**Mr P. Papalia:** Double standards—two rules.

**Ms R. SAFFIOTI:** As I said, there are two rules in this place all the time.

**Mrs L.M. Harvey:** Like your two rules on privatisation.

**Ms R. SAFFIOTI:** Member for Scarborough, let us go through it. We are not selling an asset. That is the key point. No staff are being transferred. No asset is being transferred. The ownership of the registry stays with the state government. The ownership stays with the —

**Dr M.D. Nahan:** You are selling a long-term lease and you know it. Just be honest. Tell us what you are doing.

**The ACTING SPEAKER:** Thank you, Leader of the Opposition.

**Ms R. SAFFIOTI:** Mr Acting Speaker.

**The ACTING SPEAKER:** Carry on, minister.

**Ms R. SAFFIOTI:** We are not selling the asset. We are not transferring staff. We are keeping control of the asset. That is the key point. In relation to this —

**Mr S.K. L'Estrange:** How much money are you making off the sale?

**The ACTING SPEAKER:** Could the minister sit down. Those on the opposition side were pretty much heard in silence, so I would like to hear the minister in silence too.

**Ms R. SAFFIOTI:** We keep the asset. We keep the registry. We keep the asset completely. We do not transfer staff. No staff are leaving. I think opposition members do not understand what Landgate does now.

**Mr D.C. Nalder:** I do not think that staff get transferred when you sell land.

**Ms R. SAFFIOTI:** Why does the member for Bateman not make a contribution?

**Mrs L.M. Harvey:** You only gave us 15 minutes.

**Ms R. SAFFIOTI:** Maybe he could have asked a question. The opposition asked a question about bunting.

In relation to this, no assets are being transferred and no staff are being transferred. The member just said, "That's like land." With land, the asset is transferred.

**Mr D.C. Nalder** interjected.

**Ms R. SAFFIOTI:** Oh, jeez. Can you just listen?

**Mr W.J. Johnston:** Stop intimidating her!

**Mrs L.M. Harvey** interjected.

**Ms R. SAFFIOTI:** What was that?

**Mrs L.M. Harvey:** You don't look intimidated.

**Ms R. SAFFIOTI:** I do not look intimidated? There goes the member for Scarborough, who the other day said that if women feel intimidated, they should speak out: "I don't believe we should have a day where women can't say they are being intimidated." It is the two standards once again—the two standards that have existed from day one. Member for Churchlands, you are the worst of the lot. We have heard more about your past —

*Point of Order*

**Mr S.K. L'ESTRANGE:** The minister is impugning what I am thinking or feeling, when I am sitting in my chair, saying nothing. I ask her to be called to order.

**The ACTING SPEAKER (Mr I.C. Blayney):** Thank you.

*Debate Resumed*

**Ms R. SAFFIOTI:** He was looking at me intently!

Let us go through this. I do not know what members opposite think Landgate does. Do people know what they can currently access at Landgate? Do people actually understand what they can currently go and do a search on? That will stay the same. They can go, put in their credit card details, get some Landgate searches and see who bought the Pelago apartments, for example, member for Warren–Blackwood. They can see the connection between the Nationals WA and the people who bought the Pelago apartments.

The same access will remain. The member for Warren–Blackwood and the opposition are worried about privacy. Who gave the intellectual property of Landgate to Advara without a tender process? Who did that? Yes, they did. Who contracted out the IT system so that third parties can have access to that data for a very long time, through the IT system? This is just an elaborate scare campaign. I have to say that they are very good at it; Darling Range showed me that. A lot of people learnt lessons at the weekend—that the opposition hides the Leader of the Opposition when it counts and that it will say and do anything on the streets. It argued against the Byford rail line extension and went out there saying, "We're delivering Byford rail line; the Labor Party has pulled it." That is what it does. It says and does anything, and this is exactly the same case.

*Point of Order*

**Dr M.D. NAHAN:** This is a very important debate. We are going to stand down for six weeks and the government is going to go and pursue the privatisation of an asset. We have asked a question and the minister is evading it, talking about the Byford line and everything else. What is the relevance of what she is talking about? She is avoiding answering the question once again.

**The ACTING SPEAKER (Mr I.C. Blayney):** There is no point of order, but I will ask the minister to stick to the subject of the debate.

*Debate Resumed*

**Ms R. SAFFIOTI:** The member for Scarborough was allowed to go off-script. The member for Scarborough was allowed to go into what the member for Cannington said in private members' time yesterday, so I am going through the key facts here.

The key facts are: we are not selling an asset. We are not selling control of the asset and staff are not transferring, number one. Number two, when it comes to what data is available, what can be searched for now? That is what will be able to be searched for later, and I think the —

**Mr D.C. Nalder:** What are you doing?

**Ms R. SAFFIOTI:** We are selling, we are commercialising —

**Dr M.D. Nahan:** Selling! Gotcha!

Several members interjected.

**The ACTING SPEAKER:** Thank you, members!

**Ms R. SAFFIOTI:** We are commercialising —

Several members interjected.

**Mr D.C. Nalder:** You've got to admit, he did get you!

**Ms R. SAFFIOTI:** No, I think I did not say something right.

We are commercialising a revenue base to the state.

Several members interjected.

**The ACTING SPEAKER:** Thank you, members!

**Mr D.C. Nalder:** Capitalising.

**Ms R. SAFFIOTI:** We are commercialising —

Several members interjected.

*Point of Order*

**Dr A.D. BUTI:** Mr Acting Speaker, you made a previous ruling that we heard that side in relative silence.

**The ACTING SPEAKER (Mr I.C. Blayney):** I know. Unfortunately, the minister does keep addressing questions to the other side of the house, and members opposite are responding to them.

**Mr W.J. JOHNSTON:** Further to the point of order, the minister on her feet is entitled to ask rhetorical questions. They do not invite an answer. There is a long history in this chamber that it does not matter what the member on their feet says, there is no obligation on any other member to do anything other than remain silent. Given that the opposition was heard in silence, the same should apply now.

**The ACTING SPEAKER:** Minister, direct your comments directly to me, thank you.

*Debate Resumed*

**Ms R. SAFFIOTI:** We are commercialising the revenue base. That is what we are doing. The revenue that currently goes to the state will now go to another party and that will be paid up-front.

**Mr D.C. Nalder:** What does “commercialising the revenue base” mean?

**Ms R. SAFFIOTI:** It means we are making a profit out of an activity.

**Mr D.C. Nalder:** But that’s already happening.

**Ms R. SAFFIOTI:** We are getting it up-front.

**Mr D.C. Nalder:** So you’re capitalising it.

**Ms R. SAFFIOTI:** No, we are not. We are just changing the timing of the payment. No, we are not capitalising it.

Several members interjected.

**The ACTING SPEAKER:** Members! I would appreciate silence for the rest of the minister’s time, thank you.

**Ms R. SAFFIOTI:** We are commercialising the revenue base. The revenue that the state currently generates will now be paid to the state in one transaction; that is what we are doing.

**Mr D.C. Nalder** interjected.

**Ms R. SAFFIOTI:** The member said we were privatising; now we are capitalising. What is he saying?

*Point of Order*

**Ms A. SANDERSON:** I request that the Acting Speaker even-handedly chair this debate. We have had continuous interjections from the other side.

**The ACTING SPEAKER (Mr I.C. Blayney):** Member, if you wish to move a motion of dissent from the Speaker, that is fine.

**Mr W.J. Johnston** interjected.

**The ACTING SPEAKER:** No, I am not really familiar with what she asked in that situation. That is not a point of order.

*Debate Resumed*

**Ms R. SAFFIOTI:** Members opposite were saying we are privatising and now they are saying we are capitalising. What are they saying we are doing? I told them what we are doing. We are commercialising a revenue-generating activity.

**Dr M.D. Nahan:** You’re selling the revenue stream up-front.

**Ms R. SAFFIOTI:** We are commercialising it. We are not selling a revenue stream, we are commercialising a revenue stream.

Several members interjected.

**The ACTING SPEAKER:** The next person who interjects, I will call. I just want to hear the minister out, in silence.

**Ms R. SAFFIOTI:** The assets are not being transferred, the control is not being transferred, the staff are not being transferred. We are getting an up-front payment for an ongoing revenue stream.

**Mr D.C. Nalder** interjected.

**The ACTING SPEAKER:** Member for Bateman, I call you for the first time.

**Ms R. SAFFIOTI:** The member for Bateman needs to talk to the Leader of the Opposition, because he is saying something completely different. One is saying capitalising, one is saying contracting out and one is saying it is privatisation. We are bringing forward a revenue stream; that is what we are doing, and we are doing it to pay for a very important matter.

As I said with regard to the safeguards and the privacy issue, there will be safeguards in place. When the previous Minister for Lands created Advara and contracted out the IT systems, all those issues were taken care of then with regard to third parties having access to the registry. That is what we are doing. We are not privatising and we are not selling. We are commercialising a revenue base to the state.

**MR B.S. WYATT (Victoria Park — Treasurer)** [3.39 pm]: I rise to make some comments on this motion. I cannot help but reflect briefly on the fact that the very first question during question time from the Leader of the Opposition was about political bunting. He started his speech today by complaining; I wrote it down: “What safeguards? To whom? How?” He said we refused to tell him. He did not ask. He did not ask me a question at all; I have not been asked a question about Landgate, not one. The only question I was asked was one that I had to get my side to ask, because I have not had one question from the opposition. If the Leader of the Opposition is genuinely interested in these answers, he should ask a question about things other than political bunting, and he might start getting answers.

Already today there have been, I think, four different descriptions of what is actually happening: commercialisation, outsourcing, privatisation and capitalisation. It is an interesting debate, and I suspect that no matter what happens at the end of it, opposition members will continue to argue amongst themselves about what it is and we will continue to say what it actually is—the commercialisation of that revenue base. I want to deal with something in particular. Landgate as an entity has been going through a huge period of innovation. For at least the last 15 years, Landgate has been using third-party providers—private sector providers—to do what it does. The Deputy Leader of the Opposition made the point, and I quote her, that she is worried about the information “currently held securely by Landgate”. That will not change. That data is often provided by third-party providers. The member for Warren–Blackwood would know that more than anyone. Landgate is very good at this. That data will continue to be held securely by Landgate. I would say that there are three components to what Landgate does. It does spatial data work, evaluation work, and titling work. About 40 per cent of that titling and document registry work is currently automated.

*Point of Order*

**Mr W.J. JOHNSTON:** Mr Acting Speaker, I am confused. There is a man on his feet, and no-one is interjecting. There was a woman on her feet before, and the place was in uproar. What is going on?

**The ACTING SPEAKER (Mr I.C. Blayney):** The Speaker is being a bit stricter with the interjections, maybe.

*Debate Resumed*

**Mr B.S. WYATT:** About 40 per cent of that data is currently automated. The revenue source from that automation, for a range of activities, and I will go through some of those, is being commercialised—or, to borrow the word used by the member for Bateman, “capitalised”. If that is what the member for Bateman wants to call it, I am not fussed. “Commercialised” is what I am calling it. That will effectively bring forward a revenue base that would otherwise be paid over that period. It is not particularly complicated. There will be an up-front payment—I will be honest with the member; I know what the retention value is, and I consider it is not above the retention value—and that will enable us to fund the important decision we have made to join the National Redress Scheme.

**Mr D.T. Redman** interjected.

**Mr B.S. WYATT:** That is right, and that is the work that has been done by Investec. Investec looked at a couple of different scenarios, including what we would say was the full privatisation of Landgate. We rejected that full privatisation model, which is the sort of New South Wales–South Australia model. New South Wales got itself into a bit of strife, because it effectively gave third parties exclusive access to the retailing of that data, and it wonders why the prices went up. It capped prices at the wholesale rate but did not cap prices at the retail rate, and the people of New South Wales have been skinned as a result. South Australia did not make that mistake. We will not be doing that. Landgate will still be the provider of that service, it is just that the revenue will effectively go to that third party over the term of the lease, licence, contract or whatever we want to call it.

I want to deal with one thing in particular. The Leader of the Opposition said that what Landgate does is very important to our economy and to the price of property et cetera. That is correct. However, I want to make it clear that the basis of the Torrens title system is that it is also a public register. That is one of the fundamentally incorrect parts of the Leader of the Opposition’s motion for the suspension of standing orders. I will quote from the motion; it states, “its plan to sell the private and confidential data”. I am sorry to tell the Leader of the Opposition’s colleagues, but it is neither private nor confidential.

I recently did a range of searches on a range of hypothetical names. I could look at the property that the Leader of the Opposition owns in Shenton Park. I could look at the property that he owns in Willetton. I would know exactly how much he paid for them, exactly when he purchased them and exactly whether a mortgage or caveat is attached to them. Similarly with the member for North West Central who has raised these issues, I would know exactly when he purchased his not insignificant property in Mount Claremont, I would know exactly how much he paid for it, and I would know exactly who it is mortgaged to.

**Mr R.S. LOVE:** Mr Acting Speaker —

**Mr B.S. WYATT:** I might come to you, Mr Love.

*Point of Order*

**Mr R.S. LOVE:** Mr Acting Speaker, we did have a ruling before from the Speaker that it is not appropriate to highlight where members may have property, and the Treasurer has just done that.

**Mr B.S. Wyatt:** I did not say where anyone lives.

**The ACTING SPEAKER (Mr I.C. Blayney):** Thank you, member for Moore; and I would ask you, Treasurer, to reflect on that previous ruling.

*Debate Resumed*

**Mr B.S. WYATT:** Mr Acting Speaker, I have not referenced where anybody lives, and I do not intend to. But I am happy, and it is perfectly within any member of Parliament's entitlement, to refer to public data—as the person sitting to the member's right did just recently in respect of that committee report.

I go to the member for Moore. He owns a range of properties. This is all public data. One of the key points of the Torrens system is that it is a publicly accessible database. I could do a title search on any member, and they could do a title search on me. It would cost about 25 bucks.

Generally, most people come across Landgate at the point of a transaction when they buy or sell a property. That is, on average, once every seven years. The average Western Australian will still do that and will still be paying those fees. There will be no difference to anything that they see or interact with. The key point is that the commercialisation of this particular revenue source will enable us to do something very important—that is, fund our very important commitment to the National Redress Scheme. There is nothing surreptitious about this. I suspect that if opposition members were genuinely concerned about this, they would, as their very first questions, have come into this place and asked me, the Premier and the Minister for Lands all about it, not come in here and ask about the political bunting used by the Labor Party at the recent by-election. To me, that highlights either appalling judgement from the Leader of the Opposition, or the fact that he is trying to make a political point out of something that he knows is not a big deal.

*Division*

Question put and a division taken, the Acting Speaker (Mr I.C. Blayney) casting his vote with the ayes, with the following result —

Ayes (14)

Mr I.C. Blayney	Mr A. Krsticevic	Mr J.E. McGrath	Mr P.J. Rundle
Mrs L.M. Harvey	Mr S.K. L'Estrange	Dr M.D. Nahan	Ms L. Mettam ( <i>Teller</i> )
Dr D.J. Honey	Mr R.S. Love	Mr D.C. Nalder	
Mr Z.R.F. Kirkup	Mr W.R. Marmion	Mr D.T. Redman	

Noes (35)

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

Pairs

Mr P. Katsambanis	Mr J.R. Quigley
Mr K. O'Donnell	Mr D.T. Punch
Ms M.J. Davies	Ms J. Farrer
Mr V.A. Catania	Mr Y. Mubarakai

Question thus negatived.



**CORRUPTION, CRIME AND MISCONDUCT AND CRIMINAL PROPERTY CONFISCATION  
AMENDMENT BILL 2017**

*Returned*

Bill returned from the Council with amendments.

Leave granted for the Council's amendments to be considered in detail forthwith.

*Council's Amendments — Consideration in Detail*

The amendments made by the Council were as follows —

No 1

New Clause 24A, page 14, after line 21 — To insert —

**24A. Section 226A inserted**

After section 226 insert:

**226A. Review of 2018 amendments to Act**

- (1) The Minister must carry out a review of the operation and effectiveness of the amendments made to this Act by the *Corruption, Crime and Misconduct and Criminal Property Confiscation Amendment Act 2017* as soon as is practicable after every 5th anniversary of the date on which the *Corruption, Crime and Misconduct and Criminal Property Confiscation Amendment Act 2017* section 8 comes into operation.
- (2) The Minister must prepare a report based on each review and cause it to be laid before each House of Parliament —
  - (a) as soon as practicable after the review is completed; but
  - (b) not later than 1 year after each 5 year anniversary.

No 2

New Clause 76A, page 36, after line 23 — To insert —

**76A. Section 140A inserted**

After section 140 insert —

**140A. Review of 2018 amendments to Act**

- (1) The Minister must carry out a review of the operation and effectiveness of the amendments made to this Act by the *Corruption, Crime and Misconduct and Criminal Property Confiscation Amendment Act 2017* as soon as is practicable after every 5th anniversary of the date on which the *Corruption, Crime and Misconduct and Criminal Property Confiscation Amendment Act 2017* section 27 comes into operation.
- (2) The Minister must prepare a report based on each review and cause it to be laid before each House of Parliament —
  - (a) as soon as practicable after the review is completed; but
  - (b) not later than 1 year after each 5 year anniversary.

**Mr D.A. TEMPLEMAN** — by leave: I move —

That the amendments made by the Council be agreed to.

As will become very apparent, I am acting on behalf of the Attorney General in the handling of this bill.

**Mr P.A. KATSAMBANIS:** The opposition certainly agrees to these amendments, which have come back from the Legislative Council. They introduce review clauses into the Corruption, Crime and Misconduct and Criminal Property Confiscation Amendment Bill 2017. We believe that this strengthens the bill. In particular, it allows for the provisions to be reviewed within a five-year period. That is pretty fair, given the nature of the powers that are being conferred on the Corruption and Crime Commission by this bill to look at unexplained wealth and to confiscate unexplained wealth from people who may not necessarily have been convicted of a criminal offence but who clearly do not have any visible means of acquiring that wealth and do not have the ability to explain how they may have legally acquired that wealth. They are, in many ways, quite draconian powers. They reverse onuses of proof and treat someone as guilty unless they prove otherwise. We understand why they have been introduced. We debated it in this place when the bill first came to us. We debated the fact that this is necessary, because there is a cohort of people out there who structure themselves in a particular way to avoid criminal prosecution. Those people heavily enrich themselves, particularly through the misery of others, through drug dealing, meth dealing

and the like. We need to find an appropriate way to get them. It is a little analogous to the old and well-told story of Al Capone, who was eventually jailed for tax evasion rather than for any of the other, more nefarious crimes that he was accused of committing. Generally, the public is comfortable with these powers going to the CCC. We know that the police have had these powers for quite some time but have not really been able to effectively use them for a number of reasons. We know that the CCC wants these powers. That is all well and good, but reviewing the operation of the provisions is important.

The process that we have been through, with the bill coming through this place and then going to the other place and coming back with these amendments, shows that the bicameral system does work and does improve legislation. The opposition welcomes the insertion of these two clauses. We wish them a speedy passage. The other thing that we wish upon the state of Western Australia and the CCC is that they exercise these powers fully and bring people to account who deserve to be brought to account. We will be looking forward to regular reports from the CCC on its successes in utilising these powers.

**Mr D.A. TEMPLEMAN:** I thank the member for his comments. Obviously, the opposition and the government support the addition of both these clauses to the bill. We thank the opposition for its cooperation.

**Question put and passed; the Council's amendments agreed to.**

**The Council acquainted accordingly.**

**APPROPRIATION (RECURRENT 2016–17) SUPPLEMENTARY BILL 2017  
APPROPRIATION (CAPITAL 2016–17) SUPPLEMENTARY BILL 2017**

*Second Reading — Cognate Debate*

Resumed from an earlier stage of the sitting.

**MR D.C. NALDER (Bateman)** [3.57 pm]: I will get back to the point at which I left off—it seems so long ago now. I was talking about comparing the government's current budget with the 2016–17 budget. This government has talked about how committed it is to the regions and to royalties for regions, being the only party committed to it, but what we have seen in this budget process going forward, particularly relative to the 2016–17 year, is that 58 per cent of the royalties for regions budget is now used for things that, historically, were in the consolidated account. It is actually a sneaky way of reducing expense growth. If I compare that and add the cost-shifting that has occurred with the National Disability Insurance Scheme, the actual underlying expense growth in the state budget is considerably higher. It is a little misleading, and that is disappointing. We may not necessarily argue the point of a particular line item, but it is the fact that it has been done by stealth. We are highlighting the fact that the government has not been open and transparent about it.

On the back of that, I want to touch on a point that was made earlier. There was a bit of fun and banter in the house about commercialisation versus capitalisation versus privatisation and so forth. The Premier earlier used the definition of “commercialisation” to try to justify what it is. It is interesting. I took the time, whilst he was reading out the Google definition of “commercialisation”, to look it up myself. The definition is in two parts. One part to commercialisation is that it is the sacrifice of quality for profit—to apply methods of business before profit. The second part of the definition is that it is to do, exploit or make chiefly for financial gain. I was trying to understand what the government is doing with this recently announced sale because it will impact the bottom line of budgets moving forward. In 2016–17, there was a lot of discussion about capitalising Western Power for 50 years. We called it privatisation. We were lambasted for considering privatisation of Western Power, which was about capitalising or commercialising 51 per cent of the revenue stream for 50 years.

Interestingly, while we were in government, we talked about the opportunity to establish a freight charge. The transport industry agreed that we could use less than 50 per cent of the productivity gains to generate a freight charge. There was always the possibility that we could capitalise—or commercialise, to use the current government's term—that income stream. Main Roads estimated that the freight charge would generate around \$100 million a year. If we look at that as a capitalisation rate and sold it to a superannuation fund at a four per cent or 4.5 per cent yield, that revenue stream could be capitalised. That is essentially what government members are doing. We finally got it out of them. Members opposite critiqued me for using the term “capitalisation” but the Treasurer finally agreed to it; if a commercial property is sold, it is generally done on a yield, which is called the capitalisation rate. The capitalisation rate is because we are taking an income stream over a period and bringing it up front, turning it into a capital amount. That is what the government is talking about doing here in selling off the income stream of Landgate. The government will take a future income stream, bring it forward, and turn it into capital. At this point, I am not going to argue the merits of whether that is privatisation. The issue here is about what happens in the future in a budgeting sense. We will lose the revenue stream; we are giving away future revenue. That is all we are doing.

I think it is right that we ask the government serious questions about this. What we got from the government today was totally political spin. If the income stream on a commercial property is capitalised when it is sold, that is called capitalisation. Labor is using the term “commercialisation”, but it is still selling the property. Members opposite

are saying that they will hold onto the titles but sell the income stream. I do not know why this government has not been more transparent about doing that. I think it is because of the political spin—because government members argued so heavily in the election campaign to stop privatisation and because these were sugar hits that did not do anything to fundamentally underpin the budget. The argument made by members opposite was that this can be done only once, but they are now doing the opposite of what they argued 18 months ago. I think they are embarrassed so they are trying to change the definition used to somehow muddy the waters. They tried to link it to the redress scheme yesterday to try to take away some of the heat, but then they admitted that the redress scheme would be funded irrespective of the sale of Landgate. Then they tried to use a different word to get away from the term “privatisation” by saying it has been “commercialised”. I think that is totally inappropriate.

To sum up the 2016 capital appropriation, the outcomes of the final results were a lot better than what was forecast prior and I am pleased that we were able to hand over the books in a better position than what we thought they were going to be in. I remind members opposite that net debt was at \$31.96 billion, not \$40 billion, which the Premier loves to claim. He is using the forward estimates of the *Pre-election Financial Projections Statement* to justify the forward estimates of the future debt rate. If he does that, because they are estimates from Treasury, then he must take the last forward estimates of Treasury; they indicate that if a Liberal government had been returned, net debt would be at \$28.8 billion. We are saying it will be at \$31.96 billion, but if we look at the forward estimate used in arguments made by members opposite, is \$28.8 billion. What is happening and what we are seeing from this capitalisation—the net debt position at the end of these books; what the appropriation is for—is net debt at \$31.96 billion. Mark my words; the budget shows that by the end of the next financial year, net debt will be above \$39 billion. In two years, this government has shifted debt from under \$32 billion to over \$39 billion. That is what members opposite have to take responsibility for.

**DR M.D. NAHAN (Riverton — Leader of the Opposition)** [4.05 pm]: I will not be long but I want to make a couple of comments. The subject is the *2016–17 Annual Report on State Finances*; I had a lot to do with its framing and outcome, but not the report.

I want to bring members back to what might be perceived as a bit of history to highlight a few aspects of this report. As the member for Bateman, the shadow Treasurer, pointed out, when we started on the 2016–17 budget, we forecast a deficit of \$3.9 billion. That was huge; it was easily the forecast record. It was brought on for a number of reasons but, most importantly, the collapse in revenue. We then undertook substantial efficiency activities throughout the public sector so that expenses in 2016–17 were not only forecast to decline, but also declined substantially faster and more significantly than expected. The declines in expenditure in 2016–17 were larger than any of the declines, forecast and actual, made by the McGowan government. In other words, fiscal restraint was on, was working and was implemented by the former government. Members opposite inherited some of it; I would like to make a comment on that. The key thing is that, again, this shows that the major factor we faced was a complete collapse in revenue. For the four years from 2013–14 to 2016–17, revenue was lower each year on year and declined over that period despite population growth and despite increase in demands for services by over two per cent. In other words, revenue went down. There is only one instance in the history of the states since World War II in which revenue declined in a state; it was in Victoria in the 1990s. We had three years of that—phenomenal.

Turning to page 10 of the report, that led to the tightest and lowest expenditure growth in over two decades. It was substantially lower expenditure growth than was experienced under the Gallop and Carpenter governments. To read from a graph on page 10, the budget that we inherited from the Carpenter government had expenditure growth of nearly 14 per cent in one year. Over the three years from 2014–15, it averaged two per cent growth. We often hear the rhetoric of members opposite saying that we ruined the books, did not do anything and that we spent too much and we spent too little. The reality is that we had the largest revenue hit in our state’s history and no-one could have avoided budget deficits from that. I have done a little analysis, although this is history and I will move off it in a minute. If we had the grants—tied grants and GST grants—for the last four years of the Barnett government that the McGowan government is now experiencing, even with its relatively low share of GST at about 48c, we would have never had a deficit and when we handed over government, the debt would not have been \$31.9 billion, but less than \$24 billion. That shows the importance of revenue, the importance of the volatility of our economy, and the difficult times we have been through. A very large proportion of the \$31.9 billion debt that members opposite inherited—\$7.3 billion—was basically due to utterly collapsing revenue. That is history.

I will not go into the budget too much. We can wander widely in the debate. All I can say is that the latest budget of the McGowan government is fraudulent. It made commitments to a whole range of capital infrastructure. It not only made those commitments to the electorate, but also signed on the Turnbull government to fund those in partnership. The state government’s share of the funding for the \$2.8 billion worth of those committed projects, including the Tonkin Highway extension, is not in the budget. The government spent a huge amount of money in the campaign that ended last weekend on saying that it is committed to the Byford rail line and the Tonkin Highway extension, yet none of that money is in the budget. If the government does not have money in the budget, it is not committed to it. It is very easy for the government to reduce its debt levels if it commits to expenditure and does not put the money in the budget. It is particularly easy if it takes commonwealth money; it lowers the deficit by

bringing it in and spending part of it or it books it and does not spend it. Indeed, the so-called reduction in debt of \$2.8 billion over the forward estimates, as claimed by the Treasurer, is entirely due to the government leaving out the \$2.8 billion of infrastructure that it has committed to in a joint venture and that it promised to the electorate. In any other words, that is fiddling the books. If a private firm did that, the Australian Securities and Investments Commission would be all over it like a rash. Luckily, the government has a large number of people who are not looking. We will be. One of the lessons from last weekend's by-election is that the electorate, unlike the government, is focused on what the government is doing, not what past governments have done. This government is still trying to govern by looking in the rear-view mirror, and that is why it is getting into trouble and hitting all sorts of problems.

I would like to summarise the debate we have just had. Let me put this in context. The government talks about the important redress scheme. How will it fund that legitimate issue? Maybe it should not spend as much on Metronet. Let me put aside how the government will fund it. It is an appropriate commitment and I congratulate successive commonwealth governments for driving that through the royal commission. It was largely a commonwealth issue. All the state did is agree to the findings of the commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse that was originated by Julia Gillard, and appropriately so.

The government has said that it is going to commercialise an asset. That is a weasel word for privatisation. Landgate is already commercialised. The Treasurer admitted that. The press release states that. It was put on a commercial basis some years ago. It has been proving itself. Indeed, in the past two years, it has reduced its FTEs by 17 per cent. It is making itself more efficient and is digitising its entire activity. That is great. That is what it should do. It is a very important asset. The government has said that it is going to commercialise it, but it is already commercialised. What the government really means—this is what we tried to get out of it—is that it hopes to get in the vicinity of \$600 million for it. It is transferring a right, an income stream and an asset to the private sector. That is all we know. We asked government ministers questions and they were as evasive as they could be. They used weasel words. They did not describe it. They have not put anything on the table. They have not briefed us in any detail. They have not given a ministerial statement. When we asked questions during question time, they were evasive. People who have children will know that that is a clear example of someone trying to avoid the truth. That is what they are doing. As usual, the Treasurer did the best. The Minister for Lands' response was basically useless. As I understand it, the Treasurer essentially said that the whole business of Landgate is commercial; it makes a profit. In fact, in four years, it will make about a \$50 million profit. That is the forecast. That is a good rate of return. The government is the largest buyer of services from that business. The Treasurer said that the electronic services of that business will be sold to a private vendor. That is possible. Basically, the government will sell an income stream, as the member for Bateman described, but that is not what it is going to do. That is what the Treasurer implied, but that is not true. We are looking at shadows, because the details are sparse. This is a very important asset and the government is talking about handing over for potentially a long time a major income stream, but it has not come clean on what it plans to do. If we had tried to do that in government, there would have been a riot, and appropriately so.

The press release states —

Pricing for services provided under the contract —

In other words, there will be a contract with a private provider that will take over the provision of those electronic services that will be commercialised, so the Minister for Lands is right—sold. It continues —

will be capped at CPI or CPI plus one per cent, ...

In other words, there will be a contract with a private provider and that private provider will have a degree of control over the pricing of those transactions. That is more than just selling an income stream; that is allowing the provider to determine the income stream. This is what is happening in New South Wales, Victoria and South Australia, so it is not a surprise. But government ministers did not say that. They refused to say it. The press release continues —

... meaning a new operator —

In other words, the government is going to sign a contract with the new operator and that entity is going to operate the electronic services business. It is not just going to buy an income stream, as the Treasurer said; it is going to operate that business and have some degree of control over the pricing of those services. In other words, it will provide a number of services using the Landgate database. The government is going to sign a contract with a private provider and that private provider is going to have a degree of control over the operation and pricing of those services. That is privatisation. It will not necessarily own the database, but it will have access to it in a wideranging manner. The electronic processes, which are probably the most valuable asset of Landgate, will be sold and transferred to the new contractor. In this business, it is an electronic service provider based on the database. The proposal is to sell to a private provider the right to provide services using Landgate hardware and that provider will determine to some degree the prices and the services provided and it will pay an up-front fee of an undetermined amount for that right. That is privatisation. That is selling a services business. That is what the government is doing. There might be some other details but there are a lot of questions to be asked.

Why did ministers not just come out and say it or put it in a press release? They could have put this in a press release. They were as evasive as hell. Do members know why? It is because the Treasurer did not want to do this, and the Premier and all his minions campaigned against privatisation not only at the last election, but also last week. The government campaigned strongly against privatisation and now it has announced the privatisation. That is what it has done, but it cannot cop it sweet. It is trying to be evasive. It is not going to get away with it. It could just say that it had a change of mind and cop it sweet. Let us debate the details; they are important. But the government has not provided those because it is avoiding what it is doing, and then in the process it has not provided adequate details to us and, therefore, the public of Western Australia. There is a range of issues. The member for Bateman highlighted a very important one. In the budget, Landgate is forecast to provide over \$100 million of dividends and incomes tax equivalents to the state. How much of that is going to go? In other words, how much will this securitisation sale cost the budget? What is the net? The government has not told us. In fact, it has avoided the issue. When we look at Landgate's documentation, the government plans to digitalise its whole business. From reading what Landgate states in its documents, this government is going to sell to the contractor all the activities of Landgate that are currently digitalised. The government plans to digitalise all of Landgate. The question is: when the government digitalises the remaining activities of Landgate, will it sell them to the same business? Will that be part of the contract? I do not know, but it is very relevant. Do members know what that would mean? The government will eventually sell all of Landgate. These are really legitimate questions to ask.

The second issue is privatisation. The proposal, as I hear it, is that the database will be maintained, owned and controlled by Landgate, the government entity—fine. But the private provider will have almost unfettered access to it because it has to provide the services to it. What restrictions will be placed on the contractor to stop it from taking the database *holus bolus*, moving it somewhere else and selling it to third parties for big data usage? Because that is a real value there. Let us be honest, that is the value in the process. That is the value that was sought and paid for in New South Wales, that is the value that was sought and paid for in South Australia, and that is what a third party seeks. The government might have put some restrictions on the contractor, but we have no idea. Another point is: will we be able to scrutinise this down the track? The Minister for Transport made it quite clear when she announced this that it would not be subject to legislation even though Landgate is involved in over 48 pieces of legislation—no legislation, no way to scrutinise, no study, no detail, an evasive description and a broken promise. This is appalling public policy. We on this side of the house are not totally against privatisation. We went to the election on the basis of a wideranging plan of privatisation doing exactly what this government is doing; that is, to contract out on long-term lease certain government assets and services. But do members know what the difference is? We were honest, we disclosed it in detail, we identified the total economic impact on the state and we went to an election with that information. The Labor Party did the opposite. It campaigned against it, it won government on that basis, it has decided it has to do it because it is a problem that it does not have a solution to, and now government members are sitting here trying to privatise assets and hide the fact it is doing that. The results are twofold. In the process of trying to hide it, the government is not disclosing to the Parliament of Western Australia what it means. The Treasurer has said that we have to fund redress—yes, we do. But the reason that the Labor Party has a real problem is: first, that it does not have a debt program and, second, and more importantly, it went into that last election promising too much, too soon on Metronet, which has gobbled up every cent of capital money that it has for investment leaving no money for hospitals, schools and everything else, including redress. Therefore, it is Labor's own lopsided policies on capital spend and its own policy to fight against privatisation that is causing the problem. In other words, the problem is yours!

**DR A.D. BUTI (Armadale)** [4.25 pm]: This Parliament, from time to time, has the ability to come together and make significant statements that hopefully allows those to whom they are directed, to feel some sense of relief, joy or vindication. Over the history of this Parliament, there have been some of those occasions, one being the apology to the so-called stolen generations back on 28 May 1997. The then Leader of the Opposition, Dr Gallop, moved a motion that stated —

I move, without notice —

That so much of the standing orders be suspended as would allow me to move a motion of apology for past policies under which Aboriginal children were removed from their families.

The government at the time agreed to the suspension of standing orders for that motion to be debated. The Premier, Mr Court, also spoke about the Aboriginal stolen generations. That motion was debated in this Parliament a day or two after the tabling in federal Parliament of the report, "Bringing them Home", which delved into the history of the stolen generations in Australia. In the last paragraph of Dr Gallop's address he states —

An apology may well be a symbolic gesture but symbolic gestures can be very powerful. Nor do we expect Australians to forget our non-indigenous history. Anzac day commemorations and the call "Lest we forget" is one example that would go to the hearts of most Australians. In turn, let us offer a similar dignity to indigenous Australians about their own history and its effect on our national history, by acknowledging the past forcible removal of Aboriginal children and offering our deepest apologies for what happened.

Mr Court, the then Premier, rose to his feet and stated —

It is difficult for many people to understand the depth of emotion that Aboriginal families have felt for some time, and will continue to feel for some time, as a result of their families being forcibly separated. I can think of no more difficult issue for a family to come to grips with than having to cope with such an issue. One cannot ignore the past; one can try, but there is no point in trying to ignore the past, because it is important to learn from the past. There is now a growing acceptance in our community that some policies that were implemented by previous Governments have caused a great deal of pain, not only for one generation but for a number of future generations.

He went on to talk about that, which was in contrast to the federal Leader of the Liberal Party, the Prime Minister at the time, John Howard, who refused to agree to a parliamentary apology to the stolen generations.

We then move on to this Parliament on 13 August 1998 when Dr Gallop, the Leader of the Opposition, again moved a motion to amend a motion that was moved by Mr Barnett, the then Leader of the House, about the British child migrants, although some did come from what was then called Rhodesia. Dr Gallop moved —

That this House apologise to the former child migrants on behalf of all Western Australians for the past policies that led to their forced migration and the subsequent maltreatment so many experienced, and express deep regret at the hurt and distress that this caused.

One of the commissioners in the recent Royal Commission into Institutional Responses to Child Sexual Abuse is Andrew Murray. He was a former child migrant who I think went to Rhodesia, as it was called at the time. The Parliament on 13 August 1998 came together to express its regrets and apologies for the history of the child migrants. Then in the other place on 19 December 2001, a motion was moved to make an apology to Vietnam veterans and the way that they had been treated on their return. I think that was spoken to by Hon Derrick Tomlinson, who was then followed by a number of parliamentarians on both sides of the aisle. Since I have been in this Parliament, we had on 19 October 2010, which is about two weeks after I was sworn into this Parliament, an apology for the removal of children from unmarried mothers. The Premier, Hon Colin Barnett and the Leader of the Opposition, Mark McGowan, came together and spoke as one voice to apologise for the mothers that were forced to give up their children.

More recently, on 1 November 2017, we had an apology and an expungement of historical homosexual convictions, and Premier McGowan read a statement on that. Leader of the Opposition Hon Mike Nahan started his presentation by stating —

On behalf of the opposition, I rise to support the apology the Premier has offered to those people who have criminal convictions for a consensual relationship they were involved in, which, although deemed illegal in the past, is not illegal today.

The Acting Speaker (Mr R.S. Love) spoke on behalf of the National Party and supported the motion. Those were occasions when this Parliament realised what needed to be done—that was, to make an apology for injustices of the past. We had that chance yesterday. I found what happened yesterday very upsetting and incredibly disappointing. I must say that I was also incredibly surprised by what happened yesterday. An apology is an important issue in reparations for human rights abuses. I do not think anyone would deny that child sexual abuse is a major human rights violation. There are many academic writings and United Nations resolutions on the need to give an apology to victims of human rights abuses.

The Royal Commission into Institutional Responses to Child Abuse published the “Redress and Civil Litigation Report” in June 2015. There were a number of reports before we had the final report. Recommendation 5 mentions that appropriate redress for survivors should include elements of direct personal response, counselling and psychological care and monetary payments. In respect of that report, the government yesterday outlined that it had accepted most of the recommendations that are applicable to the state government, because the recommendations of the royal commission are to the federal government and to the various state and territory governments and institutions, particularly the churches. This government, as members know, has provided a redress scheme and has removed the limitation period for child sexual abuse so that people may undertake civil litigation. Yesterday, on 27 June 2018, the gallery was full of people who had been victims of historical child abuse and who had been invited to this Parliament; they were hoping and anticipating that this Parliament would speak as one voice while providing an apology to victims of historical child abuse. It started off very well. The Premier got to his feet and, as we know, mentioned the royal commission and he also apologised. He said, in part —

... on behalf of the Western Australian government, I apologise unreservedly for the sexual abuse of children in Western Australian government institutions. The government had a duty ... to the children in its protection, and the state of Western Australia failed in that duty. For that, I apologise. More broadly, for children in WA who experienced sexual abuse in any institution, I apologise. You experienced something horrible—unimaginable to many of us here. You had your innocence stolen, your faith and trust in society broken, and authorities did not recognise the pattern. For that, the government of Western Australia and myself are truly sorry.

Then he concludes his speech by saying —

I am sure I speak for all Western Australians when I say this can never happen again, and we are truly sorry for what has occurred.

I will move on to the statement of the Leader of the National Party, Hon Mia Davies. Hon Mia Davies also understood the gravitas of the situation and the necessity to speak to the people in the gallery and the many other Western Australian victims of historical child abuse. In her speech, she talked about the royal commission et cetera. She said —

I urge everyone to take the time to understand the body of work conducted over the past five years. It is so very important to understand our history—it is fundamental to ensuring we will never need to conduct a royal commission of this nature again.

I join with the Premier and the Leader of the Opposition to apologise to the survivors, and to those who have suffered and are no longer with us.

Hon Mia Davies understood what was needed yesterday. The Minister for Child Protection also outlined the government's responses. Who could not be moved by the poem that she read out, which was called "Who will cry for the little boy?" by Antwone Fisher? It was a very moving poem. The statements of the Premier, the Minister for Child Protection and the Leader of the National Party were punctuated by the statement by the Leader of the Opposition, Hon Mike Nahan. Yes, he apologised and he stated —

I join with the Premier in apologising for past wrongs. I am deeply sorry that previous governments and institutions turned a blind eye to the horrible crimes perpetrated on children. I am sorry that when children spoke up, they were ignored.

Of course, that was appropriate. But he spent the majority of his speech making a political point about what the government did under Alan Carpenter, seeking guarantees. I am not speaking for the minister—she will speak for herself—but can anyone guarantee that no child in Western Australia will be subject to child abuse? We need to put in place systems that will make that unlikely, but no-one can guarantee it. As fathers or mothers, we cannot guarantee that our children will not be subject to sexual abuse. It is a silly question that the opposition keeps asking of the Minister for Child Protection. Hon Nick Goiran in the other place keeps driving that issue. I say to Hon Nick Goiran: if he has been told by anyone of the potential or the likelihood that sexual abuse is happening or likely to happen in Roebourne, he has an obligation to report that to the authorities. If he has done that, good on him. If he has not done that and seeks to try to play games in the political process, shame on him.

I was absolutely appalled yesterday, when I heard the Leader of the Opposition's statement and we had a parliamentary gallery full of victims of historical child abuse. These people are not children anymore. They will not be subject to child abuse tomorrow. We have to do everything to we can to stop child abuse happening. They were here as a result of a long process, a long royal commission into historical child sexual abuse, which has gone on for many years. One of the recommendations of one of the earlier papers is that an apology should be made to those victims by any institution responsible. Of course, the institution of government in Western Australia holds responsibility for some of those historical child abuses. What did we hear from the Leader of the Opposition? It was an apology, but it was lost. It was lost in the rest of his speech, which sought to score political points. Talk about a person not understanding the severity of the situation or the appropriate speech that needs to be made.

The people who came to the gallery yesterday were coming to hear an apology and hoping that we would speak as one. I came to this Parliament expecting that. I cannot speak for the Liberal Party. If it was discussed in the party room and they agreed to it, shame on them. If it was not spoken about in the party room, I would hazard a guess that most of the Liberal Party members would have been surprised by the speech presented by the Leader of the Opposition yesterday. In my nearly eight years in this house, the speech by the Leader of the Opposition yesterday has to go down as the most disappointing speech I have ever witnessed. We were here for a historic occasion, and, as I have relayed, bipartisanship on the issue goes back to 1997. There have even been motions moved by the Leader of the Opposition of the day agreed to by conservative Premiers, because they understood the gravity of the situation. Richard Court understood the gravity of the stolen generations; he understood the gravity of the British child migrants. The current Leader of the Opposition last year understood the gravity of convictions for consensual homosexual relationships. How could he not have understood the situation yesterday? It called for leadership and bipartisanship, and what did we get? We got sentence after sentence of the Leader of the Opposition trying to criticise former Labor governments and the current Labor government, and trying to seek guarantees that are impossible to give. The Minister for Police might bring in the most draconian traffic laws and the opposition might ask, "Can you guarantee that no-one will go over the speed limit or that no-one will be killed?" Of course she could not guarantee that. Shame on the Leader of the Opposition for yesterday. I may differ from some of my colleagues in that I think he is a good man; generally, I think he is a good man. I cannot understand how he could have come to the Parliament yesterday and present the speech that he presented. We had a chance yesterday to speak as one organisation—the body politic of Western Australia—to the many people in the gallery, to their supporters, to the deceased and to their family members, but we unfortunately

failed. We on this side of the house did not fail; the Nationals WA did not fail. Hon Mia Davies made an appropriate speech. I do not even think it was the Liberal Party that failed yesterday; I hope it was not, but the Leader of the Opposition definitely failed.

[Member's time extended.]

**Dr A.D. BUTI:** The Leader of the Opposition failed yesterday, and if members of the opposition were not privy to what was going to be said, they will have failed if they have not criticised the Leader of the Opposition since that speech and if some of them do not stand up at some time to express their disquiet or disgust at the speech that was presented yesterday by the Leader of the Opposition.

Reparations for human rights abuses require an unreserved apology and there should also be monetary compensation attached, which is what will happen under the government's response to the redress scheme. If the opposition has political points about child protection, it should talk about it at a different time. It should ask questions during question time or bring it on as a matter of public interest. It could have brought it on as a matter of public interest yesterday, but when the gallery was full of victims, their supporters and probably family members of deceased victims, the opposition let that opportunity slip. I was disgusted, saddened and incredibly disappointed.

I was not going to make this speech today, but when I went home last night and thought about it, I thought I had to come to Parliament today to make this point. I still cannot believe how the Leader of the Opposition thought it could be appropriate to make such a speech. Shame on the Leader of the Opposition, shame on any opposition member who has not pulled him up on that speech, and shame on any of them who knew about it—shame, and incredible disappointment.

**MR J.E. McGRATH (South Perth)** [4.44 pm]: Before I make some comments on the Appropriation (Recurrent 2016–17) Bill 2017 and Appropriation (Capital 2016–17) Bill 2017, I would like to say to the member for Armadale that, as a member of the Liberal Party, I can guarantee him that all of us support the National Redress Scheme. We all support the government's decision to join in. A lot of us have spoken in this place about people who were victims. There was a person in my electorate who contacted me and I spoke to him a couple of times. I said, "What actually happened?" He said, "I can't talk about it, but you can go to the royal commission. I gave evidence at the royal commission." I asked my adviser to have a look at it and I asked, "What did you find?" He said, "I couldn't keep reading it; it was so terrible." We are very cognisant of the fact that this issue needed redress, we support what the federal government has done and we support what the state government has done. I am speaking on behalf of our members.

**Dr A.D. Buti:** Do you support what was said by the Leader of the Opposition yesterday?

**Mr J.E. McGRATH:** Actually, I missed what was said by the Leader of the Opposition. I was late getting in here and I missed his speech, but we are all very supportive of the redress scheme. Obviously, from what the member says, he was very disappointed in what the Leader of the Opposition said in his speech. He agreed with the apology, and then he made some other statements. The member for Armadale does not agree with those statements and thinks that they may not have been parliamentary; that is for him to —

**Dr A.D. Buti** interjected.

**Mr J.E. McGRATH:** I am not going to comment on it, and the member should not expect me to comment on it. He is the leader of our party. No, I am not going to comment on it. I am saying that members on this side of the chamber, to a person, all agree with what has happened, and we are all appalled at the shocking way in which these people were treated as young boys, and we have all spoken about it. We have all supported it over a long period of time and made speeches in this Parliament about it.

That makes it very difficult for me to now speak about what I was going to speak about, because it is a pretty sombre note on which to go into the winter break when we are debating something like this. It is something that we all agree on. If politics got in the way, sometimes that happens, but it should not have happened. It should not have happened.

I want to make a few comments. We are going into the winter break and the Treasurer said during the budget debate and in his budget speech that he wanted to bring to an end any speculation about the possible sale of the Totalisator Agency Board. I want to make a few comments about the racing industry. I am aware that the Treasurer and Treasury officials are working towards making a decision one way or the other on the sale or non-sale of the TAB.

We talked about Landgate. In government, I was a big supporter of privatising the TAB. People said to me, "You're selling the TAB?" I said, "No, we're not selling the TAB at all. We are privatising the right to operate the TAB, which someone will pay the government for, but the government will always own the TAB." Yesterday I asked the Minister for Racing and Gaming a question, and it was brought about by a story that appeared in *The West Australian* last week under the heading, "TAB needs 'cost cutter'". It was a very brief story. It states —

Investment bank Morgan Stanley feels a buyer of WA's State-owned betting agency would cut its "relatively high" operating costs to push it back into profit.



The TAB recorded a \$5 million loss last financial year, mainly because of its “significant” cost base, the bank’s analysts say in a research note that explores the potential purchase of the agency by Tabcorp.

**The ACTING SPEAKER (Mr R.S. Love):** Members, could you just keep the conversations down, please? I think it is getting a little loud.

**Mr J.E. McGRATH:** The article continues —

Morgan Stanley estimates the TAB’s operating expenses make up 55 per cent of its \$340 million in annual revenue, compared with just 21 per cent at Tabcorp and 23 per cent at NSW betting house Tatts, which was taken over by Tabcorp last year.

I raised that with the minister yesterday because as a member of Parliament and as a member of the Western Australian community and a person interested in the racing industry, I was concerned about that fact. I said to some people, “If you owned a business and you had an inventory done of your business and you found out that the cost of running the business was 55 per cent of the annual revenue, you’d have to have another look at how you were running the business.” I am asking the Treasurer, who is handling what is happening with any future sale or non-sale of the TAB, to have a good look at this, and during the winter break maybe come up with an answer for us as to what the future of the TAB will be. It would be good when we come back for the spring session if that further work had been done with the industry to come up with a solution one way or the other. I know that the Treasurer has been working on this.

Regardless of what people may see with the big races and the people who race the champion horses, the racing industry is in a period of decline. Fewer mares are going to stud each year, and fewer foals are being born. Attendances at the tracks are down. Offcourse wagering figures are down. It is a tough time for the racing industry.

I was particularly shocked last night to hear of the exit of Neil Pinner as chairman of the Western Australian Turf Club, otherwise known as Perth Racing. He has gone from the board. Trevor Nisbett, the chief executive of West Coast Eagles, has also departed the board of the Western Australian Turf Club. I believe this highlights the fact that there are problems in the racing industry. Perth Racing has been trying for some time to develop its racing headquarters at Belmont park as part of a billion-dollar redevelopment plan that will take in massive high-rise residential areas around the racetrack. The club has been able to come up with sufficient funds to build the new grandstand that is required. A lot of people believed that Neil Pinner in his role as chairman—not that he has been there for long—would be able to drive that redevelopment. It is a shock, and that will resonate through the industry, that he has now stood down as chairman. The new chairman is Colin Brown. He has a big challenge ahead. He is a horse breeder. I have met Colin a few times at the races. Paula Sutherland has been elected deputy chair. She is the first ever female deputy chair in the history of the Western Australian Turf Club. I think that is a big story in the racing industry. As I have said, Neil Pinner, and his deputy, Trevor Nisbett, have stood down and have been replaced by Colin Brown and Paula Sutherland as chair and deputy chair. Matt Birney is staying on. Trevor Nisbett and Matt Birney were seconded onto the board by Neil Pinner to provide knowledge and capabilities on corporate matters, and, in Matt Birney’s case, knowledge about politics and things like that.

This has come at a very difficult time because of the redevelopment plan for Belmont Park, the announcement of which was attended by the Premier and maybe also the Minister for Planning. That reminds me of how long we have waited for this plan to come to fruition. The redevelopment plan was announced in 2004, with the headline in *The West Australian*, “Billion-dollar Belmont plan”. The story by Steve Butler and Peter Austin states, in part —

Belmont Park, Perth’s ageing wet-weather racetrack, is set for a billion-dollar redevelopment which would transform the venue into a high-rise residential playground with a monorail to the Burswood Casino and provide a new home for the WA Museum.

This was said in 2004, 14 years ago.

**Mr J.N. Carey:** Bring on the monorail!

**Mr J.E. McGRATH:** We could have bought it from Sydney and had it stacked somewhere.

It continues —

WA Turf Club officials yesterday outlined to Premier Geoff Gallop the proposal which will be set on what has been described by real estate experts as the most prized piece of residential land in Australia. The 73ha peninsula site is owned by the WA Turf Club.

That was the plan. The industry has been waiting 14 years for something to happen, and I do not think a shovel has been put into the ground yet. It is a challenge for the industry. It is also a challenge for the government, because I am sure the government would like the racing industry to establish a winter headquarters and a possible night racing venue at Belmont Park. I am aware that the Minister for Racing and Gaming has been in talks with Perth Racing and also with Racing and Wagering Western Australia about whether they can raise some funds. That was one of the reasons that I suggested at the time that the only way to get those sorts of funds would be to privatise the TAB, because whenever that sort of thing happens, we get an upfront payment from the buyer, and

that might have created an infrastructure fund that would have enabled the industry to do that work. It is interesting times. I look forward to when we return from the winter break, and hopefully at that time the Treasurer and the minister for racing will be able to give us more advice on progress about the future of the TAB.

I repeat the warning that the racing industry is facing tough times. The racing industry is very important to our state. It employs a lot of people. It is an important part of our entertainment and tourism in Western Australia. Belmont Park represents a huge opportunity, because it is in the entertainment precinct right opposite the new stadium. The government and we as a Parliament need to get behind this.

**MR J.N. CAREY (Perth — Parliamentary Secretary)** [4.56 pm]: It is my pleasure to speak to the Appropriation (Recurrent 2016–17) Supplementary Bill 2017 and the Appropriation (Capital 2016–17) Supplementary Bill 2017. As members know, the purpose of these bills is to authorise unforeseen and extraordinary recurrent expenditures that were charged under the previous government. I am very proud to be part of a state government that is restraining agency expenditure. We know from this government's latest budget that this state now has the lowest growth in recurrent expense in more than 20 years, at just 0.9 per cent.

This state is facing some significant challenges. One of the key challenges is urban sprawl. That will put major pressure on the budget in future years and major pressure on infrastructure expenditure. That is a topic that I talk about regularly in numerous speeches as the Parliamentary Secretary to the Minister for Planning. There is no doubt that urban sprawl will be one of the biggest cost pressures for Western Australia and the state budget into the future. This government is undertaking three key reforms that are critical to addressing this issue—strata reform, planning reform and local government reform. At the end of my speech on local government reform, I will also address the comments made by the member for Carine about the City of Perth and his conduct in this Parliament.

We have been told again and again about the cost pressures of urban sprawl. Reports indicate very clearly that if we do not tackle urban sprawl in a meaningful and serious way, the costs will be astronomical. Back in 2013, the Committee for Perth was out front leading the charge against urban sprawl. In an article titled "Urban sprawl fuels Perth's traffic congestion", it makes a clear connection between urban sprawl and traffic congestion and says that not only do people living in Perth's outer suburbs have higher rates of car ownership than those who live closer to the city, but they are forced to drive to work because they do not have a choice. In 2014, the Environmental Regulation Authority said that the cost of congestion in Perth is forecast to rise to \$1.6 billion by 2015 and over \$2 billion by 2020. In 2015, the "RAC BusinessWise—Chamber of Commerce and Industry Congestion Survey" revealed that 87 per cent of 250 businesses had experienced lost productivity due to problems related to traffic congestion. Infrastructure WA predicted that congestion will lead to \$16 billion a year in lost productivity by 2031. It is predicted that urban sprawl and congestion is costing the state of Western Australia \$2.5 billion a year. What do we have to do? We have to drive density. Density done well is the answer to addressing urban sprawl.

The member for Cannington said yesterday that Metronet is not just a transport plan; it is also a density plan. It is a plan to create hubs to make sure that people live close to public transport and close to services and have a sense of community. As I have just pointed out, the government is driving three key reforms to make that happen. The first is strata reform, which the minister introduced into the Parliament today. I know that some people roll their eyes and are not particularly interested in strata reform. It is not going to make the top 10 sexy policy items. People's eyes may glaze over at the thought of strata reform, but it is actually critical to curbing urban sprawl because it will ensure that we have a modern, flexible strata scheme that encourages density and apartment living. The most pivotal part of that is the community title scheme, which will allow more flexibility with large developments, to break them up into separate schemes. This is critical for metro hubs; it is critical for future density around railway stations. Strata reform is good. Other states are doing it. I hope the opposition comes to the party on this. There is unity among the Property Council of Australia, the Urban Development Institute of Australia, developers and property owners to make this happen so that we can bring property and density development into the twenty-first century.

The second part is planning reform. This is also critical to providing greater density and curbing urban sprawl. We have released a major green paper led by Evan Jones, which maps a way forward for greater transparency and accountability, but also on how to cut red tape and streamline processes so that we get those density hubs. It takes too long to amend schemes. It takes too long to get structure plans up. It takes too long to get development in our city and, again, density developments. We need to actually reform the planning system. It has not been reformed properly. We have seen a piecemeal approach. It is fair to say that the development assessment panel system introduced by the previous government has been controversial. We need an overhaul of the planning system that not only simplifies it but also allows us to meet our density objectives.

While we are talking about transparency and accountability, the third area is local government reform. That reform is also critical for planning and greater density. Some councils respond regularly and often hastily to a small and loud element that does not want density. The reality is that we should provide affordability and choice for young people and for people who want to downsize, and that is done through density. It is not just about choice in the outer suburbs. The local government reform that we are progressing and on which we have undertaken consultation

will also look at changing the culture of local governments by making them more robust and more forward-thinking organisations. As I understand it, public benchmarking will be included for the first time for planning, which is critical. There are very good councils that are doing their best to take their communities on a journey and to facilitate good density and density done well. There are other councils that are well behind. The City of Joondalup is a classic example of a local government that is repeatedly failing on density. It does not have proper design guidelines to guide future density development. It has failed miserably on its consultation on housing strategies. As a result, it has communities in uproar because they have not been taken on a journey or properly engaged. Where we see conflict over density, it often comes back to poor local government, which is not showing leadership and is not engaging its communities. Fremantle, Victoria Park and Vincent do it well; Joondalup does not.

**Mr M. Hughes:** The City of Swan doesn't do it well either.

**Mr J.N. CAREY:** There we go; I am getting more commentary from others about councils that do not do it well. I want to talk about local government reform. I have had members from the opposite side come up to me as a mayor of four years. Another critical part of changing the culture is that we also need to have greater scrutiny and accountability of local government CEOs, because they often set the culture of local government. Mayors and councillors come and go; CEOs stay. It is very clear that councillors are unaware of their responsibilities in terms of engaging and performance-reviewing CEOs. Local governments are great recyclers, not of rubbish but of CEOs. They are brilliant at it. They brilliantly recycle CEOs. That is the best thing they do. I see it all the time. If a CEO does not work out here, they will employ him over there. That is not necessarily good for local government. It does not create a culture of innovation or change.

The last thing I want to address in talking about local government reform is the comments made by the member for Carine in his budget statement. In politics, we hear a lot of rumours—that is the nature of politics. We have heard rumours about the City of Perth and so forth. Allegations have been made and we have seen some of them raised in the paper. Everyone knows that I have been critical of the City of Perth and particular councillors, but I have not used this Parliament to raise any allegations that I have heard. I am not aware of any other member of this Parliament who has raised any of those allegations that we hear about local government, except the member for Carine. The member for Carine came into this place and made allegations that were unsubstantiated and false. He did not actually say where those allegations came from.

**Dr D.J. Honey** interjected.

**Mr J.N. CAREY:** They were unsubstantiated and false. He did not say where those allegations came from, but he decided to bring them to Parliament. Yesterday, he did not even have the temerity to apologise and say he got it wrong. We know that other members of the opposition have been calling and apologising on this matter. Other members of the opposition are deeply embarrassed by the conduct of the member for Carine. They have apologised personally to Mr Fini. There is an inquiry into the City of Perth to deal with all those matters. That is the place where it should be dealt with. The member for Carine's allegations were discredited; there were two negative stories in the press. That has discredited his position in the local government sector. He looks like a patsy for particular people. I think the member for Carine is an incredible conspiracy theorist. He has people whispering in his ears and telling him what to say in Parliament. I went shopping the other day and came across a hat that I thought would be perfect for the member for Carine. It is the kind of hat to which a former Lord Mayor or suspended Lord Mayor could transmit all their conspiracy theories to the member for Carine so that he could relay them in the Parliament. I have the hat here. I understand that it will be very useful for transmitting all those conspiracy theories to the member for Carine!

*Point of Order*

**Dr D.J. HONEY:** I understand there is a clear ruling of no props.

Several members interjected.

**The DEPUTY SPEAKER:** Members, it is actually okay to use props, but you have to clear it with the Speaker before you do it.

**Mr J.N. CAREY:** I am happy to table the tinfoil hat for the member for Carine—"Na-No, Na-No"! The conspiracy theories are coming in for him! There could be information coming out!

**The DEPUTY SPEAKER:** Member, if you would just be quiet for a minute? Thank you. You cannot lay it on the table. Could you pop it down out of sight somewhere? I understand the spirit. It is Thursday night but you did not clear it with the Speaker. Continue to speak.

**Mrs M.H. ROBERTS:** Further to the point of order.

**The DEPUTY SPEAKER:** Yes, minister.

**Mrs M.H. ROBERTS:** There is quite some precedent in this house for people laying objects on the table for the remainder of the day's sitting. I have seen, for example, people lay foodstuffs there, a brick and material from a truck arrester bed. It is one thing to use something as a prop, such as a chart or whatever, but sometimes people

bring in examples of produce from their electorates or something of that nature, which they will refer to in their speech. Then it is simply a matter of seeking leave —

**Mr Z.R.F. Kirkup** interjected.

**Mrs M.H. ROBERTS:** No. At the time you refer to it, it is a matter of seeking leave of the Speaker, or Deputy Speaker in this case, for permission to lay it on the table for the remainder of the day's sitting. I believe that has been the practice of this house in the past when members have brought in produce or other items of interest. In the case of a backbencher, they have sought the leave of whoever has been in the chair to lay something on the table for the remainder of the day's sitting. That has been permitted. Sometimes we have had quite an array of things laid on the table.

**Mr S.K. L'ESTRANGE:** Further to the point of order, Deputy Speaker —

**The DEPUTY SPEAKER:** Can you just let me respond to that, member?

Thank you, minister. I quite understand the history to this, but it is still my decision that issues like this should be cleared with the Speaker before they are laid on the table, particularly when it is a prop to support a speech. This is not so much a bag of apples or something from a member's electorate. It is kind of a cute stunt. I appreciate the spirit in which it was made, but I would like the member for Perth to continue his speech, please. Thank you.

*Debate Resumed*

**Mr J.N. CAREY:** I will make sure that the tinfoil hat will be set aside for the member for Carine so that he can continue to receive special conspiracy theories. They can be directly transmitted to him. He is like Mork from *Mork and Mindy*—"Na-No, Na-No". I do not know who would be Mindy, but Mork gets the transmission of all the conspiracy theories.

**Mrs M.H. Roberts** interjected.

**Mr J.N. CAREY:** That is right! The point I am making is jovial but it is a serious thing. Parliament should not be used in the way it was used by the member for Carine. That is my point; he made unsubstantiated and false allegations. If there are any issues to be addressed, inquiries are underway but instead, he brought them to Parliament. That is why two members of the public made complaints to the Procedure and Privileges Committee, which were read out. That is my point. It is a serious issue. I respect that other members in this place have not done that but I believe all of us—both opposition and government members—want to see serious local government reform. We want greater transparency and accountability. I know that because I speak to lots of members of the opposition, but there are right ways and wrong ways to go about doing things. The member for Carine discredited himself, in the sector and in this Parliament, when he did that.

**MRS J.M.C. STOJKOVSKI (Kingsley)** [5.15 pm]: I would like to make a short contribution to the Appropriation (Recurrent 2016–17) Supplementary Bill 2017 and related bills.

As a mother of two small children, the horrific cases outlined in the Royal Commission into Institutional Responses to Child Sexual Abuse makes for harrowing reading. No child should ever be subjected to this type of treatment, and we as a community should never let anything get in the way of ensuring we do everything possible in our power to right the wrongs of the past or, at the very least, accept responsibility. Yesterday, the Premier delivered a heartfelt apology. I quote —

... for children in WA who experienced sexual abuse in any institution, I apologise. You experienced something horrible—unimaginable to many of us here. You had your innocence stolen, your faith and trust in society broken, and authorities did not recognise the pattern. For that, the government of Western Australia and myself are truly sorry.

When I listened to those words yesterday—that unreserved apology—I felt proud of this McGowan government for taking a stance, drawing a line in the sand, and giving an unreserved apology. In stark contrast, we heard the disgraceful response from the Leader of the Opposition, who, instead of giving an unreserved apology for the failing of our society to protect vulnerable children, chose to use this important and sensitive issue to attempt political pointscoring. I was disgusted and ashamed for this Parliament that those survivors sitting in the gallery yesterday had to listen to the ill-thought-out ramblings of the Leader of the Opposition, who is yet to grasp that the Liberal Party lost the election and they should support things such as unreserved apologies to survivors of child sexual abuse. It is no wonder that respect for politicians is at a low when the Leader of the Opposition is so narrow-minded and arrogant that he believes a solemn occasion, such as an apology to survivors of institutional sexual abuse, is an appropriate time to play politics. The shameful and insensitive behaviour of the Leader of the Opposition again exposes the lack of substance evident on the opposition benches.

Today we have seen the opposition's complete disregard for the conventions and structure of this place in the continual suspension of standing orders to discuss topics that should be discussed during other times allocated to the opposition. Opposition members' continuous use of parliamentary time for vanity debates that serve no-one but their own egos is a prime example of everything that is wrong with modern-day politics. People in the

community do not want to listen to their incessant whinging and they despise parliamentarians who continually reflect upon themselves instead of getting on with the job of governing. They want governments that take action, get the job done, connect to them and understand their interests.

*Point of Order*

**Mr S.K. L'ESTRANGE:** Madam Deputy Speaker, I refer you to standing order 1 and the footnote regarding reading of speeches in the chamber by a non-minister.

**The DEPUTY SPEAKER:** This is a general debate, member. You have been in this house long enough to understand that you cut people a bit of leave in this speech; we always have done —

**Mr S.K. L'ESTRANGE:** It is a year and a half, Madam Deputy Speaker.

**The DEPUTY SPEAKER:** I do not need you to talk back to me.

Several members interjected.

**The DEPUTY SPEAKER:** Member, continue with your speech.

*Debate Resumed*

**Mrs J.M.C. STOJKOVSKI:** Thank you, Madam Deputy Speaker.

*Point of Order*

**Mrs M.H. ROBERTS:** Whilst you were giving that ruling, you were interjected on by the member for Churchlands, who was not showing proper respect for you in your role as Deputy Speaker. I ask you to note that he interjected and that he should be called to order. It is highly disorderly—always has been highly disorderly—to interject in this place whilst the Speaker, Deputy Speaker, or anyone in the role of Speaker is responding to a point of order.

**The DEPUTY SPEAKER:** Thank you, minister. I believe that I did warn the member when he interjected not to do so when the Speaker is making a ruling, so I am trusting that he will respect that. Can we continue, member for Kingsley.

*Debate Resumed*

**Mrs J.M.C. STOJKOVSKI:** Thank you, Madam Deputy Speaker.

On Thursday, 22 September 2016, I sat in the public gallery to listen to a grievance by the then member for Fremantle, Hon Simone McGurk, who was speaking up for community-based childcare centres when the former government cruelly cut accommodation funding support to them. I was here because my daughter attended before and after-school care and vacation-care run by Moolanda Care and Learning Centre—a community-based childcare centre—in Kingsley and my son was on the waiting list to attend full day care there.

When I spoke to the staff at the Moolanda Care and Learning Centre about the impacts that these cuts would have on the organisation, the message that I got was very clear. The City of Joondalup was going to impose on the centre rental accommodation fees in the vicinity of, I think, \$80 000, and the decision was going to be to either close the centre or pass on substantial increases to parents. I listened to the Leader of the Opposition, who was Treasurer at the time, attempt to smear these community-based childcare centres, claiming, in his arrogance, that these centres were mismanaged. I find this mistruth appalling as, in my experience, community-based childcare centres such as Moolanda consistently provide in-demand services. They are connected to their communities and provide not only childcare services, but also other services to the community, such as parent workshops, first aid and child behaviour management workshops. For any parent, that is a godsend when they are dealing with a toddler—trust me!

As not-for-profit community organisations, these centres have the community's interests at heart and, with parent and community management boards, can often respond to community needs quicker and more appropriately than others. It was for that reason that I joined many people in the gallery that day. I was keen to understand the justification for the cruel cuts of \$1 million in the budget—a penny-pinching exercise—that would have impacted so greatly on my community and many others around the state. It is for this reason that I am proud that the McGowan Labor government is continuing accommodation funding for these community childcare and neighbourhood centres, including not only the Moolanda community childcare centre, but also the Kingsley family centre and 62 other community childcare and neighbourhood centres. They are an integral part of communities and a lifeline for working parents like me.

**MR Z.R.F. KIRKUP (Dawesville)** [5.21 pm]: It gives me great pleasure to speak to the Appropriation (Recurrent 2016–17) Supplementary Bill 2017 and the Appropriation (Capital 2016–17) Supplementary Bill 2017 on behalf of the opposition. Before I get to the substantive points of my speech, I reiterate the point made by the Leader of the Opposition and the member for South Perth in reply to the comments of the member for Armadale: of course all members on this side of the house support the apology that was given yesterday by the Premier, the

Leader of the Opposition and the Leader of the National Party on behalf of the Parliament of Western Australia. It was an important, momentous occasion in the history of the state of Western Australia. Members would do well to look back at the apologies given in this place, as the member for Armadale did quite rightly, and reflect on the importance that they have had in this place and in our state's history. Another point I would make is that having been part of an office that put together at least one of those apologies that the member for Armadale spoke about, I know that significant notice and publicity was given about those apologies prior to their delivery in this place. As the opposition leader noted, it would have obviously been preferable if all members of this place had had a bit more awareness of what was happening so that we could have spoken. I noted that due to yesterday's motion to suspend standing orders, we were given until 2.00 pm to respond. I suspect that that was because there was anticipation that all members of this place would speak to the important apology that was given by the Premier, the Minister for Child Protection, the opposition leader and the Leader of the National Party. There were only four speakers. I suspect that, had more notice been given to Parliament, which I think has been afforded in apologies past, all of us could have made a meaningful contribution. I certainly would have liked the opportunity to speak to the apology, and I am sure that other members also would have liked that opportunity. I put it down to the fact that we have a relatively new government. I do not think there was anything nefarious or the like in it. Perhaps in the future, a better process could be worked out so that all members could be included in a historic occasion.

I take the opportunity to talk about the recent victory in the Darling Range by-election. It is an important time to reflect. All members on this side of the house congratulate Hon Alyssa Hayden on her successful bid to secure the seat of Darling Range. I congratulate my good friend Samuel Calabrese, state director of the Liberal Party. This was his second by-election, if we count the district of Cottesloe by-election.

**Mrs M.H. Roberts:** Why are you calling her Hon Alyssa Hayden?

**Mr Z.R.F. KIRKUP:** The member for Midland is questioning why I called her Hon Alyssa Hayden. I believe that members of the upper house who have served two terms are given the honorific title.

**Mrs M.H. Roberts:** Twelve years.

**Mr Z.R.F. KIRKUP:** Twelve years? I apologise. I will remove the "Hon" in that case.

**Dr D.J. Honey:** She is very honourable.

**Mr Z.R.F. KIRKUP:** Indeed, member for Cottesloe; she is very honourable in and of her actions. The state director, Samuel Calabrese, is now two for none in the successful by-elections that he has contested, and may he go on to secure many more victories.

Members in this place spoke about Darling Range time and again in the past couple of days and in the months leading up to the by-election. I will talk very quickly about the experiences of the opposition, which had a very strong presence on the ground. I was initially concerned, as were most people—I think it was mentioned in the email of the Labor Party's state secretary, Matt Dixon, which managed to find its way into the paper—about the turnout of voters for the by-election. It is important for all members in this place to be cognisant of the turnout in a by-election. I note that it has been an issue in by-elections past. In fact, I did some work on turnouts to try to assess where we might land. I note that in the Cottesloe by-election—I suspect the member for Cottesloe knows this off by heart—there was a 66.56 per cent turnout of our Liberal voters.

Several members interjected.

**Mr Z.R.F. KIRKUP:** Indeed, they were all very good people who turned out. That turnout of 66 per cent is not the lowest turnout rate. The Treasurer spoke yesterday about the Victoria Park by-election. The turnout rate for the Victoria Park by-election was 64 per cent, which is two and a half percentage points less than the turnout rate for Cottesloe.

**Dr A.D. Buti:** What did Armadale get—81?

**Mr Z.R.F. KIRKUP:** In Armadale, it was 75.21 per cent.

**Dr A.D. Buti:** It was a grand final replay!

**Mr Z.R.F. KIRKUP:** Of course, member for Armadale—the grand final replay. All of us should be cognisant of the turnout rates. It may be of interest to members in this place that when there is a Liberal versus Labor contest, there is typically a higher turnout. In the Peel by-election in 2007, which was one of the first campaigns I had the good fortune to work on, the turnout rate was 79.5 per cent; in Vasse, it was 73 per cent; in Canning, it was 79.52 per cent; and in Darling Range in 2018, it was 76.89 per cent. We see a higher than average turnout.

I found there to be a lack of engagement. I think that all the members on this side of the chamber who had a very strong presence in Darling Range during the campaign spoke about the concerns when we doorknocked. People simply are not engaging, and that is not just in Darling Range. I would like to draw the attention of the house to something that I have found concerning of late, and that is in relation to something called the Democracy Project. It is something that I have been paying some attention to. It is basically a bipartisan report in the United States commissioned by the Penn Biden Center for Diplomacy and Global Engagement, the George W. Bush Institute

and Freedom House. The Democracy Project was engaged to look at national and international surveys about people's relationships with democracy, noting that even in a stabilised western world, there have still been quite significant challenges for democracy in recent years. We have seen that time and again in modern international spheres. I saw the turnout and the lack of engagement prior to the vote, so I was concerned that that lack of engagement in the democratic system was creeping into Australia and Western Australia. The Democracy Project surveyed thousands of people about whether or not they thought it was important to live in a democracy. Interestingly enough, and on a scale of one to 10, with 10 being where people thought it was absolutely important that they lived in a democracy, because they understand the inherent tenets and values of a democracy in which they live and they are willing to participate in elections and by-elections like what we saw last weekend, unsurprisingly 77 per cent of people aged 65 years and above thought it was of absolute importance that they lived in a democracy. But down the other end of the scale, only 34 per cent of 18 to 25-year-olds felt it was important that they lived in a democracy. I am most concerned about the younger cohort that does not seem to be particularly engaged in politics or the democratic system. It would be of little shock to anybody to see that basically a third of people aged 18 to 25 years thought it was important to live in a democracy. As a result, how many of those would participate in an election? I look forward to seeing a Western Australian Electoral Commission breakdown—I do not think they are as detailed—on how many young people ended up voting in the most recent by-election. But I remain concerned that young people are not engaging with our democracy. Although I do not agree with the member for Kingsley's prosecution of that person, she did not make reference to the fact that in this place a lack of respect and dignity towards this house might lead to an erosion of faith in the electorate and the unwillingness of constituents to vote in elections that is perhaps reflected in the district as a whole.

**Mr F.M. Logan:** It is not us. It is a federal issue.

**Mr Z.R.F. KIRKUP:** I think there is a pox on both houses at this point, minister.

**Mr F.M. Logan:** No, there is not. It started with Abbott.

**Mr Z.R.F. KIRKUP:** It is a pox on all of us if it affects us. Regardless of where it happens, it affects all of us universally. I think it has happened for some time. A number of members, particularly Labor members, are fond of talking about the 1975 general election. Indeed, the Minister for Electoral Affairs mentioned it only just yesterday. When we talk about the lack of confidence that preceded those events, it was perhaps displayed in those electorates as a lack of voting or a willingness to vote. I want to make the point that all of us should be aware of it in this place. In the lead-up to the Darling Range by-election, all of us were cognisant and very well aware of what happened there. It is not for me to go over it again, but that would have led to people having a further lack of confidence in the democratic process. Perhaps all of us should guard against that as much as we possibly can. Although the turnout vote was lower—indeed it was higher than for some more recent by-elections—all of us should be aware of the lack of engagement. As members of this place, we all have a duty to ensure that people are as engaged as possible. The member for Churchlands has recited time and again how he went around the electorate and people were asking why there was a by-election. I went around with the members for Cottesloe and Vasse and I had people tell me that they thought it was a referendum on the rail link. They did not quite understand —

**Dr D.J. Honey:** Or a federal citizenship issue.

**Mr Z.R.F. KIRKUP:** Or it was a federal citizenship issue: “Was the previous member disbarred from being a member of Parliament because of citizenship issues?”

**Mr F.M. Logan:** That shows how much people are interested in politics.

**Mr Z.R.F. KIRKUP:** That is right. The Minister for Corrective Services made the point that perhaps it is a reflection of people's lack of engagement in politics. I think it was a wake-up call to all of us in this place that —

**Mr S.K. L'Estrange:** Although it was an above-average turnout.

**Mr Z.R.F. KIRKUP:** Although it was an above-average turnout, it is about their involvement and awareness of what is occurring.

**Mr F.M. Logan:** And weren't they happy to turn out!

**Mr Z.R.F. KIRKUP:** Indeed. When we talk about what has happened here, it is important for us to also set aside with the lack of engagement, the issue with the former member for Darling Range. Personally, I did not see any evidence that people thought they were voting against the Labor Party or the government because of Barry Urban, the former member for Darling Range. I saw the final result as a matter of fees and charges—people were hurting out there. The member for Churchlands has raised a number of times the level of mortgage stress in Darling Range. It is very true. It is a very front-of-mind issue for people in that electorate, which I think was reflected in the vote and the outcome. I think there is a bid by members opposite—certainly we saw it with the Premier—to undermine the legitimacy of the Liberal Party's victory in Darling Range by suggesting that this was somehow the result of the issues surrounding the previous member for Darling Range. I do not think that could be any further from the truth. In fact, the Liberal Party, in its final week of material, did not once mention the former member for Darling Range.

**Mr D.A. Templeman** interjected.

**Mr Z.R.F. KIRKUP:** Member for Mandurah, the final message that went into people's letterboxes from Alyssa Hayden, the Liberal Party candidate, was entirely about local issues and things like fees and charges and the impact that that was having on households. That was the message that all of us were getting time and again. No doubt that result, as the Treasurer has pointed out and recognised, will cause the government to pause and consider what it might mean. Perhaps we would not be in this position now had the government actually listened to the people of Western Australia in the first place and if it had had a better awareness of the impact of closing the Moora Residential College. The government should consider what it might mean to break promises time and again, such as the promise to not introduce new taxes or the promise to have no tax increases. These Labor government decisions are completely opposite to what was promised when the Labor Party went to the election. In the seat of Darling Range, people took their anger out on this government for what they saw to be the biggest issues. If we argue that they were not engaged in what was occurring because they are not paying a lot of attention to politics, then what they are paying attention to is paying their electricity bills. They are paying attention to their water bills and fees and charges, such as the car registration that continues to go up and up under this government. The by-election result does not necessarily mean that they were scrutinising their local member of Parliament. I suspect that they were more concerned with scrutinising their utility bills and that led to the result that we saw in Darling Range just last Saturday. I have pointed out reasonably publicly how great I think this result has been for the state director of the Liberal Party, Sam Calabrese. It is indeed a great reflection on his parliamentary team and the Liberal Party more broadly. Our leadership team should be congratulated for its efforts to ensure that its members were always out on the ground. In my time, I have seen a number of leaders participate in a number of elections and time and again, the member for Riverton, the Leader of the Opposition, has been out doorknocking right through Darling Range, always making sure that he engaged with voters and prospective voters and listened to their concerns so that they knew that there was a party that was finally listening to them. The citizens in Darling Range cast their vote and their voices were heard.

**Mrs M.H. Roberts:** I hope you reward his hard work by sticking with him. Will you promise to stick with him?

**Mr Z.R.F. KIRKUP:** Their voices were heard.

*Point of Order*

**Mr S.K. L'ESTRANGE:** The Minister for Police made a very big attempt earlier in the evening to talk about interjections on speakers. Now she is incessantly interjecting on the member on his feet.

**The ACTING SPEAKER (Ms L.L. Baker):** Thank you, member. I understand your point. I think the member for Dawesville is grown-up enough to tell the minister if he wants to take an interjection or not, and I trust that he will warn me if he does not.

**Mr M.P. Murray:** I am not so sure about that.

**The ACTING SPEAKER:** That is enough from you, Minister for Sport and other things.

*Debate Resumed*

**Mr Z.R.F. KIRKUP:** It is almost approaching the minister's bedtime, I suspect.

**Mr M.P. Murray:** Touché!

**Mr Z.R.F. KIRKUP:** The lights are not off yet, minister.

It is important that we recognise the effort of indeed our leader and the team in this place for getting out there and making sure that as standard bearers of the Liberal Party, they were out in the electorate of Darling Range as much as possible. In the four minutes I have left, there is no point in me going through the names of some members opposite who were notoriously absent in the campaign. I thought it was most unusual that some key ministers should have been more front and present in their campaign.

**Mr S.K. L'Estrange:** The Premier was our greatest asset.

**Mr Z.R.F. KIRKUP:** The Premier was indeed our greatest asset. He was on every piece of material that I could see, together with the Labor Party's very competitive candidate in Darling Range. I find it interesting that some ministers and members were not particularly involved in the Labor Party's campaign.

**Dr A.D. Buti:** How would you know?

**Mr Z.R.F. KIRKUP:** I can tell. The member is quite right. As we would expect in this day and age, member for Armadale, quite a lot of attention was paid to social media and the like, on which members and ministers opposite often like to promote their efforts, and some members were notoriously absent. The Labor Party's own campaign and media platforms were notoriously —

Several members interjected.



**Mr Z.R.F. KIRKUP:** I welcome being disabused of the notion, but the member for Armadale was front and centre in the Labor Party's campaign in Darling Range, almost as much as the Premier. But he was indeed at key booths through pre-poll, out there with the candidate.

**Mr S.K. L'Estrange:** Where was the Treasurer?

**Mr Z.R.F. KIRKUP:** The member for Churchlands raised the point that one person was perhaps slightly absent from that campaign, and it might have been the Treasurer. Those who were absent perhaps had their own reasons for why they were not there, but the member for Churchlands is quite right. Credit to the member for Armadale; he was very, very busy out there, I thought, and indeed —

**Mr D.A. Templeman:** While you were out there, I was cutting holes in your shopping bags. Did you know that? All these people were saying, "Look at this member's bag; it's useless."

**Mr Z.R.F. KIRKUP:** That is right. Ha! As we round out the evening—I suspect that the member for Armadale is about to wrest a rising of the house sooner rather than later—I think it would be prudent for us, only one last time, to reflect on this result in Darling Range and what that might mean for future electoral victories or losses.

[Member's time extended.]

**Mr J.N. Carey:** I found an additional hat for you, member for Dawesville.

**Mr Z.R.F. KIRKUP:** The member for Perth has brought in his best hat! I do not know where he got that from.

**Mr J.N. Carey:** It has your name on it.

**Mr Z.R.F. KIRKUP:** Indeed. I suspect that if it has my name on it, it had the member for Perth's name on it first. It would be prudent for us to pause and reflect, just as the government will, on the strong message that has been sent by the people of Darling Range about the tenure of government. Needless to say, with only 900 or so days left of this term of government, all members opposite should perhaps consider their futures and pay a little more attention to their superannuation and what level it is at, because they will need it sooner rather than later. There is a wave coming towards members opposite when this result is replicated right across the board. Fifteen Labor Party seats would be washed away if this result in Darling Range was replicated across the board. Of course, they would be very quick to fall. I would call them, in my colloquialism, "Club 601". The moment the polls close at 6.01 pm, the following seats would be quickly gone: the seats of Joondalup, Jandakot, Kingsley and Murray-Wellington. Those seats are all under 1.5 per cent. Club 601 would be wiped off straightaway with only a 1.5 per cent swing.

**Mr J.N. Carey:** You are so arrogant.

**Mr Z.R.F. KIRKUP:** It is not arrogance to come in and simply suggest to government members that they should heed the message from the district of Darling Range that will undoubtedly be sent to them again in 952 days by the rest of Western Australia. The seat of Pilbara would very quickly go—2.3 per cent. The member for Kalamunda —

**Mr S.K. L'ESTRANGE:** Madam Deputy Speaker, I call your attention to the state of the house. I want more people to hear it!

**The DEPUTY SPEAKER:** What a pleasant change.

[Quorum formed.]

**Mr Z.R.F. KIRKUP:** I think it is important again just to —

Several members interjected.

**Mrs M.H. Roberts:** We are more worried about you.

**Mr Z.R.F. KIRKUP:** I am sure the Minister for Police is. It seems that she cannot get me off her mind.

**Mr J.N. Carey:** That racy suit—it is beautiful. It's such a dapper wedding suit. Is there a wedding on?

**Mr Z.R.F. KIRKUP:** Thank you, member for Perth.

**Mrs M.H. Roberts:** Did you wear that to your wedding?

**Mr J.N. Carey:** It's a bit *Ab Fab*. "Thank you, darlings! I have just come from the races."

**Mr Z.R.F. KIRKUP:** Thank you, member for Perth.

**The DEPUTY SPEAKER:** Excuse me, members. It was quite orderly until the member for Perth came back in.

**Mr J.N. Carey:** That is outrageous. I will put the hat on.

**The DEPUTY SPEAKER:** That is absolutely correct, too. Could you please hold the interjections down to a minimum? Thank you, member for Dawesville, in your smart suit.

**Mr Z.R.F. KIRKUP:** Thank you very much, Madam Deputy Speaker. The member for Kalamunda at 2.5 per cent would be gone. I do not know whether he would be in Club 601 or maybe Club 602. At two minutes past six, he would be wiped off the deck straightaway, the retiring member for Kalamunda. The member for Burns Beach at 2.5 per cent would be similarly gone. The member for Bicton at 2.9 per cent; she should bolster that seat as much as she can because her seat would be similarly gone. If a swing one-third of what occurred in Darling Range was replicated in Bicton, the member for Bicton would no longer hold her seat in this place. The member for Mount Lawley holds his seat by four per cent—we are getting towards the end. That is half the swing that the Australian Labor Party had in the seat of Darling Range. We are not even at the halfway point until we get to Albany at 5.1 per cent. That seat has been held by the Speaker for some time. He has withstood a barrage of campaigns from a well-intended Liberal Party for some time to try to remove him from his seat. Well, it would be news to him that if the Darling Range swing was replicated against him, he in Albany would indeed be gone with some margin to the Liberal Party of 4.5 per cent or thereabouts in our favour. Finally, we would secure the seat that we should always have had, in my mind. My good friend the member for Balcatta would lose his seat. The member for Baldivis—we are getting to the territory of fairly safe Labor seats—was at seven per cent.

**Mr S.K. L'Estrange:** On a high-water mark.

**Mr Z.R.F. KIRKUP:** It is a high-water mark. It was the best result the Labor Party has ever had since 1956—7.2 per cent in Baldivis. It would be lost if the Darling Range result was replicated in the seat of Baldivis at the next general election in 952 days. The seat of Wanneroo—gone. The seat of Southern River—gone. The seat of Forrestfield—all on the edge by point something of a per cent. It would be just a slip one way or the other. The member for Forrestfield would experience what I experienced during my campaign—that is, a bit of a longer count. It took a week to confirm my seat. If we were to replicate that victory, it would take some time to see what would happen in Forrestfield, but the intent would be there. Regardless of the result in Forrestfield, this government would have lost office. This Premier would have lost his mandate to lead if the effort in Darling Range was replicated across the great state of Western Australia.

I have said it time and again. Members opposite take heed. In the previous budgets delivered by this government, time and again the government has been willing to decide which government members will survive and which will not. In my last contribution on the budget, I stated that the seat of Bunbury received a disproportionate level of funding in the last state budget. It was disproportionate. We all know Labor members went there for the Labor Party caucus getaway or retreat—whatever it may have been. We know that a regional cabinet was also held in Bunbury. It is little wonder that the Labor Party holds these events in Bunbury and that all this money has gone into Bunbury, because at 10.8 per cent, Bunbury would become the new frontline for the Western Australian Labor Party, if the result in Darling Range were to be replicated across Western Australia at the next general election in 952 days. I fear for members opposite who will have to find themselves a new job in 952 days because they will all be out of a seat. The Liberal Party will be returned to office if the result in Darling Range were to be replicated at the next state general election.

That ends my contribution here this evening. As we go off to the winter break, I encourage members of the government to think very carefully about their future, because if the result in Darling Range is replicated at the next election, their days are already numbered.

**MRS L.M. O'MALLEY (Bicton)** [5.51 pm]: I rise to add my contribution to debate on the Appropriation (Recurrent 2016–17) Supplementary Bill 2017 and the Appropriation (Capital 2016–17) Supplementary Bill 2017. The McGowan Labor government is putting our state's finances back on the track of fiscal recovery and economic stability. This government is continuing the arduous job of repairing the damage done by the previous Liberal–National government's economic incompetence. This government is investing in education, healthy communities, the environment and job creation—investment that is welcomed by the community of Bicton and beyond. The government's budget approach is a mature, responsible and credible response that deals head-on with the legacy of nine years of wanton waste and financial mismanagement by the previous Liberal–National government. Ours is a disciplined approach that gets the balance right between reining in government spending and the delivery of our election commitments to deliver services, grow jobs and diversify our state's economy. The McGowan Labor government is turning things around.

In the time I have on my feet here today, I will speak to a few of the areas in which this commitment is benefiting my electorate of Bicton, as well as the entire state, by investing in education, school infrastructure, healthy communities and a healthy environment. This is a budget that is true to Labor values of fairness, equity, and opportunity. It is a budget that does the heavy lifting of budget repair whilst protecting the most vulnerable members of our communities. Excellence in education is the foundation for a thriving and diverse economy—one that reflects our state's ability to maximise the opportunities of the digital revolution, or new economy.

I would like to congratulate the Minister for Education and Training on the ongoing investment in WA education. It is an investment in our children's ability to access the jobs of the future, with science and innovation key to this. The importance of science, technology, engineering and mathematics—STEM—skills as a means of supporting the new economy and creating the jobs of the future is increasingly being recognised. Funding of \$3.3 million over

four years will be provided under a state STEM strategy, developed by a cross-sector panel under the leadership of the Western Australian Chief Scientist, to enhance STEM skills across the state through a range of initiatives designed to prepare Western Australia's workforce for future jobs. This government is committed to ensuring that, by the time students in this state complete their secondary education, they are job, further training or higher education-ready.

This government is investing in the future of the state with \$5.1 billion being allocated to public school education. This includes 100 primary school classrooms to be converted into science labs, one of these being in Bicton Primary School. Funding of \$469 million will go towards building and improving schools to become modern, first-class facilities, including the continuation of planning for a \$4.5 million performing arts centre at my local public secondary school, Melville Senior High School. This budget recognises the link between attendance at school and academic and life outcomes, and has set participation, retention and graduation rates accordingly. Melville Senior High School is a wonderful example of a great public school—one that succeeds in preparing its students for the jobs of the future with a comprehensive suite of academic and vocational pathways. Melville Senior High School is a genuine reflection of everything that is truly great about public education in this state. I would like to take a moment to acknowledge the school's dedication to the holistic outcomes of its students. It is a school where excellence in academic, social, creative and sporting achievement is celebrated in equal parts.

The McGowan Labor government recognises that, as the job market becomes more competitive and technology continues to advance, completing education is one of the most important things for experiencing success in all areas throughout life. Staying in school will affect one's ability to achieve positive employment, social and health outcomes. The McGowan Labor government is committed to ensuring that our schools can continue to support our growing number of students in modern, first-class facilities, so that all students, regardless of where they live, get a high quality education.

Further job readiness initiatives include ongoing investment in the training sector with the continuation of the upgrading and re-purposing of ageing TAFE training campuses statewide. As a parent of a senior secondary student, I am personally very excited by this government's commitment to job readiness, with growth in vocational education and training in schools. The trialling of a new model of allocating TAFE places to increase access for students, as part of a broader plan being implemented to improve support for public schools and future job prospects, will be gratefully received by parents of secondary school-age students throughout the electorate of Bicton. Likewise, parents of younger students at Palmyra, Melville, Richmond and Bicton Primary Schools will welcome this government's commitment to prioritising best-possible teaching practice for delivering high-quality education in our public schools. With the ongoing implementation of the Western Australian curriculum, the grades used to report student achievement need to be comparable across the state and between schools, which is why we are continuing to develop moderation processes for pre-primary to year 10, and implementing processes for examinable and non-examinable courses in years 11 and 12.

This government knows that it is resources of the human kind that makes all the difference to student outcomes, and that is why we are putting education assistants back into classrooms across the state. Teacher quality is a key determinant of student outcome, which is why this government is investing \$7.7 million over four years to improve teacher quality. We are delivering on more than just student's education needs, with resilience, emotional regulation and behaviour of children and young people being further supported in public schools with the training of mental health coordinators in key school-based preventive mental health programs.

Healthy communities are undeniably a reflection of good health policy, but they are also a result of good social, education and environmental policy. This budget delivers in the areas of quality health care, education and community services. It is a budget that commits to this effectively and efficiently. This budget delivers in providing quality health care, with a patient-first approach, whilst improving efficiency and providing greater value for money. The focus on efficiency is critical to repairing the state's finances and to ensuring a sustainable and high quality health system into the future.

I am also very pleased by the commitment of the McGowan Labor government to building a family birthing centre at Fiona Stanley Hospital. There are many advantages in giving birth at a birthing centre, where the experience is more likely to be far less medical and far more home-like. The family birthing centre model of care involves establishing a midwifery group practice to ensure midwife-led continuity of care through the antenatal, labour, birth and postnatal stages of care. The Fiona Stanley birthing centre will provide important birth choices for the growing families of Bicton, and on behalf of these members of my community, I sincerely thank the Minister for Health.

It is essential for creating and maintaining healthy communities that we invest in policy that facilitates greater physical activity which, in turn, adds to the vibrancy of our cities, suburbs and towns. For the many members of the Bicton community who love to cycle for health and recreation, the commitment to invest in the construction of the missing section of the Fremantle railway principal shared pathway has been welcomed with great excitement. Preventive health care is crucial to reining in health spending. With around 5 000 people aged 65-plus living in the electorate of Bicton, it is great to see that the preventive, health promotion and aged and continuing care services that help older Western Australians to live healthy and safe lives will continue to be funded.

In the area of mental health, specialised mental health programs such as prevention and promotion, community support services, community treatment services and the many other preventive mental health initiatives contained in this budget provide life-saving and life-affirming action. This government is committed to turning the tide on suicide. The statewide suicide prevention strategy, “Suicide Prevention 2020: Together We Can Save Lives”, has received funding of \$25.9 million over four years, from 2015–16 to 2018–19. The Mental Health Commission has purchased services from government and non-government organisations that are in line with an evidenced-based approach and address the activities outlined in “Suicide Prevention 2020”. I would like to take a moment to acknowledge some of the services in that strategy. They include, but are not limited to, the response to suicide and self-harm in schools program, which provides immediate support for children at risk, and capacity building of staff; the active life enhancing intervention program, which provides intensive support for people experiencing suicidal or self-harm ideation, or who have attempted suicide and/or engaged in self-harm; the children and young people responsive suicide support program, which provides long-term support for children and young people bereaved by suicide; the Aboriginal family wellbeing project, a two-year pilot project to address the social and emotional wellbeing of Aboriginal people to help prevent self-harm and suicide; and the 10 suicide prevention coordinators embedded in the health regions across Western Australia.

As a key initiative of “Suicide Prevention 2020”, and in order to create greater public awareness and united action across the community, the new “Think Mental Health” campaign was developed as part of a comprehensive approach to mental health promotion and mental illness prevention. This campaign contributes to the promotion of mental health and wellbeing, destigmatising mental health issues and assisting the Western Australian community to navigate the range of mental health activities and services available. Having lost a family member to suicide, I personally represent the many West Australians affected by the tragedy of suicide when I say thank you to this Labor government for taking serious action in this area.

In conclusion I would like to acknowledge this government’s commitment to minimising waste and maximising recycling, thereby reducing the negative impact on our natural environment. Our oceans and rivers need our help, and with two-thirds of my electorate bordered by the mighty Swan River, my local communities are highly engaged and personally invested in protecting the health and vitality of the river and the surrounding foreshore, and the entire natural environment of this state.

I join the people of the electorate of Bicton in acknowledging the McGowan Labor government’s action in fighting the war on waste. This includes the historic banning of single-use lightweight plastic bags on 1 July and follows up with the introduction of the container deposit scheme in 2020. Much more needs to be done to ensure that we protect our natural environment now and into the future, but this is a fantastic start.

I congratulate the Treasurer and cabinet on their commitment to continue the important work of getting the balance right between budget repair and community investment.

**DR D.J. HONEY (Cottesloe)** [6.03 pm]: I rise to join the debate on the Appropriation (Recurrent 2016–17) Supplementary Bill 2017 and the Appropriation (Capital 2016–17) Supplementary Bill 2017. Before I get into the substance of my comments, I thank the member for Kingsley for her support for community child care. This is not a matter for a long discussion in this presentation, but community kindergartens in this state have been under considerable threat for some time and continue to be under threat, typically the threat of being absorbed into larger schools. My children went to Seaview Community Kindergarten, and I have special empathy for, and recognise the importance of, community kindergartens, and that is a matter that I will talk to in the future. I urge members opposite to take note of the fact that community kindergartens are important for all the same reasons that community childcare centres are important.

In talking about these budget bills, I want to go through a few issues in my area—not to repeat what I have said before—and also talk about some broader issues in relation to the budget. The first issue is traffic congestion in my electorate. Throughout all the budget processes and in all the discussions on the budget, traffic congestion to the port of Fremantle and on Tydeman Road, and through my electorate, has not been dealt with. Some minor projects are going ahead with some slip lanes. Slip lanes will not resolve the traffic issues at Fremantle port. The main issue is the substantial amount of traffic through the southern suburbs leading to Fremantle port. Tydeman Road is of major concern. Tydeman Road provides access to South Mole, which, as many members would know, is the container terminal for Perth. It is also a major thoroughfare for normal pedestrian traffic. I note the government’s effort in increasing the transport of containers by rail. However, at best, that is making a very small contribution to the overall problem of transport and traffic density into the port.

A lot of moment was made by the then opposition during the last state election about the Roe 8 project. The opposition was very effective in mobilising a range of support against that project. However, mobilising support against a particular project does not solve the problem. The problem is that we do not have adequate transport capability into the port of Fremantle. Although I understand that the government’s priority is to develop a port further south—which, as some members may know, I have advocated for outside my role in this place—that will take considerable time to get going. The port of Fremantle handles all our container traffic. That issue needs to be resolved. However, there is no money effectively in this budget or the forward estimates to deal with that issue.

**Mrs L.M. O'Malley:** There are slip lanes.

**Dr D.J. HONEY:** Slip lanes and the like will not make a difference, member. That is my point. They are minor. The problem is the bulk traffic on the roads, and nothing is being done to deal with that congestion. I am no expert on this topic and I do rely on the former Minister for Transport for some information on this —

**Mrs M.H. Roberts:** Not the former member for Vasse?

**Dr D.J. HONEY:** I have great affection and respect for the former minister.

The projections are that that traffic load will approximately double over the next 10 years. That is a huge impact. All members would know that wait times in traffic increase exponentially with traffic density. That is a really big issue. Clearly this budget is all but done and dusted, but that needs to be addressed in future budgets.

**Mr W.J. Johnston:** Can I say something about that question you just raised about the traffic? Do you know that the former minister tabled in the chamber traffic modelling about Roe 8, and do you know what the effect on Stirling Highway was? It was 100 000 extra trucks going north on Stirling Highway through your electorate.

**Dr D.J. HONEY:** I am grateful for that information, and can I say that only reinforces my resolve that something has to be done about that.

**Mr W.J. Johnston:** I am saying it will get worse on Stirling Highway if you build Roe 8.

**Dr D.J. HONEY:** Minister, can I say I am not here to support Roe 8. I am here to encourage the government of the day, and you, minister, as a very, very senior member of that government, to adopt solutions that will deal with that substantial problem. In effect, in this budget there is not quite nothing, but there is nothing substantive, to deal with that problem.

I would like to talk in particular about traffic density through my electorate. Commercial traffic—this is outside of container traffic—through my electorate is also forecast to double in the next 10 years. That comprises half of the traffic on the main roads through my electorate, in particular Stirling Highway. There are 18 schools in my electorate. Most of those schools are located along Stirling Highway. Access and egress to Stirling Highway is a major safety problem. There are a number of level crossings on Stirling Highway. People are taking risks because of the problem of getting through the area and because of the problem of parents getting their children to schools. I saw this in spades when I was campaigning for my seat. People take risks. It is typically stressed-out parents who are trying to get their kids to school and then trying to get to their job, because in the majority of families, both partners work. That is an issue that has to be dealt with. As I said, it is not dealt with in this budget, but it is something that has to be dealt with in the future.

Like the member for Fremantle, I congratulate the government on the plan to complete the principal shared path from Grant Street to Fremantle. I will seek a briefing on the detail of that. I am particularly concerned about how that project will interact with crossing both the old and the new bridges. Members may have ridden bikes across there. The crossing on the old bridge is dangerous. I am extremely fearful that if someone came off their bike there, they could go into the river or onto the highway. The crossing was designed for pedestrians and not for people sitting high on bikes, which particularly happens with modern racing bikes, on which people sit very high in the seats. I will wait to look at the detail on that. There needs to be some additional focus on completing the PSP. As I said, I congratulate and thank the government for what it is doing; that will mean a lot for people in my electorate. However, there needs to be some additional focus on connections from the river and the ocean to the PSP. My electorate is a very popular area for people to visit. Serious accidents have occurred. In fact, a fatality and a recent near-fatality occurred when people were trying to connect to the PSP at Grant Street from the ocean. The local council feels that it is not getting the support it requires for that. I will be advocating for that directly with the relevant ministers and I hope to see that in future budgets.

I want to talk about the issue of government debt. I am cognisant of the clarity that the opposition leader provided on some of the history of this. I will not repeat any of that. Look, the government inherited a difficult set of circumstances. I talked about this a bit yesterday. It was tough. The government has had to cope with an unusual situation. The largest population growth in the history of the state—500 000 people—essentially happened during the two terms of the last government. That growth is equivalent to the population of Tasmania. There was an enormous program of work required to meet that growth, and that was done against what was a buoyant economy. Clearly, there was a position coming out at the end of that. I note that although there is a lot of railing on the other side against the debt that was incurred, I do not see members on the other side nominating any significant number of projects that should not have been done. In fact, I see quite the opposite; I see members on the other side who are very happy to be associated with the opening of those various projects, which were, in some significant part, contributors to the debt that the state has incurred.

The set of circumstances that the state government inherited has not been substantially improved by its continued large commitments to its projects, especially Metronet. The forward estimates predict a return to surplus in 2020–21. That surplus is largely on the basis of increases in GST revenue. The budget figures themselves show

GST revenue of \$2 billion in 2017–18 going to \$5.1 billion in 2021–22. I recognise that the Treasurer has made an earnest attempt to reduce some areas of expenditure in government and to tackle some of the issues in relation to personnel levels in various government departments, but the truth is that the return of the budget to surplus will in large part be due to the GST increase. In those commitments that the state government has made, I worry that Metronet expenditure is clouding other decisions. The member for North West Central went through the numbers and I have not heard anyone from the other side decry them yet. Maybe they will. The member for North West Central added up the costs of Metronet to be around \$10 billion. We know, from whatever information we can get, that there is going to be a very substantial ongoing commitment year-on-year as a subsidy for Metronet. I note that that is not reflected in the forward estimates. I will talk a little about the inability to get information that would allow any proper analysis of that.

I do not wish to join the debate that has been had here on the Redress WA scheme or refer to the comments that were made. I think it is a good scheme. It is a very important area. The government should be congratulated for joining the scheme. It was obviously strongly supported by the opposition. What I do have a great concern about is the linking of that scheme, which is a good scheme, to the privatisation of Landgate. We heard all sorts of discussions today. I am genuinely grateful for the very lucid explanation that the Treasurer gave, because it is the first time I have had a clear picture of that. But I really do have great concerns with this. I have the greatest concern about putting the repository of our titles in the control of private hands. I am very concerned about how a private entity will make the money that has been suggested from the sale of this. I am very concerned that we will see the major problems that have been seen in the other states. We will see more detail and we will get more explanation of this, I hope, going forward. I can tell members opposite that the many lawyers I speak to, and particularly the many property lawyers I speak to, are extremely concerned about any privatisation of Landgate and the Landgate system. We need to see that detail. As I said, I am grateful that the Treasurer gave a more detailed explanation this afternoon, but that is something I have great concern about. Given the importance of the Redress scheme, I do not think that its progression should be linked to the partial privatisation of Landgate.

I am a new hand at this, but I can read tables. I am not sure that I have great faith in the figures in the budget going into the forward estimates. The forward estimates for the next two years are somewhat believable, but going to 2020–21, when the government claims we will be going into surplus, and 2021–22, I find those numbers quite hard to believe. I refer to chapter 2 of budget paper 2, “Net Appropriation Determinations”. What I see consistently across nearly all departments—not all but many—is a substantial drop-off in the appropriations in 2019–20 or 2021–22. We can see this across many departments, whether it is Premier and Cabinet; Jobs and Economic Development, which has substantial drops; Health, which has an enormous drop across that period, going from an appropriation of \$447 million down to \$165 million; or Community Safety. There is a dramatic drop-off across a range of departments. To be frank, I do not believe it. I appreciate the point made by the government that it was concerned it could not accurately estimate those figures going forward. I see that incomes have been estimated to increase going forward. We have all done budgeting. Anyone who has run a department has done budgeting. When accurate estimates cannot be made going forward because the information is not available, typically one flatlines the estimates on a historic average. That has not been done in this budget. The budget, more than two years out in the forward estimates, is not believable. I certainly do not believe it. I think we will see that change dramatically and that forward expenditure will increase dramatically in the future.

I want to talk a little about Metronet. It is clearly the government’s signature policy. The government sees Metronet as something that will provide jobs, provide a solution for density in the suburbs, and provide other benefits to the community. I am especially concerned with transparency around this project because there is almost none. Other than lines on a bit of paper that show where the rail lines are going to go, it is enormously hard to get any details. Whenever we seek responses, we are told it is commercial-in-confidence information that cannot be discussed. I really struggle with that, especially regarding the anticipated patronage figures. I cannot for the life of me understand how patronage figures are commercial in confidence. They are very, very important because that goes to whether this is a reasonable decision to make.

On 25 April 2017, I quote the Premier when he was discussing Perth Children’s Hospital. He stated —

“We have been completely honest, open and transparent and released the information that the former government wouldn’t release,” Mr McGowan said.

“I think we’ve been gold standard when it comes to transparency and accountability in relation to this project.”

I admire the Premier’s words—that he will be gold standard in transparency—but that needs to occur for Metronet. It is massive capital expenditure. As I pointed out before, it could end up being somewhere near a \$1 billion per annum increase in subsidy as an ongoing recurrent expenditure for this government. That will have a massive impact on the government’s ability to provide other services. It is very concerning that we do not have that level of detail.

I also have concerns about the housing model and the suggested concentration of social housing around the proposed train stations. We obviously need to see the detail, but that has been mentioned by a number of people. I think like all

members in this house, I support the need for social housing. There are people in our community who cannot procure their own housing and they need proper housing. I refer in particular to single-parent families with young children. It can be enormously difficult for the adult in a single-parent family to gain employment because they are caring for young children. They quite often rely on social security and can only afford social housing provided by the government. As I said, I do not think there would be a member in this house who does not think social housing is important. However, in my electorate and in others, when we see a high concentration of social housing in one location, there are higher levels of antisocial behaviour. That is true in the southern part of Mosman Park. I mentioned in my inaugural speech that I would be trying to understand how the City of Fremantle had improved its issues of antisocial behaviour.

[Member's time extended.]

**Dr D.J. HONEY:** I had a meeting with the Mayor of Fremantle and he was very clear about social housing. He has had problems in his electorate. One area is an intractable problem; a block of flats where there is a high percentage of social housing, and he despairs. It is a constant problem for the people who live in that block of flats, a constant problem for the police who are called out to those flats at all times, and a constant problem for people who live near that block of flats. The mayor was very clear; he said that we need a salt-and-pepper approach to social housing—that is, to make sure we disperse social housing so we do not have high concentrations in one area. I encourage the government to improve the supply of social housing but I am concerned if we are going to concentrate it around railway stations. Plenty of public transport is available across the city in locations other than railway stations and I think there is a real risk that if we concentrate too much social housing on these new developments, we will create problems that do not exist at the moment. Obviously, there is the capacity to have higher quality housing in these areas and some percentage of social housing, and otherwise develop social housing in other areas.

Another aspect to the Metronet project that needs to be in the back of our minds is the risk of disruption from modern, electric driverless vehicles. I think that is going to occur much faster than we all think, and it will fundamentally change the dynamic. As I have said, Metronet is a major commitment and it is going to be a major commitment going forward over a number of years, not just in one budget cycle. Really, the backbone of our rail network has been point-to-point transport, especially commuter transport for people who work in the CBD. Increasingly, the CBD is not the workplace for many people. In the electorate of Darling Range, that was very apparent. Only 1.7 per cent of people in Darling Range use public transport. The overwhelming reason is that most of them do not work in the CBD; most of them work around Darling Range. They are tradespeople or they are FIFO workers who go up north. People in regional centres, including Joondalup, are increasingly working in the centres and not commuting to the city. I think there is a real risk here that we will overcapitalise on the network and end up with something that has enormous ongoing maintenance costs, an enormous ongoing subsidy, and it will be a drain on government going forward. I think there needs to be a real note of caution in just how much of our discretionary capital money we devote to this because it is an increasing risk.

I noted the member for Perth's comments on urban sprawl and I understand that he regards himself as quite an expert on it. Some comments were made about him being concerned about other members in this house. I was very concerned by the attitude displayed by the member for Perth that somehow or other, we had to be compelled to match his vision; somehow or other, we were going to change the laws to make sure that we had the high-density housing that he thought was best for the city. I learnt one thing when I was doorknocking; that is, there are different types of infill and much of the infill that is going on at the moment in my electorate is disastrous. It is invariably going to younger families with children, turning what are quite beautiful living suburbs into concrete jungles. In fact, an enormous deforestation of suburbs has occurred. If we are going to have increased density, we need to make sure—I reflect the member's words—that it is density well done. It has to be density well done. From my observations, the City of Cockburn is not a good example of density well done. I have grave fears for how that area is going to go. There are shopping centres with large car parks around them and very little green space, with very little connection between the areas. There is also very little connection between the high density housing and the green spaces that children and families can use for recreation. If we are going to have higher infill housing, it needs to be done in a way that is sensitive to people and the way they live.

**Mr J.N. Carey** interjected.

**Dr D.J. HONEY:** Mr Acting Speaker —

**Mr J.N. Carey** interjected.

**The ACTING SPEAKER:** Member for Perth, that is enough; thank you!

**Dr D.J. HONEY:** Forcing councils and suburbs to the member for Perth's vision is deeply unpopular, not because of people's philosophical objections, but because people have seen what has happened in other suburbs and it makes those areas unliveable.

**Mr J.N. Carey** interjected.

**Dr D.J. HONEY:** Mr Acting Speaker, I am not accepting interjections from the member for Perth.

**The ACTING SPEAKER:** Member for Perth! The member has said he is not going to take your interjections, so please stop. Thank you.

**Dr D.J. HONEY:** As I say, the comments of the self-titled expert on increasing urban density filled me with fear. I will look very closely at the legislation that he is promoting.

In the last few minutes, I would like to touch on the increase in fees and charges, and this has been done to some extent already. Those fees and charges really do hurt people. Those fees and charges are the only significant increasing costs that people are seeing. Outside of council rates, people are seeing a dramatic increase in fees and charges, but other costs are not going up. It concerns me that those increases are not driven by any real requirement outside the focus on Metronet and other new projects. I said yesterday and I say again now that the government has a choice of whether to do those projects now or to slow down those projects and reduce the harm, pain and angst that families are experiencing. I find the argument that the previous government increased charges is an extraordinarily difficult argument for the other side to sustain. It is a patently ridiculous argument to say that the previous government increased charges but this government is increasing them slightly less and therefore that is acceptable. The simple fact is that those households are already under duress for a range of reasons and this government is simply increasing that duress. There is real pain occurring in the community and this government has the opportunity to reduce that level of pain.

There are other aspects to the budget. The misuse of the royalties for regions program has already been covered. The larger part of royalties for regions funds will simply go towards paying for social obligations. It is not the program that was originally established.

I want to finish on Moora Residential College. The government has the chance to change its mind on this. I urge the government and members opposite to change their mind on this. There is no requirement for \$9 million. It is very clear that for \$500 000, Moora Residential College could be kept open and those students who are there now could be at the school next year and new students could go to the school. It is a heartless decision to force those students to go to larger centres or to the metropolitan area. Anyone in this place who has experienced living away from home in a residential college will know that. They will know that living in a community like Moora is infinitely superior to living in a larger centre or in Perth. I ask that the government seriously consider the proposal to keep that college open, and there is a chance for it to do that.

Metronet casts a huge shadow over the budget. It is hurting families, because it is driving those other charges. The big departmental reductions in spend do not look realistic and I think we will see that in the next budget. The government needs to rethink utility price increases. This is hurting families and is causing real stress. The government does have a choice.

**MR B.S. WYATT (Victoria Park — Treasurer)** [6.33 pm] — in reply: I thank all members for their support for the Appropriation (Recurrent 2016–17) Supplementary Bill 2017 and the Appropriation (Capital 2016–17) Supplementary Bill 2017 and for their kind and strong words of support for the McGowan Labor government.

Question put and passed.

Bill (Appropriation (Recurrent 2016–17) Supplementary Bill 2017) read a second time.

Leave granted to proceed forthwith to third reading.

*Third Reading*

Bill read a third time, on motion by **Mr B.S. Wyatt (Treasurer)**, and transmitted to the Council.

**APPROPRIATION (CAPITAL 2016–17) SUPPLEMENTARY BILL 2017**

*Second Reading*

Resumed from an earlier stage of the sitting.

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading

*Third Reading*

Bill read a third time, on motion by **Mr B.S. Wyatt (Treasurer)**, and transmitted to the Council.

**TERRORISM (EXTRAORDINARY POWERS) AMENDMENT BILL 2018**

*Returned*

Bill returned from the Council without amendment.



**ADJOURNMENT OF THE HOUSE**

*Special*

On motion without notice by **Mrs M.H. Roberts (Minister for Police)**, resolved —

That the house at its rising adjourn until Tuesday, 14 August 2018, at 2.00 pm.

*House adjourned at 6.36 pm*

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