



Parliamentary Debates

(HANSARD)

THIRTY-NINTH PARLIAMENT
FIRST SESSION
2013

LEGISLATIVE COUNCIL

Wednesday, 27 November 2013

Legislative Council

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THE PRESIDENT (Hon Barry House) took the chair at 2.00 pm, and read prayers.

CLERK OF THE LEGISLATIVE COUNCIL AND CLERK OF THE PARLIAMENTS

Statement by President

THE PRESIDENT (Hon Barry House): Following the announcement by the Clerk, Malcolm Peacock, that due to his poor health he had made a decision to retire from the position of Clerk of the Legislative Council and Clerk of the Parliaments, the position was advertised on 21 October 2013. A selection panel comprising myself, a former President of the Legislative Council, and a Legislative Council Clerk from another Australian Parliament interviewed several high quality candidates on 22 November 2013. Over the past few days I have reflected on the deliberations of the panel and personally undertaken reference checks on preferred candidates.

After careful consideration I contacted the Governor, Hon Malcolm McCusker, to recommend the appointment of a new Clerk. I am delighted to advise that following discussions yesterday with the Governor, I intend to formally recommend to His Excellency the appointment of Mr Nigel Pratt to the position of Clerk of the Legislative Council and Clerk of the Parliaments. Mr Pratt is a highly regarded professional who is currently appointed as the Deputy Clerk of the Legislative Council of Tasmania, a position he has held since October 2007. He brings more than 14 years of parliamentary experience, including nine years with the Legislative Council of Western Australia and almost a decade as a private practice solicitor. Mr Pratt is well credentialed and holds the following qualifications: a Bachelor of Laws, University of Western Australia, 1990; Bachelor of Jurisprudence, University of Western Australian, 1989; and a Bachelor of Arts, University of Western Australia, 1986.

Mr Pratt's appointment will take effect upon the confirmation by the Governor and Mr Pratt is expected to formally take up the position of Clerk of the Legislative Council and Clerk of the Parliaments prior to the commencement of the 2014 Legislative Council sittings. Until such time as Mr Pratt takes up his commission, Mr Nigel Lake will continue as Acting Clerk.

PAPERS TABLED

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

METROPOLITAN REGION SCHEME AMENDMENT 1225/41 — DISALLOWANCE

Notice of Motion

Notice of motion given by **Hon Robin Chapple**.

RECREATIONAL HUNTING SYSTEMS

Motion

Resumed from 20 November on the following motion moved by Hon Rick Mazza —

That the Council —

- (a) acknowledges the use in other states of regulated, licensed recreational hunting systems and the potential environmental contribution made in controlling pest animals on public lands, together with the possible economic, cultural and recreational benefits to the community; and
- (b) directs that —
 - (i) the Standing Committee on Environment and Public Affairs inquire into the benefits or otherwise of a similar system being adopted in Western Australia and report back to the house by 26 June 2014; and
 - (ii) Hon Rick Mazza be co-opted as a member to the Standing Committee on Environment and Public Affairs for the purposes of the foregoing inquiry.

to which the following amendment was moved by Hon Helen Morton (Minister for Mental Health) —

- (1) In paragraph (b)(i) to delete "Standing Committee on Environment and Public Affairs" and insert —

Standing Committee on Public Administration

- (2) In paragraph (b)(i) to delete “26 June 2014” and insert —
4 December 2014
- (3) In paragraph (b)(ii) to delete “Standing Committee on Environment and Public Affairs” and insert —

Standing Committee on Public Administration

HON DARREN WEST (Agricultural) [2.08 pm]: I will recap on the brief remarks that I made to the house last week when this amendment was being debated. It was with some level of surprise that I learnt of the amendment. As the Deputy Chair of the Standing Committee on Public Administration, which is the committee recommended to investigate this issue, I would have thought there might be some level of conversation held so that this amendment would not have come as a complete surprise to me. Nonetheless, it has, and I will talk about that some more.

This is a poor amendment, and that should not surprise anyone because poor governments make poor amendments. It seems to me that it has not been very well thought out. There must be a reason, but like many things this government does, the reason is not apparent to those affected by its decisions. Hon Sue Ellery and Hon Amber-Jade Sanderson have quite eloquently put that this motion sits outside the terms of reference of the Standing Committee on Public Administration. I will just briefly run over those again for those who may not remember them from last week. The terms of reference read —

- 3.1 A Public Administration Committee is established.
- 3.2 The Committee consists of 5 Members.
- 3.3 The functions of the Committee are to —
- (a) inquire into and report on —
- (i) the structure, efficiency and effectiveness of the system of public administration;

I do not quite see how Hon Rick Mazza’s motion fits into that point. Subparagraph (ii) reads —

- (ii) the extent to which the principles of procedural fairness are embodied in any practice or procedure applied in decision making;

Once again, I fail to see how Hon Rick Mazza’s motion fits into that subparagraph. Subparagraph (iii) reads —

- (iii) the existence, adequacy, or availability, of merit and judicial review of administrative acts or decisions; and

I do not see how it fits under that term of reference either, given that we are talking about recreational hunting in national parks. Subparagraph (iv) reads —

- (iv) any Bill or other matter relating to the foregoing functions referred by the Council;

Paragraph (b) of the terms of reference reads —

- (b) consult regularly with the Parliamentary Commissioner for Administrative Investigations, the Public Sector Standards Commissioner, the Information Commissioner, the Inspector of Custodial Services, and any similar officer.

I will go a little further —

- 3.4 The Committee is not to make inquiry with respect to —
- (a) the constitution, function or operations of the Executive Council;
- (b) the Governor’s Establishment;
- (c) the constitution and administration of Parliament;
- (d) the judiciary;
- (e) a decision made by a person acting judicially;
- (f) a decision made by a person to exercise, or not exercise, a power of arrest or detention; or
- (g) the merits of a particular case or grievance that is not received as a petition.

As a person who can read, I would have thought this motion would not fall under the terms of reference of that committee. I think it would come under the terms of reference of the Standing Committee on Environment and

Public Affairs, as suggested by Hon Rick Mazza. I can understand that there has perhaps been some discussion as to why this should have been done, and when I approached the chair of the public administration committee voicing my displeasure last week that we were even debating this amendment, and asking —

Point of Order

Hon LIZ BEHJAT: Mr President, I am not sure that it is prudent for the member on his feet to bring into the house matters that are private discussions held outside this chamber, and I would seek your guidance in that regard. The conversation was with me, Mr President.

The PRESIDENT: Yes. It is a standard practice that conversations involving any committee deliberations are not public knowledge, as, therefore, is the information of the people participating in those conversations. Just in terms of the overall motion, there should be no assumption or expectation that any member of any committee is consulted with prior to any motion being moved in this house. It is up to this house to decide in its own wisdom whether a motion is referred to this committee or that committee. It is a debatable point, as the member is debating, whether it is the best committee or not, but the decision ultimately lies with the house. Members do always need to be careful about crossing the boundaries of what is a conversation within a committee context, whether it is actually formally within that committee structure or about committee business between members.

Debate Resumed

Hon DARREN WEST: I will take that advice on board, and I will not discuss the specifics of the conversation that was had. I will, however, make the point that I had to go and seek a conversation to get any information about this. It turned out that we had had a committee meeting on the very day this motion and this amendment came forward. I would have thought that at some point during that committee meeting this matter might have been raised, given it had been discussed the day before.

Point of Order

Hon LIZ BEHJAT: Point of order.

The PRESIDENT: Is it the same point of order?

Hon LIZ BEHJAT: Yes, Mr President.

The PRESIDENT: Yes, it is the same point of order, and I think the member now has the advice that perhaps he needs to stick to the actual motion before the house, not conversations that were had in some other context.

Hon DARREN WEST: I will move on now, but I make the point that there had been no discussion among committee members about this beforehand. I would have thought —

Several members interjected.

Hon LIZ BEHJAT: Point of order!

The PRESIDENT: Order! Look, there is no need to take a point of order, but I point out to the member, and for every other member's advice, that it is not unusual for no discussion to have taken place between members of a committee; and in fact there should be no expectation among members of a committee of pre-conversations having taken place about anything the house might refer to that committee.

Debate Resumed

Hon DARREN WEST: As I have said before, a poor government makes poor decisions and drafts poor amendments. I think this amendment is quite disrespectful to Hon Rick Mazza, who has clearly put in a lot of time and effort drafting a motion, putting it to the house, and having his day to put forward a motion that is in the interests of his electorate and those who have supported him to get into this place. He has put in a considerable amount of work. I think Hon Rick Mazza's motion should be debated as put by him. I challenge those opposite to make a decision. I know when they make decisions over there, they are often not very good, but I think this motion should be debated as put, which is why I am speaking against the amendment.

I will not go back over my grievances about the amendment and my personal experience, but I think elected members should give their fellow honourable members some level of respect. The government should take Hon Rick Mazza's motion that he carefully drafted and put to the house and make a decision collectively; or, as the government keeps pointing out to us, it is a democratic party and its members can make individual decisions. Although we very, very rarely see that, it is possible for government members. Government members should make their own minds up as to whether they support Hon Rick Mazza's motion or not.

Hon Helen Morton: Or amend it.

Hon DARREN WEST: For what it is worth, I do not support the motion.

Hon Helen Morton: Or amend it. Is amendment an option?

Hon DARREN WEST: I think the government should be respectful enough to Hon Rick Mazza to vote yes or no on his motion. I can see this puts members opposite in a very difficult position. They have to either vote for what they believe or they have to vote in a way that might please Hon Rick Mazza. It is a matter for government members to consider. Hon Rick Mazza has been most loyal. He has supported the government's motions and divisions and has been respectful of the government's wishes in this house, but the government is now not showing him a level of respect.

I suspect this amendment is designed to get the government out of a spot, rather than to seek a good public outcome or come up with a good decision that can be adopted going forward. I think the government is taking the easy way out by moving this on to a committee, while leaving Hon Rick Mazza high and dry for a year, which is not what he seeks. He seeks an answer and a decision. It is the job of those in government and Parliament to make decisions. I think we should make them, not just hop behind an amendment that will fob the issue off for 12 months: "It won't upset Hon Rick Mazza, but we don't have to actually do anything. We don't have to make yet another decision that we could be criticised on and we don't have to break any promises. We can just hide this one away for a little while and bury it in a committee." Committees are busy with things they need to do, and I do not have to lecture members on the role of an important committee like the public administration committee. There is much to look into and inquire into when there is a poor government, which we have now. I touched on this before, but I think a very, very shallow level of loyalty has been shown to Hon Rick Mazza, who has been, as I said before, loyal to the government.

This committee is not a plaything; it is a serious committee that has a serious body of work to do. I do not think that burying an issue such as recreational hunting systems, which fits outside the terms of the reference of the public administration committee and sits more in line with the terms of reference of the environment and public affairs committee, is helpful to Hon Rick Mazza. I do not think it is helpful to the committee, the house or the electors—the people of Western Australia—who look to us to make these decisions. I think Hon Helen Morton should consider withdrawing her amendment. I will vote against it. I hope other members do too, because they have a democratic right to do so under the rules of their party. I hope this gets voted down and that we can make a hard decision on Hon Rick Mazza's motion.

HON SIMON O'BRIEN (South Metropolitan) [2.19 pm]: We are considering the question of whether the words proposed to be deleted be deleted. For members in this place who have heard me speak before and do not like to hear me speak —

Hon Ken Travers: Who is that? Name them.

Hon SIMON O'BRIEN: Those merry few ought to be awfully cross with Hon Darren West because he has encouraged me to make a contribution to this debate that I otherwise might not have made. I will address a couple of issues floating around about this motion before we get to the substance of it. I think in previous sittings of the house and in earlier parts of this debate, we have heard Hon Rick Mazza put forward the case for potentially having a system of regulated, licensed recreational hunting here in Western Australia. We have had some further comment about that. I think the Minister for Mental Health alluded to it. If I have read it right, the Liberal Party at least has said that it is not necessarily prepared to adopt this quite radical idea—I think that is the effect—but it might have merit. We are prepared to entertain the idea of a parliamentary committee taking a good look at it to see whether there might be several benefits. Hon Rick Mazza mentioned not only the environmental contribution but also economic, cultural and recreational benefits. That expands the benefits well beyond environmental impacts. That part of the debate seems to have been lost by some of the past few speakers. They seem to have been subsumed by this thought that it is going to a committee. So which committee should it go to? It strikes me that we have lost the whole point of the exercise. The trouble is that it gives members in this house who are new enough to think they know everything the opportunity to go a little too far in their remarks.

I want to let members know a couple of things that I may or may not have learnt the hard way over many years. It does not hurt for this to come up because, for the benefit of those who may be unsure, the proceedings of a committee are privileged and secret to that committee. We have had very serious debates and reports about what happens in committees and, indeed, what "deliberations" means. It is not a good idea to discuss what is discussed in a committee meeting. If members do that, they can get themselves in a bit of strife. I offer that friendly bit of advice.

The other thing that I will mention about when matters might be referred to a committee, and dare I say a committee upon which any member might be serving, is that it is the will of the house what a committee will look into. Quite apart from any capacity for own-motion inquiry, this house has the capacity to tell one of its standing committees what it is going to do. The members who make up that committee do not have any choice about that, full stop. That is what happens. It is not about whether members on that committee think they are a bit busy or they are not really interested in a reference or they do not really want to do it. That has nothing to do with it. People who come into this place have to be prepared to serve on committees. They are the rules that apply.

Hon Sue Ellery: Why don't you want to do it, then?

Hon SIMON O'BRIEN: Who says I do not want to do it?

Hon Darren West: You're fobbing it off to us.

Hon Ken Travers: Have you not discussed this going to the public admin committee with anyone before and indicated you don't want it before your committee?

Hon SIMON O'BRIEN: Dear, oh dear, oh dear. Are the Leader of the Opposition and Hon Ken Travers trying by interjection to tell us that they are somehow privy to something that has gone on in one of our standing committees?

Hon Sue Ellery: I wouldn't have a clue but you put your hand on your heart and say you haven't discussed it outside the committee.

Hon Ken Travers: I was talking about internally in your Liberal Party, if you'd heard me correctly.

Hon SIMON O'BRIEN: I heard the member correctly; he should not try to back-pedal.

Hon Ken Travers: That is what I said—"within the Liberal Party".

Hon SIMON O'BRIEN: Members opposite are getting a little oversensitive about this now. It is a good thing that I am in a position to set some members straight about a few things. The first thing that I have already mentioned is that what is said in a committee that forms part of members' deliberations remains with that committee. Members need to be aware of that so they do not get themselves in strife in the future. Mr Ken Travers —

Hon Sue Ellery: The honourable.

Hon SIMON O'BRIEN: Honourable —

Hon Ken Travers: You can call me Ken.

Hon SIMON O'BRIEN: I have called the member a number of things, my friend.

Hon Ken Travers interjected.

The PRESIDENT: Order, members! If it is not out of order, I make an observation. I have put the amendment as one question—that the amendment be agreed to. I could put it as separate questions, like "words to be inserted be inserted" and so on, but I have done that to try to make it clear and get the motion dealt with. Members will know that if they stand to make a contribution on the amendment and they have not contributed to the substantive motion, they are allowed to address the substantive motion. That is just a hint. I would venture to say to the member on his feet that he is allowed to talk about the motion.

Hon Ken Travers interjected.

Hon SIMON O'BRIEN: If the unruly interjections of those opposite would not stop me from doing so, I would love to address the substance of the motion even more closely than I have been doing since I first stood up.

My good friend Hon Ken Travers was making the point, in effect, that if the minister was going to stand up and move an amendment to some motion on the notice paper, perhaps that should be raised in a party forum in advance so we know about it. Of course it should. Why should it not?

Hon Ken Travers: That's my point.

Hon SIMON O'BRIEN: Why should it not?

Hon Ken Travers: Yes.

Hon SIMON O'BRIEN: I am glad that Hon Ken Travers now accepts that, because just a few minutes ago he seemed to be thundering that there was somehow something wrong with that.

Hon Ken Travers: No; I was making the point that you were pretending that you hadn't talked about it, when clearly you would have been involved in discussions about it before it got to this house.

Hon SIMON O'BRIEN: That retort is right out of line. There has never been any pretence that matters that are going to be raised in the house are not spoken about between colleagues. What became very obvious —

Hon Ken Travers: Have you ever expressed a view that you don't want this matter to come to your committee in those discussions internally in the Liberal Party?

Hon SIMON O'BRIEN: Oh, dear! Mr President, are we going to have some sort of interrogational cross-examination by interjection?

Hon Ken Travers: If you want to.

The PRESIDENT: Order! I am just trying to put myself in the shoes of the mover of this motion, Hon Rick Mazza, who is a relatively new member of the chamber. He must be getting quite frustrated with this discussion at the moment about what is really a minor part of his main motion. I would appreciate it if members who wanted to speak on this amendment really got to the point.

Hon SIMON O'BRIEN: The fact of the matter is that if I am on the Standing Committee on Environment and Public Affairs, the Standing Committee on Public Administration, the Joint Standing Committee on Delegated Legislation, which I have served on for five years, the Standing Committee on Estimates and Financial Operations, which I have served on for more than five years, the Standing Committee on Uniform Legislation and Statutes Review, which I served on for I do not know how many years, but it was a lot longer than five, or another committee, I will do whatever the house wants me to do. That is the bottom line. But the question now is: can the Standing Committee on Public Administration look into this matter? What is the actual motion proposing? It looks to me as though it is talking very much about whether or not a different—some might say a radically different—approach should be taken for not only economic reasons, but also cultural and recreational reasons, to introduce a whole new practice in government activity or government controls compared with what has existed previously.

In relation to a new structure, would it be efficient or effective to achieve the environmental and other outcomes that are needed if we were to change a manner of regulation and licensing? That would squarely fit under the first term of reference about the functions of the Standing Committee on Public Administration, so it is quite possible for the Standing Committee on Public Administration to look at this inquiry if the house wants it to go ahead; or the Standing Committee on Environment and Public Affairs could look at it. I really do not care. As a member of this house who may become involved in this inquiry if the house decides it wants such an inquiry, I do not know. I submit my fortunes in that respect to the will of the house, as should other members in this place.

In relation to the question that Hon Rick Mazza initially put on the notice paper, if all we were considering was whether we have a system of allowing people to be licensed to go shooting on public lands in the way that I think he is proposing, at face value I would be very, very reticent to embrace that. Indeed, I certainly could not really contemplate acquiescing to it without a more thorough study into what that really involves. That is why it is an appropriate response for the house to consider this matter, and, if it should proceed, it should proceed by way of an inquiry by one of its committees being the next step. To the extent that the party that I am a part of has facilitated that way of going forward, rather than killing it stone dead, I do not think that is mucking around the mover of the motion and I do not think it is being disrespectful, although if we were required to make a decision, we would have to do that, because in this place we have two options when a question is put: we can vote aye or no. It is the same for every question that comes before the house—aye or no. But the appropriate way of advancing this particular matter is not by saying, “Oh, no; blow it; we’re not looking at it”, or, “Yes, what the hell; let’s go for it.” Sorry; that is why we have the current wording of the question before us, because if this substantive motion fails, that will dispose of the matter, so Hon Darren West will have his wish. However, I caution the member to be a bit careful in his enthusiasm that he does not try to lecture the house about things of which he has not quite yet had the rich experience that I am sure he will accrue if he lasts in this place long enough, which I sincerely hope he does because he is a terrific chap. I support the question before the house.

HON KEN TRAVERS (North Metropolitan) [2.37 pm]: Everyone seems to be giving advice to the house this afternoon and I thought I would share some with the house. The brotherhood of former customs officers will give their collective wisdom to the house this afternoon. The point that you made earlier in the debate, Mr President, was that the substantive issue here is the motion moved by Hon Rick Mazza. Hon Rick Mazza has moved a number of motions in this place, some of which I and the Labor Party have agreed with. There were others that, as we indicated, we did not agree with. I think there are some fundamental issues. I listened to some of the members on the other side. They clearly share a view similar to my view about whether the substantive motion is even worth having an inquiry about. That is fair enough. If we are of the view that we have enough detail and enough information to make a decision about whether we support the substantive elements of Hon Rick Mazza’s motion, we should stand in this place and put those views. I think the previous speakers on behalf of the Labor Party have done a very good job in outlining why we would not support the substantive elements of what Hon Rick Mazza has put before the house this afternoon.

I assume that Hon Rick Mazza, in his heart of hearts, would probably love to have been able to move a motion that just said, “Come on, government. Get on and do what I’m asking you to do.” From the conversations I have had outside the chamber and outside the committee with Hon Rick Mazza, I understand where he is coming from. It is one of those areas in which members will agree to disagree on the substantive issues, as we often do in this place. Hon Rick Mazza, I suspect in his hearts of hearts, would have loved to have moved a motion saying that the government should allow recreational hunting systems into public lands to control feral pests. He would, I think, believe that he has enough detail and information to reach that point. I suspect the reason he asked for it to be referred to the Standing Committee on Environment and Public Affairs is in the hope that he can build up momentum around this issue. I thought that the date that he had chosen for the reporting of the matter to the

house—even though I do not agree with where he is trying to take the debate—is a very good date to have chosen. It would have seen a report brought back to this place in the dying days of the next session of Parliament, just before we go on a break.

I do not know if it was Hon Rick Mazza's intention, but I would have suspected that he would have then used that time throughout that break not only to maintain momentum on that issue, but to try to build momentum for his case. That is what every member in this place has a right to do. However, of course, we have seen some amendments moved. Also, he clearly chose the committee that he thought was the most appropriate committee for this matter to be referred off to; namely, the Standing Committee on Environment and Public Affairs. I actually think that if it is to go off to a committee, that is the appropriate place for it to go. If we will not send matters off—like this one—to that committee, then I wonder why we still keep the name “environment” at the front of that committee. The substantial issues contained in this motion are around the environment. If that is not what this house will seek to do when we have matters like this come before it—that is by saying, “Let's send it off to the Standing Committee on Environment and Public Affairs”, then I wonder why we even keep the name “environment”. I would suggest to the house —

Hon Liz Behjat interjected.

Hon KEN TRAVERS: I am not going to be tempted to give Hon Liz Behjat a history of how the Standing Committee on Environment and Public Affairs came into being. In fact, I remember having a conversation with Hon George Cash when he did a review of committees in this place. Consideration was given to splitting the Standing Committee on Environment and Public Affairs and having, effectively, a committee that did nothing else but deal with petitions. However, it was decided back then and agreed to that the Standing Committee on Environment and Public Affairs would continue to be the committee that dealt with environmental matters. We have a committee that does that role. It is the clear, ongoing decision of this house that when we have got substantial matters that deal with environmental issues, that is the committee it should go to. That has been the long-standing tradition of this house.

Hon Helen Morton: The assumption that you're making, however, is that this is an environmental matter.

Hon KEN TRAVERS: The point I am making is that it is substantially an environmental matter and —

Hon Helen Morton: That is where we disagree —

Hon KEN TRAVERS: If the minister were to also read the motion moved by the member, he refers to —

Hon Helen Morton: He uses the word “environment” once.

Hon KEN TRAVERS: What?

Hon Helen Morton: He uses the word “environment” once. It is about regulation, licences —

Hon KEN TRAVERS: Pretty substantial ones, though. Pretty important ones, minister.

Hon Helen Morton interjected.

The PRESIDENT: Order!

Hon KEN TRAVERS: The potential environmental contribution made —

Several members interjected.

The PRESIDENT: Order, members! Hansard has got no chance in the world of getting all those interjections down when they come in that manner altogether. Let one member speak at a time.

Hon KEN TRAVERS: It is clear, in my view, that if a matter like this will not be referred to the Standing Committee on Environment and Public Affairs, then we should have the Standing Committee on Procedure and Privileges look at that matter to decide whether or not we should even continue to have the environment committee. I might be completely wrong, but I think Hon Rick Mazza clearly set about what struck me as a pretty good strategy. He does not think he will win the debate today on the substantive issue; however, his strategy of trying to build up momentum by getting the appropriate committee that fits within the terms of reference—as a new member, he looked through the committees and saw that it was appropriate—is a strategy I would agree with. He has made sure we get a report back to this house just before we break in 2014, to get that momentum going. We have heard from members on the other side—clearly, it is a strong body—who hold a similar view to that of the Labor Party on the substantial issues of this matter. It strikes me that we are seeing the government engaging in a process to try to bury this issue. That is my view of it. The first thing its members have done is seek to move the date back to 4 December 2014. It means we will get a report just before the Christmas rush. Members should watch what will happen, because over the next couple of weeks, they will see less and less political news reported as we get closer to Christmas. What we do in this house will become less and less reported by the mainstream media as they start to look at issues such as, where Santa Clause is this

week, where are the good Christmas lights on the streets of Perth, and the other issues that are of interest to the public of Western Australia.

It is my view that the substantial reason that the government has sought to move the date out is to try to make sure that the report comes back at a time when it will, hopefully, disappear into the ether. The government will say to Rick Mazza, “Look, we supported you, but sorry the issue’s now been buried.” The other more interesting question is the removal of the committee that would have dealt with the inquiry. I am not sure what drove that decision, but I would be fairly confident—I think Hon Simon O’Brien in our interchange confirmed it—that there would have been discussions within the Liberal Party, not within the committee structure, about which committee this should be referred off to. I asked him by way of interjection whether or not in those discussions he had ever expressed a view that he did not want this matter to come to his committee. Not even asking him why, I just asked whether he had ever expressed that view. Of course, Hon Simon O’Brien, a very effective and seasoned campaigner, deflected that question without giving a substantive answer to that point. The point I want to make to this house is that the advice you gave earlier, Mr President, is absolutely correct—as it always is. The will of this house is the will of this house. We have the opportunity to —

The PRESIDENT: What have I done wrong?

Hon KEN TRAVERS: Sorry?

The PRESIDENT: I was going to say, what have I done wrong?

Hon KEN TRAVERS: Why is that?

The PRESIDENT: You were praising the decision.

Hon KEN TRAVERS: Mr President, as you know, even if you are wrong, you are right! And you are always right! When you make your decisions, Mr President, what it proves is that we were wrong, even if we thought we were right at the time. There is the capacity of this house always to choose to refer a matter off to the committee. I would still take the view though—unless we suspend standing orders—that the decisions of this house should actually conform with the standing orders of the house. I have not taken the point of order on that particular point because, like all things, I suspect this this matter can be twisted and squeezed in to be just captured by the standing orders. However, the clear intent and purpose of the standing orders is that this matter should be referred off to the other house.

The other thing that highlighted to me that I think is the piece of advice I really want to focus on at this point is that often there are discussions behind the Chair. The house always has the right to make the decisions that it chooses to make and, whatever those decisions are, they are then binding on the committees and everyone else in this house, unless we move to a rescission motion. Before we get to that, we all know there are often discussions that go on behind the Chair. There are discussions within political parties and between members that are not a part of the formal deliberations of the committees, but very much impact upon the way in which committees operate and deliver goodwill in the committees. The one thing I have always learnt about the way in which this place operates is that those committees that have goodwill amongst the members are the committees that will achieve the most. I paid tribute when Hon Giz Watson resigned. I served on a number of committees with her. She was an exemplary leader of parliamentary committees. As best as I can I will try to do the same on the Standing Committee on Estimates and Financial Operations, but I suspect I will never be able to reach the way in which Hon Giz Watson consulted and took the committee with her on —

Hon Liz Behjat: That’s because you’re not into hugging!

Hon KEN TRAVERS: Hon Liz Behjat knows that I cannot go into the deliberations of committees and, therefore, there are some matters that cannot be mentioned, and unless the previous committee is reconstituted by this house and it reports, members will never know whether we used to hug on that committee.

Hon Liz Behjat: Just saying!

Hon KEN TRAVERS: Hon Liz Behjat is just saying. Unless the records of the committee are brought back to this house, that will have to be forever and eternally left for people to wonder whether they did or did not.

That committee dealt with some fairly contentious and difficult-to-manage political issues, but the committee was able to deal with those issues by having informal conversations around and behind the Chair. For what it is worth, what strikes me when listening to the debate today is that one of the outcomes of today’s decision is that that clearly has not happened. Members on the government side who are chairs of committees have been brought into discussions; decisions have been taken that impact upon those committees and the other members of that committee who will be impacted upon as a result of those decisions have not been brought into the discussions. I saw the byplay across the chamber between a chair and a member of a committee. I know those two members and I am sure we will be able to move on from this, but I make the point and remind all members that we need to constantly work to try to maintain that goodwill not only within our parties but also across the chamber.

A number of members feel, rightfully, aggrieved that a decision has been made that will influence the work they want to do on the Standing Committee on Public Administration. The chair and members of the committee have been involved in those discussions, yet they were not brought into those discussions at an early stage to put their view. One of the key characteristics of this house, with which I am sure Mr President will agree, was often stated by Hon Clive Griffiths—“You do not have to like what a member says but you have to listen to them”. Members may not agree with what another member says, but if a member is not given an opportunity to put their view so that they may make a difference to the outcome of a decision—not when it is all locked away and agreements have been made—then the goodwill in this house will start to break down.

I make those comments today to try to find a constructive way to move forward. I was disappointed to witness that byplay between those members, but I am confident because I have served on a committee with Hon Liz Behjat. She is constructive and works well with other members. For what it is worth, I believe members should have been brought into that discussion. In my view we have never had a good decision on this matter, but I suspect—although Hon Simon O’Brien will neither confirm nor deny this—the reason that the matter was chosen to go to the public administration committee may rest with Hon Simon O’Brien not wanting it to come to his committee.

Hon Simon O’Brien: Just for the record, the first time I heard any suggestion from anybody that this matter, or a potential inquiry, should come to the Standing Committee on Environment and Public Affairs was when Hon Rick Mazza raised the matter in the house that is currently the item of business. I had never heard it before then.

Hon KEN TRAVERS: Hon Rick Mazza put that motion on notice on 11 June for people to consider. I made a point about the discussions that must have occurred, I suspect, in more recent weeks on whether the government would amend it. They are the discussions I am asking Hon Simon O’Brien about. I understand that he has a right to refuse to provide that information to the house.

Hon Simon O’Brien: Will you answer what discussions occur in your caucus room? I don’t think so.

Hon KEN TRAVERS: Hon Simon O’Brien, if it were me, as long as I was not divulging deliberations of the committee and I felt that it was an issue that affected members of the committee of which I am chair, I would put a view to Hon Sue Ellery, as our leader, as part of those deliberations. I would also discuss it with the other members of that committee. If the matter was about the deliberations of a committee, I would do that only if I had the committee’s permission. I suspect that although this matter will impact on the committee, the majority of the discussion would have occurred outside the committee process. I would probably have talked about the matter with my fellow committee members before I expressed to Hon Sue Ellery the view that I did not want something to come to my committee. I think I have explained that clearly.

The decision the house has to make today is clear. I feel sorry for Hon Rick Mazza because I suspect he has simply had to take what the government was prepared to give him, which is to refer this matter to the public administration committee with a late reporting date. A member must take what he can get when he has only one vote in this place, but I suspect the real motivation of the government is to try to push this issue away and try to bury it. Only time will tell whether that is the case.

For what it is worth, that is my view on how these matters should be dealt with. I hope this debate introduces a little bit more corporate knowledge in this place and that it helps members to understand that this place will only work when we work together and cooperate outside, behind the chair and within committees. Committees will only become dysfunctional if the process of “we have got the numbers” is used. I accept that is the case when we deal with legislation, but it should not be the case with committees. In the last Parliament, that happened on one committee in which a lot of new members were not mentored or enlightened by the older members on that committee. Hopefully, members have learnt a few lessons so that this house operates better in the next three years of this Parliament.

HON PETER KATSAMBANIS (North Metropolitan) [2.56 pm]: I rise to speak to both the motion and the proposed amendment. At the outset I commend Hon Rick Mazza for this motion on a topic he feels passionately about. I hazard to guess that it is a topic that the people who voted to get Hon Rick Mazza to this place also feel very passionately and strongly about. The heart of this motion is the control of pest animals on public lands and how to administer public lands to best remove pest animals so that that land is available for better uses. We have heard the various views from members about whether it is a good idea that regulated and licensed recreational hunters should go onto these lands to assist in the control of pest animals. It is a vexed topic that has ignited passions on both sides of the argument. One side suggests that pest animals are a major problem and that public officials who are charged with the administration of public lands are the best people to control pest animals. The damage that pest animals cause to both public and private land is well known. Those pests destroy not only land and the environment but also other animals; they create problems in water supplies, attack human beings and generally make the land they are on very unpleasant for all users. That is generally accepted by most people. On the other side of the argument from those who would like to see recreational hunters assist in the control of pest animals on lands are those who do not think that hunting animals is the right way to go or do not believe in any

form of a reduction in pest animals. In the middle sits most of the public. I fall into the middle category, because I am prepared to listen to the arguments and to read and hear informed comment about whether or not it is a good idea. I am also prepared to find out more about how we can regulate this sort of system if it ever comes into being. For the great majority of people in the middle, me included, who would like to find out more before this issue is either dismissed or progressed, what better way of finding out that information than through an inquiry by a parliamentary committee? A parliamentary committee would help inform this chamber and the public of Western Australia about what goes on in other places, including other states of Australia, what could potentially happen in Western Australia, the associated risks and, potentially, the sort of regulatory framework that would be most appropriate should we introduce a recreational hunting system to assist in the control of pest animals. It is a good idea to have a parliamentary committee look into this further and provide information so that all of us can make a more informed judgement.

It was open to Hon Rick Mazza to move a motion calling on the government to introduce such a system or to move a motion directing the government to introduce this sort of system in Western Australia. In the time honoured tradition of Parliament and executive government, we would have talked about it for a little while, members would have voted one way or the other and, whether it was passed or defeated, it would have gone into the great ether of executive government and possibly disappeared forever. Instead, Hon Rick Mazza decided to utilise this place in its best possible form. He decided that a properly constituted committee of this Parliament should investigate this matter further and look into the aspects I spoke of earlier and provide information to enable more informed decision-making, which would include members of this place and, hopefully—because a report would become public—the public of Western Australia. That decision-making would eventually inform executive government as it seeks to control pest animals on lands, including public lands, across Western Australia. We already know that some methods of controlling pest animals on private land are done through recreational hunters to the benefit of both hunters and the owners of the private land. Contemplating the use of recreational hunters on public lands is a worthy consideration. In his contribution to this debate, Hon Rick Mazza highlighted quite clearly—he can correct me if I am wrong—that what he is contemplating is not recreational hunting in national parks or the like. I note that Hon Rick Mazza is indicating that I am correct in my paraphrasing of his comments. I want to ensure that issues about national parks do not arise in the consideration of this motion as we move forward. Once we have established that it is an appropriate and well-calibrated motion that raises questions that need further inquiry, hopefully, we will come up with a good and full report that looks into all the issues.

The next question is: what is the most appropriate committee? The motion as originally put suggested the Standing Committee on Environment and Public Affairs as the most appropriate committee. Having sat and listened to the debate after Hon Helen Morton moved an amendment that the appropriate committee is the Standing Committee on Public Administration, I decided to inform myself a bit further about the functions of each of the proposed committees to determine what I think is the most appropriate committee. Paragraph 2.3 of schedule 1 of the Legislative Council's standing orders reveals that the functions of the Standing Committee on Environment and Public Affairs are to inquire into and report on —

- (a) any public or private policy, practice, scheme, arrangement, or project whose implementation, or intended implementation, within the limits of the State is affecting, or may affect, the environment;
- (b) any Bill referred by the Council; and
- (c) petitions.

There is nothing about public affairs, only the environment.

Subparagraphs (b) and (c) do not really apply in this case, so we will look at subparagraph (a). Is it the most appropriate committee? It is all about inquiring into the effect on the environment, which appears, based on the intent of paragraph (a) of Hon Rick Mazza's motion, to be extremely restrictive. It points to the fact that the committee would consider only environmental issues. I understand that "environment" can be interpreted extremely widely. Paragraph (a) of the motion—I am paraphrasing it as I go along—refers to looking at the possible economic, cultural and recreational benefits to the community as well as the environment. At the heart of the motion is how we administer public lands and how we deal with pest animals on public lands. It is not really an environmental issue, although the impact on the environment will be one of the many impacts to be considered by an appropriate committee.

Having determined that the Standing Committee on Environment and Public Affairs is, by its own terms of reference, relatively restricted as to what it can look at with regards to this motion and the principle, concept and system contemplated in the motion, we need to consider the Standing Committee on Public Administration's terms of reference which, as Hon Simon O'Brien pointed out in his contribution, has among its powers the ability to inquire into and report on the structure, efficiency and effectiveness of the system of public administration. Quite clearly, the system of public administration includes the system of public administration on

public lands. It leaves all those other matters to which I referred earlier and to which are referred in the motion open for inquiry. It has a much broader capacity to look into the economic, cultural and recreational benefits for the community. Importantly the Standing Committee on Public Administration also has other functions relating to principles of procedural fairness in any decision-making and the existence, adequacy and availability of merit and judicial review of administrative acts or decisions. That is pretty critical too, because if the committee inquiring into this matter goes down the path of looking at the proposal and thinks that it is probably not a bad idea, what sorts of controls will be put around it? Once we consider what sorts of systems and regulatory environment we put around the possible controlling of pest animals on public lands through recreational hunting, we will need to consider things such as administrative decision-making; that is, how will we issue licences, who will issue licences and what rights of appeal will be open to people if licences are refused or removed? What sort of penalty regime will be introduced to deal with any infractions by those who are licensed to go on to public lands and, again, in that sort of penalty regime, will procedural fairness be applied in the original decision-making and will judicial review of the acts exist and so forth? In any plain reading of the functions of the two committees, because they are the two committees presented to us as alternatives and because I do not propose in any way to throw in a third alternative —

Hon Ken Travers: Do you want estimates to do it?

Hon PETER KATSAMBANIS: I will not pick up on that interjection apart from saying that I am the Deputy Chair of the Standing Committee on Estimates and Financial Operations and Hon Ken Travers is the Chair. I do not consider that that would be the appropriate committee to look into this matter. I firmly believe that this is a matter worth looking into, as I said from the outset. I do not have a fixed opinion on it. I remain to be convinced that this is a good idea, and I believe that a full and thorough, open, public inquiry by a committee of this place is one of the best ways to find out more about these things. Based on all that, the functions and operations of the two alternative committees point me very clearly down the path of the Standing Committee on Public Administration. I have no doubt that either of the two committees contemplated in this motion would do a great job in looking at this matter, and I have no doubt that if Hon Rick Mazza is co-opted as a member of either of these committees—as is contemplated by the body of the motion—he would make a significant contribution to the deliberations of that committee. He clearly has a lot of knowledge and a passion for the area, and he represents a body of people who also have that deeper knowledge and passion for this sort of recreational hunting to act as pest control on public lands. His contribution would be invaluable to the committee's deliberations. For my purposes, having looked at the functions of both committees, it is evident to me that the terms of reference or the functions of the Standing Committee on Public Administration give us broader scope to look at all aspects of this issue and not focus on just the environmental aspects, as important as they may be, because I daresay they are probably not the most important aspect.

Hon Ken Travers: That will kill it. If they cannot overcome that test, that will be the decider that it does not go ahead —

Hon PETER KATSAMBANIS: I do not want to tie the hands of any committee in this place generally as to what might be the decider for going ahead with a proposal such as this. It may well be that the environmental benefits are terrific. We know that introduced species that are not native to our environment cause environmental damage. Wild pigs, wild camels and wild goats not native to our sensitive environment could and do cause massive environmental damage; and recently we heard of the damage that wild horses can do. Irrespective of the damage to the environment, there may be other drivers, and some members have described those drivers in the debate that may lead people to make the decision that we should go ahead with recreational hunting as a form of pest animal control on these public lands. That is not my position. As I said, my position is that I want to have more information about this before I make a decision, but I acknowledge that some people may have a different view.

Hon Kate Doust: Then maybe the member should go on the committee as well.

Hon PETER KATSAMBANIS: I do not need to be on the committee. I am very happy to receive the report of the appropriate parliamentary committee and to consider that report when it is provided to this place. I have faith in my colleagues from all sides of the house that they can do a good job without me. I do not necessarily need to be on the committee in order to properly inform myself once the committee's report is tabled. I know my colleagues will do a good job in looking at all aspects of this matter. I want the broadest possible inquiry. I want to know about the sensitivities that people have around the concept of, effectively, shooting wild animals. Those sensitivities may be held by people who have the protection of our fragile environment as a really strong personal concern, and I appreciate that, so I do not want to see a narrow inquiry focusing on only environmental issues. I want all those broad issues explored, and all the information provided to this place and to the public so that we can make an informed decision, which is why, again, all this points to the Public Administration Committee being the most appropriate body to look into this matter.

In closing, I reiterate my comments and I thank Hon Rick Mazza for bringing this matter to the house. Being a new member like he is, I appreciate that some of the debate here today and previously on the motion has taken us

into cul-de-sacs we really do not need to go into. My position on this matter is that it is a good idea for a parliamentary committee to look into this proposal further. I believe the Public Administration Committee is the best committee to do that for the reasons I have outlined. It is also a good idea for Hon Rick Mazza to be co-opted onto that committee for the purposes of this inquiry. The reporting time frame is sensible and gives the committee the right amount of time to look at what is happening in other states, to take public submissions, and to make inquiries. To pick up on what Hon Ken Travers said about some of the contacts, I do not think this is burying the idea at all. This motion is elevating the status of this idea—this concept, this principle—to one that is being properly inquired into by a parliamentary committee to see, firstly, whether it is a good idea and, secondly, if it is a good idea, what sort of controls we should have around it. I look forward to the committee, hopefully, on the vote of this place, being given the opportunity to conduct this inquiry. In due course, by 26 June 2014, I look forward to reading the report of the committee with great interest.

Amendment put and passed.

Motion, as Amended

HON DONNA FARAGHER (East Metropolitan — Parliamentary Secretary) [3.19 pm]: I rise to make a couple of comments with respect to the now amended motion moved by Hon Rick Mazza. I have listened with interest outside the debate on which committee this matter should be referred to—if that is what the house decides—but more particularly with regard to the more substantive issue of recreational hunting.

My comments will come from the perspective of two key areas: issues surrounding the environment and issues surrounding safety and risk. I want to add a couple of comments so that, should this issue be referred to a committee, my comments might be considered by the committee. First and foremost, if this issue is referred to the committee, we need to be clear about what reserves we are talking about. I know Hon Rick Mazza has said that state forest and unallocated crown lands are the type of lands on which he considers recreational hunting could take place and national parks are not part of that. I accept that, but the fact is other lands form part of the conservation estate. I raise this because it is all very well to refer in a general sense to conservation reserves—I have heard members talk about conservation reserves in general—but that can cause confusion. Is the member saying—I do not believe he is—that recreational hunting could occur in other lands such as conservation parks or existing nature reserves? I presume not, but I think that needs to be clarified first in any deliberation of this matter.

As part of the conservation estate there are state forests, timber reserves, national parks, conservation parks, existing and proposed nature reserves, and freehold land that is vested with the executive director of the Department of Parks and Wildlife and other miscellaneous reserves. I appreciate that Hon Rick Mazza is not referring to national parks but I have to ask: what necessarily makes a state forest any different? I make that point from a recreational point of view. I recall a member when making their contribution saying that if recreational shooting was in national parks, there would be some concern about safety for families who perhaps take their children there. The issue is, though, that much like national parks a number of state forests are heavily recreated. It is my view—I took this view when I was the Minister for Environment—that national parks should not be seen as reserves that are locked up from the general public. I copped a bit of criticism for that, generally from green groups. I took the view that first and foremost national parks are absolutely there for the protection of our native flora and fauna. They are also there for people to enjoy.

Government members: Hear, hear!

Hon DONNA FARAGHER: If we did not allow people to visit national parks and reserves to enjoy what these very special places have to offer, I would be concerned that some people might not value their importance. My view is that many more visitors, in a controlled way of course, should be able to visit these parks and recreation areas and that includes state forests. But, of course, by encouraging people to visit national parks, state forests and other reserves, the number of people who access them is increased, so in light of this motion, that needs to be considered from a safety point of view. The fact is, across our conservation estate—I am going from memory here—there are 11 million visits a year. In some of the state forests people go bushwalking, camping and bike riding. There is the Munda Bididi Trail and there is the Bibbulmun Track. I know Hon Rick Mazza would not suggest that recreational hunting take place in heavily populated areas but, again, should the committee be asked to consider this matter, it needs to be clear that state forest is certainly part of the recreation landscape. They are not two separate entities from a recreation point of view. As I say, the Bibbulmun Track and the Munda Bididi Trail go through some densely populated areas and some very thick forest. Therefore, obviously, there is potential for tension and a risk to safety should Hon Rick Mazza's proposal succeed. Obviously, that is the issue concerning safety. I also appreciate that Hon Rick Mazza would suggest a strict regulatory and licensing regime be in place. But I say again that there are some 11 million visits to reserves and parks across Western Australia's estate each year. I believe safety is incredibly important, irrespective of how well intentioned and responsible a recreational hunter may be. I appreciate that Hon Rick Mazza would also agree with that.

There is of course a very particular concern from a purely environmental perspective. As Minister Morton noted in her contribution to the debate last week—people are talking in part as though this does not happen already—the Department of Parks and Wildlife already has protocols in place to engage and approve organised and trained recreational hunting and sporting shooter groups to assist with feral animal control programs on department-managed lands. I recall that that is a longstanding arrangement. The department uses accredited groups to assist with the control of feral animals. As in the midwest examples there has been support to deal with feral goats and feral pigs in the south west. These are a couple of examples that come to mind. Some people might argue that those I call cooperative programs are not effective or are too small in scope. Perhaps that needs to be looked at if it is an issue being raised by sporting shooters groups. I cannot answer that question, but it is a useful question to ask. Although some might say it is too small in scope, the other side of the argument is that through a controlled program there is departmental oversight and supervision. Some people might say that oversight should not be required. The last thing I would like to see is—I think the minister referred to this also—a negative consequence in light of other controlled programs that might be operating. That could result in an escalation of other problems we are dealing with, and dieback—Hon Jim Chown mentioned this in his contribution—is an example of that. Dieback is certainly present in some state forests, exactly the place where recreational hunting is proposed in this motion. The simple fact is that no matter how careful we are, dieback is being spread and can and does have significant consequences. I am not suggesting that recreational shooters would cause the greatest distribution of dieback. We know that a range of activities can lead to the spread of dieback, such as earthmoving activities, dirty vehicles and road projects, and it is very important that management plans are in place. It is important that specific dieback plans are in place and undertaken. People who access dieback-prone areas need to take appropriate measures and steps to manage the spread, however inadvertent it may be. We would need to know whether people accessing those areas know those plans, how it would be monitored and how it would be adhered to. They are the sorts of issues that I think need to be looked at.

I think it is important that these issues are comprehensively considered, should the house decide that this motion be referred to a committee. I am sure they would be. They are, I think, the two main issues that would be addressed by the committee, outside of other issues that Hon Jim Chown and Hon Robin Chapple talked about such as costs, licensing and all those sorts of things. I do not intend to go through all that today. In short, I take a similar view to the minister, which is that increased access by recreational shooters beyond those specific control programs I have already referred to should not be supported. I believe there is a potential for environmental harm and a potential safety risk and they are my overriding reasons for speaking against the motion, but I thought it was important to make a couple of comments before we vote on it.

HON RICK MAZZA (Agricultural) [3.31 pm]: — in reply: Firstly, I would like to thank members for their contributions to this debate. There has been quite a bit of discussion regarding some of the issues that concern members. I would like to particularly thank Hon Paul Brown and Hon Peter Katsambanis for supporting the motion and taking the time to do some research on this matter; they have obviously spent some time looking into it. Predictably, there have been some hand-wringing arguments and alarmist emotional rhetoric about safety and other things, and I accept that. Safety is one of those things that is of concern to members and the community.

I want to discuss the regulated systems in place in other states of Australia that are functioning successfully with minimal issues around safety. After the unfortunate shark attack on the weekend, I was reading in the paper that there is a one in two million chance that someone will be taken by a shark; however, in the past five years far more people have been taken by sharks than there have been firearm accidents, although every weekend on private land in Western Australia and all around Australia people are hunting in state forests using firearms.

There was quite a lot of reference to the New South Wales Game Council; Hon Jim Chown's contribution mentioned a lot of the issues around the Game Council in New South Wales, and I want to clear up a few things about that. The New South Wales Game Council had been operating in state forests since 2006 with, may I say, a 100 per cent safety record in that it had been incident-free. The Game Council was suspended on 4 July this year following a report by Steve Dunn, but the reasons for the suspension of the Game Council were more to do with its governance. It was not a government department; it was a private organisation funded by the government that had been delegated certain powers—a little like the RSPCA. Following the report, the New South Wales government thought there were some governance issues with the Game Council, so it is doing a review of hunting in state forests in New South Wales. As I understand it, the Game Council will be then be put under the jurisdiction of the New South Wales Department of Primary Industries and rebirthed next month or early next year in very much the same form as it was. So, hunting in New South Wales state forests will continue. Part of Steve Dunn's report states —

This review has found the Game Council has achieved significant results towards achieving its objects and functions, and this should be recognised.

The report also states —

The idea of responsible and orderly hunting of game and pest animals is a worthy goal and the program has made some good steps towards achieving it.

The other thing I want to touch on is the notion that reducing feral animals in an area is a wasted effort because of their ability to breed back. Anybody who has studied relative densities of animals and how that operates would know, through simple mathematics, that if we reduce the number of a pest animal like foxes to 100 in an area and they breed three times a year—bear in mind that we will never eradicate pest animals from an area; we can only ever manage them and reduce populations—then obviously we will have 300 foxes to deal with in 12 months. But if nothing is done and 1 000 foxes remain in that area, they would be out of control within that 12-month period. Reducing fox numbers through recreational hunting, baiting programs and the use of professional shooters is part of the armoury, if you like, in maintaining control over the population of those animals. North America, Europe and Canada use hunting as a major form of animal control and have built enormous industries from it. As I said before, in North America hunting is worth \$87 billion—an enormous amount of money.

The discussion also covered the use of amateur hunters and professional shooters, as if amateur hunters were in some way far inferior. The only real difference between an amateur and a professional is that one gets paid. I can assure members that many amateurs who are motivated for reasons such as recreation and interest activity take their hunting and the way they conduct themselves very seriously. The Department of Parks and Wildlife conducts a program for accrediting professional shooters, and the level of training involved is no more than the Sporting Shooters Association of Australia (WA) Hunting and Conservation club does in accrediting its members who must achieve a certain level of proficiency before they are allowed to engage in field activities. Hon Peter Katsambanis touched on a few of those things.

Members of the house are a little reticent about this motion because they do not fully understand the issues, which is why it is a good idea that the motion be referred to a committee. If that happens, it will be fully investigated and we can have a good look at the benefits or otherwise of recreational hunting and how it may fit into Western Australia. In Western Australia we have volunteer firefighters, ambulance crews and State Emergency Service people and they all do a great job of serving the community. I do not see how volunteer conservation hunters could be viewed any differently.

As to which forest blocks or conservation areas may or may not be used, the New South Wales Game Council system involves assessed and declared forests. So, it will not be happening on the Bibbulmun Track or on the edge of a town site; it will not be happening anywhere where there may be interaction with many people. In New South Wales the forest blocks—there are 215 or thereabouts—are assessed and declared, and permission is then given by the department for hunters to shoot in those forests.

I turn to the costs involved in reducing the number of feral animals in certain areas. In a question without notice I referred to a report that indicated the cost per animal. One of the highest costs was the eradication of feral pigs, which was as high as \$605 per animal. Just to give members some idea, a person I know who lives in the Pinjarra region was asked by a landholder to assist him because he had a lot of feral pigs coming onto his land and, after contacting the Department of Parks and Wildlife and others, no-one really wanted to help him. Mike—we will call him Mike—is retired and has been a lifelong hunter. He took up the task and over the past 12 months has eradicated 98 pigs off that land. The work is extremely labour intensive. He put his own time, money and resources into dealing with those pigs.

Hon Helen Morton: Did he put them in the freezer?

Hon RICK MAZZA: Some he did. He took the ones in good condition for meat, but others were not suitable. That number of pigs, 98, multiplied by \$605 is \$59 290, which is the amount it would have cost the state using other methods to eradicate those pigs. But in this case it was done for free and at no cost to the state. Another person I know, Mark of Ferguson Valley, does not have as much time as Mike, as he has a business to run, so his time is limited, but he has taken 53 pigs in the past 12 months, which equates to \$32 000 of eradication done at no charge to the state. The interesting thing is that actual live animals were taken in the count. When the Department of Parks and Wildlife and other departments do counts, they also include foetuses within sows. They shoot one sow, but they might count eight. These were actual pigs taken.

How many foxes are shot by recreational hunters in a year? Who would know? It is thousands and thousands. If they were not taken by recreational hunters, we do not know what the cost would be to the state to eradicate them. Each year the Red Card for Red Fox program takes around 5 000 foxes. Unfortunately, the question on notice answer I was given did not provide figures on how much eradication of each fox costs, but I am sure it is considerable.

There are some major savings. We are talking about a structured system and referring this motion to a committee so that the house can get back an informed, reasoned and researched report so that members can read it and make an informed decision. As I said when I started this debate, I ask members to keep an open mind. I also ask that the motion be referred to a committee. I commend this motion to the house and ask members to give it due consideration so that a researched and factual report can be produced in due course.

Question put and passed.

LIBERAL PARTY — ELECTION CLAIMS*Motion*

HON KEN TRAVERS (North Metropolitan) [3.43 pm]: I move —

That the Legislative Council condemns Premier Barnett and the Liberal Party for misleading the people of Western Australia during the March 2013 state election, when they claimed they had a “fully funded, fully costed” plan for Western Australia.

I am sure members will recall the election campaign. If they do not, I will bring some aide-mémoire to the chamber this afternoon to assist them in remembering. Members will clearly remember a key element; at every occasion during that election campaign the government reminded us that it had a fully funded, fully costed plan. I have a copy of pages 2 and 3 of the *Joondalup Times* that was released on the Tuesday before the election earlier this year. The two-page spread is titled, “Our plan for Western Australia,” and shows the beaming face of the Premier. Some eight members of the North Metropolitan Region lower house team, such as the members for Joondalup and Wanneroo, the hopeful member for Butler, the fine member for Hillarys, the member for Kingsley and the would-be member for Girrawheen are all on there and are all associated with this advert. The advert also encourages people to vote for the upper house team led by the Leader of the House, Hon Peter Collier.

Hon Helen Morton: They obviously listened to him because —

Hon KEN TRAVERS: They did. Hon Helen Morton is absolutely right; they listened to him because her party lied to them. They were told a lie and they believed the Liberal Party’s lies. All over those pages members will see the caricature of a wax seal that states “fully funded, fully costed”. The *Farm Weekly* refers to the Liberal’s real plan for agriculture and we can see embedded behind it the phrase “fully funded, fully costed plan for Western Australia”. We had the *Joondalup Times*, and then on the Thursday before the election we had the *Farm Weekly* telling us that the Liberal Party had a fully funded, fully costed plan. On page after page there are pictures of the “fully funded, fully costed” seal. Individual members across the state also claimed that the Liberal Party’s plans were fully funded and fully costed. The now member for Belmont had it on her campaign material.

Hon Helen Morton: She’s a great member—a terrific member—a fantastic member.

Hon KEN TRAVERS: It is a shame the Liberal Party has let her down by lying to the people of Western Australia by saying that it had a fully funded, fully costed plan. The member for Morley had it on his paraphernalia. We will go through the detail of what sits behind these adverts. The would-be member for West Swan, who was not successful—they did not vote for her—also had it on her campaign literature.

Of course, the people of Ellenbrook understood how this government could mislead them during the election campaign; many people in the seat of West Swan live in the suburb of Ellenbrook and they know that this government will say and do anything and make whatever claims it can to get itself elected. The area that people would perceive as the greater Ellenbrook area—places such as Aveley—is in the electorate of the member for Swan Hills. I tried to find a copy of a document with his photo on it and “fully funded, fully costed”, but I could not. The member for Swan Hills probably knows better than anyone on the government side that Liberal Party members say and do and make up whatever they want during an election campaign. They promise whatever and they worry about it later and it does not matter whether the government can afford it.

Hon Helen Morton: Are you talking from experience?

Hon KEN TRAVERS: Exactly; we are definitely talking from experience about the member for Swan Hills. The member for Swan Hills had material put out about the Ellenbrook railway line. I always felt sorry for him because the promise for the Ellenbrook rail line was always pushed back on to the member for Swan Hills when it was always the Premier who made the promise that the Liberal Party would build a railway line to Ellenbrook. We can go through the history of that. The Liberal-National government promised it; then it said that it would not build a railway line, but it would build a rapid transit bus service. Then it broke that promise. Now it says it wants to build a railway line and not a bus service. The bottom line is that the government does not fund it.

Let us look at the fully funded, fully costed plan that this government had leading into the last election. A range of different projects and items were part of that fully funded, fully costed plan. In the member for Morley’s campaign documentation he told people that this government had a plan for a \$1.8 billion light rail system that was fully funded, fully costed. Of course, during the election campaign the Liberal Party put out a time line for when that would be completed. He also referred to the Malaga Drive overpass, which was, supposedly, already embedded in the budget of the state government. The campaign that was run in the northern suburbs of Perth referred to the extension of Mitchell Freeway through to Clarkson. That was not even an election commitment; that was supposed to be in the budget. It had been put in the 2012 *Government Mid-year Financial Projections Statement* as being fully funded and fully costed.

Did the government have a fully funded and fully costed plan? We know that it never had a fully funded and fully costed plan because none of the National Party commitments—the other half of the government—was included in the costings. The National Party never put its costings to Treasury. The Liberal Party had already taken up any window of opportunity for additional expenditure in its commitments. On top of that, we had all the National Party promises and commitments. At a very basic level, this government was lying to the people of Western Australia because it was trying to present a situation that it claimed to be fully funded and fully costed but it would never deliver. It knew that the state could not deliver and it would try to mislead people.

I vividly recall the day that the Minister for Transport announced the airport rail line. I could not believe that the Liberal Party had found a pocket of money that could fund that line without making tough decisions to cancel or defer other projects. I rang journalists and they said they asked the Minister for Transport and Treasurer about that. He said that the government would seek commonwealth funding but it was not contingent on the line being built. I thought the only way this could go ahead was if the government had some agreement with the federal government to fund a significant component of the airport rail line. The journos said to me that they asked that question and they were told that the line was not contingent upon that funding. The Treasurer and Minister for Transport made that very clear. In the dying days of the election campaign, when the figures were finally released, we discovered that the line was almost exclusively funded by commonwealth money. It was not fully funded and fully costed because there was no commitment from any federal government at that stage towards funding the airport rail line. Later the government was assisted by the federal Labor government, which put money into its May budget to help fund public transport. The government's own federal Liberal colleagues are opposed to the line and have now taken that money from Western Australia. The government did not have a fully funded and fully costed plan for the airport rail line and it misled the people of Western Australia.

With all the resources available to the government to cost its election commitments compared with those available to the opposition, the government could not even get its dollar costings for the Perth Airport railway line correct. The government had exclusive use of the resources of Treasury and the Public Transport Authority to assist it. One of the benefits of incumbency is that the government was able to use its public servants to assist in costing the airport rail line, yet it could not get that right. It costed it at \$1.895 billion yet it came in, according to Treasury, at \$2.015 billion. The government could not even get something as simple as that right. That is a very different kettle of fish from those on the opposition benches who do not have those resources available to them.

Hon Helen Morton: You're trying to make excuses for your \$1.4 billion problem with Metronet.

Hon KEN TRAVERS: The minister is completely misleading the house. We relied on a range of methods to cost our proposals, including asking parliamentary questions. As a result of the answers to parliamentary questions that we were given about the costings on rail lines, we ended up costing our proposals more than that and they came in even higher than that. If the minister wants to talk about costings, we can go back to the submissions that her government made to Infrastructure Australia about the airport rail line. I understand, from my sources within the department, that at that stage the government estimated the cost at \$1.5 billion. The Liberal Party was out by \$500 million. We were always clear about our costings for Metronet when we sat in the caucus room and briefed journalists about our commitments before we made the announcement. I distinctly remember the words that we were using. We had costed it in 2012 dollars and over the forward estimates we had made an allocation for escalation. As an opposition, we were able to do that. When we look at the final figures that came out of Treasury compared with our costings, I would argue that they were more accurate than the government's costings. With all the resources that it had available, it could still not get the Metro Area Express light rail and the airport rail right.

Hon Helen Morton: We did have a station that went to the airport though.

Hon KEN TRAVERS: Let us wait and see whether the government has a rail line that goes to the airport. I saw the pictures. The minister was sitting next to me. Did she notice where the picture of the airport rail line was? I took a very keen interest in it. It is not where the government promised it would be at the election. It is a good hike from where it was proposed on that picture to where the government claimed its line was going to be. That picture was far closer to the Labor proposal than it was to the government's. The government's proposal was supposed to be on one side of the control tower and ours was on the other. When Perth Airport recently put up its documentation—I had the pleasure of sitting next to the minister that evening—it was right where Labor said it would be. I look forward to the day the government builds its domestic terminal station. If the domestic terminal is still operating or if the government builds a station for a terminal that does not exist, I look forward to watching the minister get off the train and walk to the terminal with her bags. She probably will not be a minister by then. In fact, if the Liberal Party remains in power, I suspect very few of us will still be members of Parliament when the railway line to the airport is finally built. If the minister is still a minister then, I suspect she would call up her driver and say, "You've got to be kidding! Someone said it was next door to the terminal. I have to walk." We can have another debate another time about how the Liberal Party in WA was completely dishonest and misleading in the way it presented Labor's policies and the way it presented its own policies. Time

will tell, and the government will be held to account for the way in which it misled people on that matter. If the government wants the railway station next door to the current terminal, which is where it promised to put it—not necessarily the best place in the long-term planning of the airport—it will need to have money and a commitment with the airport by early next year because it will start building a car park where the government said the station was going to be.

The government could not get its costings right for MAX and the airport rail line. It took a while for the government to get its act together, even though it had a fully funded and fully costed plan. It took some time, I suspect, because it had to bring in the National Party commitments that it had forgotten to include in its costings before the election.

Hon Col Holt: Ours were all costed.

Hon KEN TRAVERS: They were not costed by Treasury; the Nationals never sent anything to Treasury. They might have been costed but they were never committed. We still have to wait for the wrangling to occur. Half the promises of the National Party will disappear and half the promises of the Liberal Party will disappear. We know that both the National Party and the Liberal Party promised to do something about the tier 3 rail lines, but the lines have closed and the roads were not ready in time.

Hon Col Holt: They're all there.

Hon KEN TRAVERS: What are?

Hon Col Holt: Ours are all there in the forward estimates.

Hon KEN TRAVERS: The money is there for the upgrade of the *AvonLink*, is it?

Hon Col Holt: That wasn't an election promise. You're talking about fully costed, fully —

Hon KEN TRAVERS: What about all those comments that were made and all the media stories that were run by Hon Max Trenorden?

Hon Col Holt: You can't keep changing your argument because it suits you to change it. Your motion is about fully funded, fully costed election commitments.

Hon KEN TRAVERS: Let us see. What Hon Col Holt is confirming is the substantive issue of this motion. If he is saying that all the National Party's costings and commitments are there, we can go through that item by item to see whether they are. I note that the National Party did not put forward much in the way of promises for transport, other than for the tier 3 lines. The National Party still has not put any of the money that it promised into the tier 3 lines or had the study that it promised or any of the other things. If that is the case, it is clear to me that that is one of the reasons why so many of the Liberal Party's promises have now been ditched at the altar.

When the budget came down, we found out that a number of projects that had been fully funded and fully costed were not occurring as promised at the election. We found out that the Metro Area Express and the airport rail line had been pushed back significantly. Let us understand what the pushing back of those programs meant in terms of the cash flow. If the government had tried to continue to do those projects on the commitments that it made at the election, it would have had to find an extra \$1.4 billion over the forward estimates. We already have projects worth \$1.4 billion that the government claimed were fully funded and fully costed, but they were not, unlike Labor, which had taken the tough decisions to announce changes that would allow us to deliver on the promises that we were making. We made it clear to the people of Western Australia that that was how we were going to achieve our outcomes. According to the government's own cash flow in budget paper No 3, \$1.4 billion had to be shifted into the years beyond the forward estimates by moving those projects back.

Of course, before the election there were those two special projects that were already in the budget and included in the government's election costings with the fully funded, fully costed stamp above them—namely, the extension of the freeway north to Clarkson and the Malaga Drive overpass. What did we hear from the Main Roads officials the other day as to why those projects are not proceeding in the time frame that was promised? They do not have the funding to do them. Where are the fully funded, fully costed projects? Again, those projects were pushed back from the original time frame, so hundreds of millions of dollars were moved out of the current forward estimates into the forward estimates of future years. I make this prediction: by the time we get to next year's budget, we will see a number of projects moved again. The other day we got a lack of clarity from the government about whether it is committed to the new timetable for the Malaga Drive overpass or the extension of the freeway north. It was not even the case that the government has now shifted those projects to a new date, in complete breach of its election commitments; it still could not be absolutely sure that it could deliver them in that time frame. I have never seen officers so clear that it was because of a lack of funding. It even came down to the fact that the cash flow of that funding had really always meant that it would be very tight to be able to build those projects in the time frame, because there simply was not enough money in the cash flow in the early years, again confirming the argument that the fully funded, fully costed plan put forward by this government was an absolute and complete nonsense. I look forward to the midyear review.

One of the fascinating things is that there is now some suggestion that the government has moved away from its commitments to the MAX light rail, which was one of the last surviving projects that was considered a priority in July 2011 when the government released its draft transport plan. It had three priorities: a busway to Ellenbrook, at that point—I sometimes get confused about which one they are promising when; a railway line to the northern suburbs; and a light rail that at that stage would connect Curtin University with the University of Western Australia and Mirrabooka by 2020. The light rail was to be a priority. The government then announced MAX, which would connect Victoria Park with UWA and Mirrabooka. We now find that even that might not go ahead and the government might build only half of that. Of the government's three priority projects a year ago, we will get half of one of them—that is all the government will deliver—and, of course, it will not deliver as per its election commitment.

In the past, because governments have greater access to resources and the funds in the budget, they have provided quite elaborate costings. Certainly, when Labor was in government, it gave quite detailed costings at the back of all our policies that showed the recurrent funding for a promise in each year of the forward estimates, where any savings would come from and what additional funding was required for both recurrent and capital programs, so it was very clear to people. We know that this government gave very little detail. The final document that came out with the government's costings gave the impact on net debt over the forward estimates. It was almost impossible to find out the parameters of those commitments and all the other issues that one would expect to see from a government that had a fully funded, fully costed plan. I looked at it and I saw that many of the projects listed in the government's election costings do not appear in the budget. I will leave it to others to go through those, but there are things such as Collie Senior High School, Mount Hawthorn Primary School and regional policing centres. At the time of the election, Treasury was even questioning whether the government had allocated enough money for —

The DEPUTY PRESIDENT (Hon Alanna Clohesy): Order! The time for debate today has concluded.

Debate adjourned, pursuant to standing orders.

COMMITTEE REPORTS — CONSIDERATION

Committee

The Deputy Chair of Committees (Hon Alanna Clohesy) in the chair.

Joint Standing Committee on the Commissioner for Children and Young People — First Report — “2012–2013 Annual Report”

Resumed from 21 November.

Motion

Hon SALLY TALBOT: I move —

That the report be noted.

As a member of the committee, I would like to make a few comments about this report. I was very pleased to see this report tabled. Members will have noticed, of course, that because the new committee was formed on 22 May when this Legislative Council was sworn in, the report that we have tabled is brief because it covers only 40 days of work. During that time, I understand that we met four times, which I think shows that all four of us are very dedicated to the task of providing an adequate service to this very important committee.

I wanted to add to the comments that I know were made in the other place when this report was tabled. I note that the Deputy Chair of the Joint Standing Committee on the Commissioner for Children and Young People, Hon Robyn McSweeney, made a short statement when she tabled the report in this place last week. However, I think it is a particularly pertinent moment in which to acknowledge that the commissioner, whose work this standing committee oversees, recently announced she was resigning from her position. I think it is highly appropriate that we note her resignation. We should also note the great sadness and regret that has been expressed by a large number of people in the Western Australian community about the fact that Michelle Scott has decided not to continue in that position.

Michelle Scott, of course, was the first Commissioner for Children and Young People in this state. She was appointed in December 2007 under the act, which was proclaimed in 2006. It is a huge job. As the commissioner, she has responsibility for overseeing the wellbeing of about 560 000 children and young people in Western Australia. The act defines children as being people under the age of 18, but the commissioner's task—clearly, because it involves children and young people—includes people up to the age of 25. Michelle Scott has spent the last six years or so doing a tremendous amount of work representing the interests of children and young people to the Parliament to whom she, as a statutory officer, reports. She reports directly to the Parliament. Going through the work that she has done, even in the 40 days covered by this annual report, we were cognisant, in setting out the work the committee wanted to do for the next few years, of the enormous amount of work that

Michelle Scott has done since December 2007. Just going through her list of achievements is really quite extraordinary. The most recent report that she released was part of the “Speaking Out” series. The report released this month is titled “Speaking Out About Disability”. In preparing this report, she consulted with over 200 children and young people around the state aged between eight and 16 years; it really is a most extraordinary report for those people who have got the time to read it and I am sure we all have the interest in reading it.

In October 2013, just a month ago, the previous publication in the “Speaking Out” series was about living in regional and remote Western Australia. A year before that—my memory is that it was very early in 2012—the commissioner released a “Speaking Out” report about reducing alcohol-related harm to children and young people. Those three “Speaking Out” reports form the basis of a very substantial body of political and policy decision-making that will resonate over the rest of the life of this Parliament. I think, however, that when we look back at what the commissioner’s role has achieved in the first few years, and which formed the basis of the work that the standing committee does, there are some very remarkable things Michelle Scott has been able to do during this relatively short time. She has set the bar extraordinarily high for measuring the performance of future commissioners.

Those members who are familiar with the act will know that it is quite a long and specific process to appoint a commissioner because, of course, there is a statutory obligation to consult children and young people on that appointment. I know that public sector appointments take some time anyway to go through the motions in order to tick all the boxes, but this is a particularly thorough process. I note that it needs to be started very soon if we are not to have a protracted period in this state with a commissioner who is appointed to only an acting position. I do look forward to hearing at some stage a report, perhaps, from the Attorney General, who has carriage of the act as well as the statutory review that is currently underway, about how he sees that process of appointing a replacement for Michelle Scott. For those of us who are interested in policy affecting children and young people, the monumental achievement of this commissioner is the development of the wellbeing monitoring framework project. That, of course, as many members would know, was set out in three key reports. The first was the state of WA’s children and young people.

Committee interrupted, pursuant to standing orders.

[Continued on page 6670.]

Sitting suspended from 4.15 to 4.30 pm

QUESTIONS WITHOUT NOTICE

POLICE — VOLUNTARY SEVERANCE

867. Hon SUE ELLERY to the Attorney General representing the Minister for Police:

I refer to the 196 police officers being offered voluntary severance.

- (1) For each officer —
 - (a) what is their rank and duties undertaken; and
 - (b) in what section of WA Police are they located?
- (2) Have these positions been abolished?
- (3) If yes to (2), what advice has the minister received from Treasury regarding the tax implications for officers accepting a voluntary severance?
- (4) If no to (2), are there any tax implications for police officers accepting redundancies that are not genuine redundancies; and, if so, what are those implications?
- (5) Has the government communicated with the Australian Taxation Office regarding requirements for redundancies by police officers?

Hon MICHAEL MISCHIN replied:

I thank the honourable member for some notice of this question. On behalf of the Minister for Police, I advise as follows —

- (1) (a)–(b) At this stage only offers have been made to officers. It is therefore too early to answer this question. Regardless, our capacity to answer this question at any stage is dependent on our privacy obligations to the employees.
- (2) No.
- (3)–(4) It is the responsibility of the individual officers to obtain advice on the tax implications of their situation.
- (5) No.

TEACHERS — SWITCH PROGRAM

868. Hon SUE ELLERY to the Minister for Education:

I refer to the Switch program to assist existing teaching staff acquire the skills and content knowledge to teach year 7s in the secondary setting from 2015.

- (1) Is any Switch money being used to assist either pre-service teaching applicants or any other category of potential teaching staff not currently employed by the Department of Education?
- (2) If so, what is the eligibility for access to the Switch program?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of this question. Just before I give a response, on behalf of all members I wish you, Mr President, a very happy birthday.

Hon Ken Travers: That is why I said nice things about you earlier on.

The PRESIDENT: You want the call, obviously.

Hon PETER COLLIER: I answer —

- (1) Yes. However, pre-service teachers—that is, those who have not yet graduated—are not eligible for the Switch program.
- (2) Permanent and fixed-term teachers who have worked for the department for a minimum of 12 months in the past five years and intend to work a minimum of 0.6 to one full-time equivalent in 2015 are eligible. These teachers may not be currently employed by the Department of Education.

Graduate teachers with a current application in the department's graduate teacher pool are eligible to apply. They may not have yet worked for the department, but have applied to do so.

The PRESIDENT: I should have said thanks and that I have the privilege of sharing my birthday with Hon Mark Lewis. Both of us are 21-and-a-bit years old!

WORKERS' COMPENSATION AND INJURY MANAGEMENT ACT 1981 —
WORKCOVER WA DISCUSSION PAPER**869. Hon KATE DOUST to the Minister for Commerce:**

Thank you, Mr President. You also have the privilege of sharing your birthday with my 16-year-old son.

I refer to WorkCover WA's September discussion paper on the Workers' Compensation and Injury Management Act 1981.

- (1) Will the government adopt all the changes proposed in the discussion paper relating to asbestos-related diseases, as identified in the compensation section?
- (2) If not, will the government please outline the changes it will adopt?

Hon MICHAEL MISCHIN replied:

I thank the honourable member for some notice of this question.

- (1)–(2) The government has made no commitment to adopt any of the proposals outlined in WorkCover WA's discussion paper. The discussion paper is based on WorkCover WA's internal review of the Workers' Compensation and Injury Management Act 1981 and seeks to facilitate discussion with stakeholders. The review is at an early stage and the proposals do not represent a final WorkCover WA or government position.

TABLE GRAPES — IMPORTATION

870. Hon KEN TRAVERS to the Minister for Agriculture and Food:

I refer to the decision to allow the importation of table grapes from California into Western Australia on 24 July 2013 and the calls since that date, in particular by the Member for West Swan, for the minister to review that decision.

- (1) What action has the minister taken as a result of those calls?
- (2) Have any National Party members of Parliament asked the minister to reconsider this decision?
- (3) If yes to (2), which members and on what date or dates did they first ask the minister?
- (4) Have any National Party members been briefed by the minister's department on this issue; and, if yes, when?
- (5) What risk assessments have been done and will the minister table a copy of them?

Hon KEN BASTON replied:

I thank the honourable member for some notice of this question.

- (1) I sought to clarify with the Department of Agriculture and Food Western Australia—DAFWA—that an independent expert had undertaken an assessment that the importation of Californian table grapes did not pose an unacceptable risk. I sought confirmation that the federal Department of Agriculture was the body responsible for setting criteria for the importation of Californian table grapes. Under our international trade obligations, Western Australia is not able to apply any sanitary or phytosanitary measures that are more trade restrictive than necessary to achieve Australia's appropriate level of protection.
- (2) No National Party member of Parliament has spoken to me to ask me to reconsider this decision.
- (3) Not applicable.
- (4) Officers of the Department of Agriculture and Food Western Australia were requested to attend a meeting at Parliament House at 3.00 pm on 5 August 2013 to discuss the import of table grapes from California. Hon Terry Redman attended part of the meeting.
- (5) The commonwealth Department of Agriculture—formerly the Department of Agriculture, Fisheries and Forestry—undertook a non-regulated analysis of existing policy for Californian table grapes imported to Western Australia. The final report was issued on 18 July 2013 and is publicly available on http://www.daff.gov.au/ba/reviews/final-plant/table_grapes_cal-wa.

ALLEN KEITH HUGGINS

871. Hon STEPHEN DAWSON to the Attorney General:

I refer to the granting of bail on strict conditions to Allen Keith Huggins, as reported in *The West Australian* of 11 September 2013.

- (1) What were the bail conditions?
- (2) How is compliance with each bail condition monitored?
- (3) Who is responsible for the monitoring of those bail conditions?
- (4) How frequently does the monitoring occur?
- (5) Have any bail conditions been breached to date; and, if so, what was the nature of the breach?

Hon MICHAEL MISCHIN replied:

I thank the honourable member for some notice of this question. I am advised by the Director of Public Prosecutions as follows —

- (1) A personal undertaking of \$30 000; surety of \$30 000; to reside at a nominated address—not publicly disclosed; to report daily to the officer in charge at the closest police station; a curfew from 6.00 pm to 6.00 am; to present at the front door of his residence when requested; to not leave Western Australia; to not be in company of a child under the age of 18 years; to surrender any passports and not to reapply; to not approach any domestic or international point of departure; and to not contact specified persons—the complainants of the offences.
- (2)–(5) Western Australia Police is the agency responsible for managing offenders on bail. Questions pertaining to compliance, monitoring and breach of bail conditions should be referred to the Minister for Police as such matters are handled by the WA Police.

SOUTH COAST PURSE SEINE FISHERY

872. Hon ROBIN CHAPPLE to the minister representing the Minister for Fisheries:

I refer to the shearwater bycatch reduction program in zone 1 of the south coast purse seine fishery.

- (1) What shearwater bycatch reduction measures will be employed during the special management period from February to April in 2014?
- (2) How will the effectiveness of these measures be monitored?
- (3) Where will the outcomes in terms of protected species mortality be reported?

Hon KEN BASTON replied:

I thank the honourable member for some notice of the question.

- (1) The following measures will be taken during the 2014 special management period: the recording of all shearwater interactions in the Department of Fisheries catch and disposal returns; an industry-agreed

voluntary dawn fishing closure; an increase in fishing crew numbers to three; the implementation of voluntary daily fishing closures; the engagement of people to walk Middleton and Goode Beaches in Albany; and the trial of a lead-weighted purse seine net.

- (2) The effectiveness of the mitigation measures will be monitored by the Department of Fisheries via data received from the Department of Fisheries, the Department of Parks and Wildlife and volunteers.
- (3) They will be kept in a report prepared annually by the Department of Parks and Wildlife and the Department of Fisheries.

EDUCATION — FUNDING CUTS

873. Hon SALLY TALBOT to the Minister for Education:

I refer to the Barnett government's decision to reduce funding for state schools.

- (1) Based on projected enrolments for 2014, what is the cash value of the following cuts for each of Eaton Primary School, Clifton Park Primary School, Glen Huon Primary School, Eaton Community College, Australind Senior High School and the Bunbury Behaviour Centre in Eaton —
 - (a) the 30 per cent reduction in the school support program resource allocation;
 - (b) the new long service leave liability levy;
 - (c) the 1.5 per cent procurement saving;
 - (d) the cessation of performance management funding; and
 - (e) changes to other school grant components?
- (2) Based on projected enrolments for 2014, for each of these schools, what is the cash value of reductions in FTEs in 2014?
- (3) What reductions are planned in 2014 to the FTE Aboriginal and islander education officers at Eaton and Glen Huon Primary Schools, Eaton Community College and Australind Senior High School?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of the question.

- (1) The first part of the question is in tabular form, so I seek leave to table the response and have it incorporated into *Hansard*.

Leave granted.

The following material was incorporated —

| | (a) | (b) | (c) | (d) | (e) |
|------------------------------------|----------|----------|---------|----------|----------|
| Australind Senior High School | \$69,808 | \$52,436 | \$3,245 | \$12,829 | \$13,226 |
| Eaton Community College | \$48,689 | \$24,426 | \$1,570 | \$5,399 | \$10,772 |
| Glen Huon Primary School | \$20,009 | \$21,860 | \$1,142 | \$4,872 | \$0 |
| Clifton Park Primary School | \$5,515 | \$9,602 | \$606 | \$2,249 | \$0 |
| Eaton Primary School | \$21,091 | \$19,744 | \$992 | \$4,256 | \$0 |
| Bunbury Behaviour Centre in Eaton: | \$0 | \$0 | \$0 | \$0 | \$0 |

- (2) The cash values are: Eaton Primary School, an increase of \$187 554; Clifton Park Primary School, a reduction of \$74 102; Glen Huon Primary School, an increase of \$94 657; Eaton Community College, a reduction of \$99 696; Australind Senior High School, an increase of \$42 200; Bunbury Behaviour Centre in Eaton, no change. This is the projected difference between 2013 teacher and education assistant FTEs and 2014 teacher and education assistant FTEs. It includes education assistants for anaphylaxis, junior primary and AIEOs. It includes the impact of projected 2014 student growth and the reductions to school FTE allocations. Actual variances will not be known until the February 2014 student census.
- (3) The following reductions are planned for 2014: Eaton Primary School, minus 0.05; Glen Huon Primary School, zero; Eaton Community College, minus 0.14; Australind Senior High School, minus 0.35. This information is based on projected Aboriginal student enrolments as at 25 November 2013.

CHINA–WESTERN AUSTRALIA INVESTMENT FACILITATION WORKING GROUP

874. Hon ALANNA CLOHESY to the Leader of the House representing the Premier:

I refer to the China–Western Australia Investment Facilitation Working Group.

- (1) On what dates has this group met?
- (2) Where have the meetings been held?
- (3) Who are the members of the China–Western Australia Investment Facilitation Working Group?
- (4) When is the next scheduled meeting, and where will it be held?

Hon PETER COLLIER replied:

- (1)–(4) Since the signing of a memorandum of understanding between the Western Australian government and China's National Development and Reform Commission covering bilateral trade and investment cooperation, in September 2011, the role of the China–Western Australia Investment Facilitation Working Group has been undertaken by Mr Wang Jianjun, director general, foreign capital utilisation and investment NDRC, and Mr Steve Wood, director general, Department of State Development, Western Australia.

Discussions have been conducted through numerous phone calls and some meetings in Beijing.

WESTERN POWER — ERNST AND YOUNG MEETING

875. Hon AMBER-JADE SANDERSON to the minister representing the Minister for Energy:

- (1) Can the minister confirm that a meeting or workshop took place involving the chief executive of Western Power, Mr Paul Italiano, and other senior executives of Western Power at the offices of Ernst and Young in the middle of the year?
- (2) Can the minister advise the date the meeting or workshop at the offices of Ernst and Young took place?
- (3) Was the restructuring of Western Power the subject of the meeting or workshop?
- (4) What other topics were discussed?
- (5) Were there minutes of the workshop or meeting, file notes or a record of decisions and discussions?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of this question.

- (1) Yes.
- (2) It was on 14 June 2013.
- (3) Yes.
- (4) The strategic direction of Western Power and how to improve its performance to meet or exceed the expectations of its stakeholders and customers.
- (5) There were no minutes of the meeting and no decisions were made.

GNANGARA ROAD — SEWERAGE PIPE REPLACEMENT

876. Hon SAMANTHA ROWE to the parliamentary secretary representing the Minister for Water:

- (1) Has the Water Corporation determined that the ageing sewerage pipe in the vicinity of Gnangara Road must be upgraded or replaced prior to the upgrade of Gnangara Road?
- (2) Who has responsibility for upgrading the pipe and what is the estimated cost of the upgrade or replacement?
- (3) How long will the pipeline works take and when are they scheduled to commence?

Hon COL HOLT replied:

I thank the member for some notice of the question.

- (1) The Water Corporation assumes that the assets in question are located between Ellenbrook and Alexander Drive. The sewer assets within this vicinity are primarily PVC and vitreous clay. The oldest asset is a VC pipe laid in 1977 and the youngest asset is a PVC pipe laid in 2011. These assets do not have a history of failure and are currently not scheduled for replacement within the next 20 years.
- (2) The Water Corporation will be responsible for potential future renewal or upgrade. The theoretical replacement value of the sewer pipes within Gnangara Road equates to \$1.4 million.
- (3) The pipeline is not scheduled for renewal.

LOCAL GOVERNMENT REFORM — CITY OF COCKBURN

877. Hon LYNN MacLAREN to the minister representing the Minister for Local Government:

- (1) Why does the government propose to carve up the City of Cockburn?

- (2) Why did the government not proceed with maintaining Cockburn as in preferred option B of the independent panel for the local government review?
- (3) Does the government recognise that the City of Cockburn was recognised as sustainable in a five-year analysis of the financial positions of local governments conducted for the independent panel?
- (4) Does the government recognise that the City of Cockburn was named the overall winner of the 2012 Keep Australia Beautiful Australian Sustainable Cities Award?

Hon HELEN MORTON replied:

- (1) The government model for metropolitan local government reform proposes to reduce the number of local governments from 30 to 15 with the majority of the City of Cockburn merging with the City of Kwinana. The proposed changes, which have been lodged with the Local Government Advisory Board, are planned to strengthen local governments right across the metropolitan area so that they are well placed to manage continuing growth.

The changes will increase the capacity for councils to plan for and implement the extra facilities and services to meet the demands and needs of our population, which is set to grow by 500 000 in the metropolitan area over the next 13 years.

- (2) The government's final proposed model incorporates feedback received from the community and local governments since July when it released its initial maps in response to the independent panel report.

Local governments have also had the opportunity to submit proposals to the Local Government Advisory Board. The proposal of the City of Cockburn itself does not follow the independent panel's preferred option B.

- (3) Yes. The Robson report identified a number of the local governments that are subject to boundary adjustments under the government's model that could be considered sustainable.

The changes are required to ensure that the whole Perth metropolitan region has local governments with sufficient capacity to plan for and implement the extra facilities and services needed for the future growth of metropolitan Perth.

- (4) Yes.

EDUCATION — WHEATBELT SCHOOLS

878. Hon DARREN WEST to the Minister for Education:

- (1) What is the lowest enrolment for a wheatbelt school to remain operational?
- (2) What factors will trigger the closure of a wheatbelt school?
- (3) Can the minister confirm that wheatbelt schools with enrolments lower than 24 will be closed; and, if not, why not?
- (4) Do the answers to (1)–(3) apply to schools in Aboriginal communities; and, if not, in what respects do they differ?
- (5) What number of primary school-aged children does a town or community need for the department to open a school and appoint a full-time teacher?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of the question.

- (1)–(2) Any future decisions to change schooling provision in any region will be determined on a case-by-case basis, taking into account the number of enrolments, the educational needs of the students and the specific circumstances of each school and community.
- (3) No. Decisions to close schools are made on a case-by-case basis.
- (4) Yes.
- (5) There is no specific number. A number of factors are taken into consideration, including student enrolments, community sustainability, isolation and infrastructure and community needs.

MINISTERS OF THE CROWN — GOVERNMENT-OWNED VEHICLES

879. Hon KEN TRAVERS to the Leader of the House representing the Premier:

- (1) Which ministers are not provided with a government-owned or leased vehicle?
- (2) Are any of these ministers ever driven in government-owned or leased vehicles for official functions?
- (3) If yes to (2), which ministers and why?

- (4) Are any ministers ever driven by government drivers in their privately owned vehicles?
- (5) Does the department ensure that any privately owned vehicle driven by government drivers conforms with vehicle standards bulletin 14?
- (6) If no to (5), does this have any implication for the government's duty of care to the drivers?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of this question

- (1) Ministers Francis, Jacob, Marmion, Nahan and Simpson.
- (2) No.
- (3) Not applicable.
- (4) Yes.
- (5)–(6) All executive transport officers conduct a weekly vehicle presentation and safety and maintenance compliance check on all vehicles, including privately owned vehicles. This information is audited. Any defects are reported and rectified on all vehicles in consultation with the ministers' offices. The department believes these procedures are an appropriate measure to meet duty-of-care obligations to drivers.

PRIMARY SCHOOLS — MASSED CHOIR FESTIVAL

880. Hon SUE ELLERY to the Minister for Education:

I refer to the WA Primary Schools' Massed Choir Festival.

- (1) How much money was allocated to this program in —
 - (a) 2012; and
 - (b) 2013 to date?
- (2) What is planned to be allocated in 2014, and can the minister assure all involved that there will be no reduction in funds in 2014?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of this question.

- (1)
 - (a) In 2012, it was \$21 600.
 - (b) In 2013, it was \$21 600.
- (2) No decision has been made regarding funding for the WA Primary Schools' Massed Choir Festival for 2014. The director general has written to the music director of the WA Primary Schools' Massed Choir Festival advising they will be informed when a decision has been made.

CONSTRUCTION CONTRACTS ACT — DISPUTE RESOLUTION

881. Hon KATE DOUST to the Minister for Commerce:

I refer the minister to the Building Commission.

- (1) Has any effort been made by the minister to amend the Construction Contracts Act 2004 to improve the dispute resolution processes in the construction industry for small business operators?
- (2) Has the minister taken any steps to ensure that subcontractors working on government-administered construction projects get paid, no matter the circumstance?

Hon MICHAEL MISCHIN replied:

I thank the honourable member for some notice of the question.

- (1) Yes. I have asked the Building Commission to prepare for a review of the Construction Contracts Act 2004, which will commence shortly.
- (2) I am informed that the Department of Finance's Building Management and Works, which is responsible for non-residential building projects of less than \$100 million in value, has made a number of improvements to its internal processes to reduce the risk of engaging builders that are financially unsustainable, including the trial of project bank accounts. I suggest the member refer any further questions she may have on this subject to the Minister for Finance.

KUNUNURRA WASTEWATER TREATMENT PLANT — DISCHARGE

882. Hon ROBIN CHAPPLE to the parliamentary secretary representing the Minister for Water:

My question is with regard to the discharge from the Kununurra wastewater treatment plant facility into the MI irrigation channel.

- (1) What impact has this had or is having on the farmers taking water from the MI downstream from the discharge point?
- (2) Which agency is responsible for monitoring the nutrient loads and potential pathogens in the water, and what has been the result of monitoring?
- (3) Has there been an increase in the use of chemicals to control the increased plant growth in the channel that has occurred as a result of the discharge, and what are the costs to taxpayers?

Hon COL HOLT replied:

I thank the honourable member for some notice of the question.

- (1) The Water Corporation believes there is no impact on farmers taking water for agricultural purposes.
- (2) The Water Corporation samples three places of the channel on a weekly basis and reports these results to the Department of Environment Regulation, as required by its licence conditions. The corporation has not been required to make any changes to its operations based on these results.
- (3) The Water Corporation contracts the maintenance of the MI channel to the Ord Irrigation Cooperative. The Ord Irrigation Cooperative uses chemicals as part of its maintenance program, but the corporation does not believe there has been any increase in the use of chemicals as a result of the discharge. Note that the wastewater discharge makes up a very small amount of the flow down the channel. During the irrigation season when farmers are taking water, wastewater is one megalitre a day into an irrigation flow of 500 megalitres a day.

ABORIGINAL VISITORS HOSTEL — DERBY AND BROOME

883. Hon STEPHEN DAWSON to the Minister for Child Protection:

I refer to the proposed Aboriginal visitors hostel in Derby.

- (1) When will this centre open and who will run the hostel?
- (2) Will there be a cost associated for guests staying at the hostel; and, if so, what will the cost be?
- (3) What is the breakdown of funding allocated to build this hostel?
- (4) What ongoing funding has been allocated to the running of this hostel?
- (5) When can Broome expect the construction of a similar facility?

Hon HELEN MORTON replied:

I thank the member for some notice of the question.

- (1) The centre is currently being constructed and is due to open in July 2014. A tender has been called to appoint a not-for-profit community sector service provider to operate the centre. The tender closed on 22 November 2013 and responses are currently being assessed.
- (2) Yes. There is a requirement in the tender for respondents to provide a schedule of fees. However, until the service provider has been appointed, information regarding costs to stay at the facility is unable to be provided.
- (3)–(4) The Department of Housing is managing the tender process for the building of the facility.
- (5) I am advised by the Department of Housing that the Aboriginal Affairs Coordinating Committee has decided to assess the outcomes and lessons learnt from the Kalgoorlie–Boulder short-stay Indigenous visitor accommodation facility and the facility being constructed in Derby before considering further requests.

MENTAL HEALTH — HOSPITAL IN THE HOME PROGRAM

884. Hon SALLY TALBOT to the Minister for Mental Health:

- (1) How many mental health patients in Western Australia are currently receiving care in a Hospital in the Home program?
- (2) Where are these services currently available?
- (3) Where will these services be available in 2014–15?

Hon HELEN MORTON replied:

I thank the member for some notice of the question.

- (1) Within the financial year 2012–13, North Metropolitan Health Service mental health has had 93 Hospital in the Home separations. There are four HITH beds, and currently there are four mental health patients admitted to this service.
- (2) This HITH program is run out of the department of psychiatry at Sir Charles Gairdner Hospital, servicing the north metropolitan area.
- (3) The proposed HITH program for 2014–15 will provide eight Graylands HITH beds, in addition to the HITH program referred to above, making a total of 12 HITH beds in the North Metropolitan Health Service. There is no HITH in any health service other than the North Metropolitan Health Service, and there are no plans for expansion known at this time. However, after the mental health service's plan is completed, expansion of the HITH service will be considered.

CROWN PERTH — CASINO LEVY

885. Hon SAMANTHA ROWE to the Leader of the House representing the Minister for Racing and Gaming:

I refer to the Burswood Casino levy.

- (1) What is the total estimated revenue from the Burswood Casino levy in each of 2013–14, 2014–15 and 2015–16?
- (2) To which agencies will this revenue be allocated?
- (3) How much is it estimated each agency will receive in 2013–14, 2014–15 and 2015–16?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of the question.

Assuming the honourable member is referring to the casino taxes paid by Crown Perth under the agreement scheduled to the Casino (Burswood Island) Act 1985, the Minister for Racing and Gaming has provided the following response —

- (1) For 2013–14, it is \$118 million; 2014–15, \$123 million; and 2015–16, \$127 million.
- (2) The revenue is not allocated to any specific agency, as it is paid into the consolidated fund.
- (3) Not applicable.

DIANELLA PRIMARY SCHOOL, ANZAC TERRACE PRIMARY SCHOOL, ASHFIELD PRIMARY SCHOOL, BASSENDEAN PRIMARY SCHOOL, BEECHBORO PRIMARY SCHOOL, CYRIL JACKSON SENIOR CAMPUS, EAST BEECHBORO PRIMARY SCHOOL AND EDEN HILL PRIMARY SCHOOL

886. Hon AMBER-JADE SANDERSON to the Minister for Education:

I refer to the following schools: Dianella Primary School, Anzac Terrace Primary School, Ashfield Primary School, Bassendean Primary School, Beechboro Primary School, Cyril Jackson Senior Campus, East Beechboro Primary School and Eden Hill Primary School.

- (1) For each school can the minister advise the cash value of the following —
 - (a) a 30 per cent reduction to the school support program resource allocation;
 - (b) the introduction of a long service leave liability levy;
 - (c) the 1.5 per cent procurement saving;
 - (d) the cessation of performance management funding; and
 - (e) changes to some school grant components?
- (2) If no to anything in (1), why not?
- (3) Do the cash value figures provided include full-time equivalent position reductions; and, if not, why not?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of this question.

- (1) I seek leave to have the attached tabular information incorporated into *Hansard*.

Leave granted.

The following material was incorporated —

(1)(a) to (e) The following information represents the actual SSPRA reduction for 2014 (a). For all other responses (b to e) the projected 2014 reduction is indicated. This is based on current enrolment projections. The actual reduction will be determined at the February 2014 census.

| | (a) | (b) | (c) | (d) | (e) |
|-------------------------------|----------|----------|---------|----------|----------|
| Anzac Terrace Primary School | \$12,983 | \$16,418 | \$901 | \$3,806 | \$0 |
| Ashfield Primary School | \$10,099 | \$6,050 | \$410 | \$1,193 | \$0 |
| Bassendean Primary School | \$6,440 | \$17,980 | \$832 | \$3,776 | \$0 |
| Beechboro Primary School | \$23,785 | \$17,958 | \$1,020 | \$4,462 | \$750 |
| Cyril Jackson Senior Campus | \$35,870 | \$41,814 | \$1,877 | \$12,599 | \$11,253 |
| Dianella Primary School | \$5,876 | \$19,098 | \$972 | \$4,416 | \$0 |
| East Beechboro Primary School | \$23,556 | \$18,932 | \$902 | \$4,181 | \$500 |
| Eden Hill Primary School | \$21,159 | \$18,244 | \$959 | \$4,757 | \$0 |

(2) Not applicable.

(3) No. The question relates to reductions to school cash allocations.

NATIVE FOREST LOGGING — STUMPAGES

887. Hon LYNN MacLAREN to the minister representing the Minister for Forestry:

(1) Regarding the financial year 2012–13, for the native forest logging industry, excluding sandalwood, what was —

(a) the gross stumpage; and

(b) the base stumpage that the Forest Products Commission received from the sale of native forest logs?

(2) Why is the 1 July 2013 Forest Products Commission's list of gross native forest stumpages not available on the FPC website?

(3) Will the minister ensure that it is put on the FPC website?

Hon KEN BASTON replied:

I thank the honourable member for some notice of this question.

(1) (a) \$17.4 million.

(b) \$13.1 million.

(2) Two factors have influenced the FPC's decision to no longer provide native forest stumpage prices on its website. Markets for forest products have become increasingly dynamic as the extent of global trade in forest products increases. Both the FPC and its customers need to react to these changes in both log and timber product prices. This can result in changes to pricing within a short time. The native forest industry continues to adapt to the dramatic reduction in log size and quality resulting from an increase in reserve areas between 1999 and 2003. For the industry to remain viable, it is necessary for the FPC to make changes to its log specifications that take account of this changing resource. As both log grade and price are dynamic in nature, the representation of stumpage prices and grades previously listed on the FPC's website have become increasingly irrelevant.

(3) No.

DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES — GRANTS FUNDING

888. Hon ALANNA CLOHESY to the minister representing the Minister for Community Services:

I refer to the Department of Local Government and Communities' confirmation to *The Sunday Times* that the department is no longer accepting applications for funding from social innovation grants, the social enterprise fund or youth activities grants.

(1) For each of the budgeted amounts allocated to each fund in 2013–14 —

(a) how much has been spent to date; and

(b) how much of the budgeted amount is expected to be spent in 2013–14?

- (2) Of the \$2.05 million budgeted for the social enterprise fund over 2014–15, how much does the department expect to spend over the course of that financial year?
- (3) In light of the forthcoming review of the youth activities grants, will the commitment for \$800 000 over four years for the program be maintained?

Hon HELEN MORTON replied:

I thank the honourable member for some notice of this question.

- (1) (a) Social innovation grant, \$273 705; social enterprise fund, \$791 786; and youth activities grants, \$48 250.
- (b) Social innovation grant, \$3 400 000; social enterprise fund, \$3 800 000; and youth activities grant, \$200 000.
- (2) \$2.05 million.
- (3) Yes.

BUNDIYARRA ABORIGINAL CORPORATION — HOSTEL

889. Hon DARREN WEST to the minister representing the Minister for Regional Development:

I refer to the National Party's \$10 million election commitment to the Bundiyarra Aboriginal Corporation to fund a 138-bed hostel.

- (1) What contact has the Liberal–National government made with Bundiyarra specifically regarding this project?
- (2) What action has been taken by the government to advance this project?
- (3) When will this project commence?
- (4) Does the Liberal–National government intend to honour this commitment; and, if not, why not?

Hon KEN BASTON replied:

I thank the member for some notice of this question.

- (1)–(4) The Liberal–National government has provided royalties for regions funding of \$17.4 million to the following Aboriginal hostel projects: Kalgoorlie Indigenous Visitor Hostel, \$1.25 million; Derby Indigenous Visitor Hostel, \$15.78 million; and Broome Indigenous Visitor Hostel, \$365 756 for planning, scoping and negotiation fees.

Additionally, royalties for regions has provided finding to a number of other Aboriginal housing projects, including: Ngarluma Aboriginal Sustainable Housing, \$4.6 million; Kariyarra Mugarinya residential development, South Hedland, \$1.2 million; Kimberley Aboriginal Community Housing project, \$17.2 million; Housing for Youth Bail Options, Port Hedland, \$1.2 million; and Martu Knowledge program, \$2.1 million.

Should the Bundiyarra Aboriginal Corporation still require government support for the proposal, the corporation should submit a business case to the appropriate ministers for consideration.

COMMITTEE REPORTS — CONSIDERATION

Committee

The Deputy Chair of Committees (Hon Simon O'Brien) in the chair.

*Joint Standing Committee on the Commissioner for Children and Young People — First Report —
"2012–13 Annual Report" — Motion*

Resumed from an earlier stage of the sitting.

Hon SALLY TALBOT: Before I continue my remarks, it was remiss of me not to note—I have confirmed this with the committee clerks—a misprint on the inside cover with the dates that our principal research officers worked for us. Ms Renee Gould is correctly noted as having worked for us from 1 July 2012 to 3 August 2012, but Dr Loraine Abernethie worked from 6 August 2012 to 6 June 2013, not from 6 August 2013 and backwards in time to 30 June 2012. I have spoken to the acting Clerk about this and I understand that simple rectification will be made in due course.

I was just commenting on the fact that the resigning Commissioner for Children and Young People has left us with a truly remarkable body of work that she has put together over the past six years. Perhaps the most remarkable in a pretty impressive body of work was the Wellbeing Monitoring Framework, which, as I was pointing out just before we broke for tea, consisted of three reports all released in February 2012. "The state of

Western Australia's Children and Young People" was the first. The second was "Building Blocks: Best practice programs that improve the wellbeing of children and young people" and the third was the "Profile of Children and Young People in Western Australia". I note in comments to the committee by the commissioner that an update of Building Blocks is underway so we can look forward to an updated version of that sometime in the near future. In relation to that and the follow-up to a couple of other significant reports, I would like to particularly underline the significance of the need to appoint a replacement commissioner, not just an acting commissioner, and to do that in a timely fashion.

In the 10 minutes that has been allocated to me, I have not had time to talk about the inquiry into the mental health and wellbeing of children and young people in WA, which will go down as a world-class review of that subject, something that is obviously at the front and centre of thinking of a large number of members in this chamber. I also point to the thinkers in residence program that has been run twice: first, in 2012, with Dr Stuart Shanker from Canada, with the subject "self-regulation"; and, second, in 2011, with Paul Collard from the UK, with the subject "unlocking creativity". That and the 11 issues papers and the ambassadors program that the commissioner established truly sets her mark as quite remarkable as the very first Commissioner for Children and Young People in Western Australia. I pay tribute to her for that.

Hon SUE ELLERY: I wanted to make some comments on the report of the Joint Standing Committee on the Commissioner for Children and Young People. This report is timely, given that the act is now under review. Hon Sally Talbot has outlined much of the good work done by the office of the Commissioner for Children and Young People. I note that there is a provision in the Commissioner for Children and Young People Act 2006 for a review of the act. As this report outlines, the Public Sector Commissioner announced that statutory review in January 2013. This report tells us that the committee has followed the progress of that review and has sought the advice of the Attorney General as to when the outcome of the review will be available. The committee indicated that it looks forward to examining the outcome of the review when it is made public.

It is worth reviewing a little of the history around the establishment of this act because I would be concerned if the outcome of the review diminished the statutory independence of this office in any way. I feel the need to say that because from time to time when the commissioner has provided advice to the government that has been made public about particular pieces of legislation that impact on children and/or young people, I have got the sense that this government finds that somewhat inconvenient and perhaps a bit of an irritant. If that is reflected in the outcome of the review, in that either the position is not filled or the act in some way waters down the statutory independence of that commission, there would be a sense of irony in that.

Labor in government established the commissioner's position but that did not happen without some resistance within Labor at the time. The need for an independent commissioner for children and young people was reflected in the Labor Party's policy for some time but it took a little while to convince our government that it was the right thing to do. One of the people who pushed hardest for that was Hon Barbara Scott. It is an understatement to say that she pushed hard for that. She gave it her all. When Hon Barbara Scott decided to give something her all, we certainly knew it. She convinced her party that this was a really important issue. The government agreed to this proposal. During the debate, Hon Barbara Scott took some steps in the negotiations to strengthen the statutory independence of the position. She still holds the view—she is not shy in communicating her views on this matter—that the position certainly needs to be filled and there should be no watering down of the statutory independence of the office. Given that the Liberal Party pushed to fill this position, it would be ironic if it diminished the statutory independence of the office in some way. Statutory independence is not just important because of the really important policy work that Hon Sally Talbot referred to in the list of papers published, forums held and other policy work undertaken by the office but it is important to have an independent voice talking to government and other stakeholders about what particular pieces of legislation will mean for children and young people. I would not like that to be diminished in any way.

The other reason I wanted to make a few comments is there is some talk around the place that this is not the only position of some statutory independence that the government is casting its eye over at the moment. I would not like to see any of the other statutory office holders have their positions or their statutory independence diminished. In particular, I would not like to see the government take the view that the functions carried out by those statutory officers can equally be carried out within a government department. The essential difference is the statutory independence. The policy work and many of the functions can be undertaken by government in government agencies, but that is under the umbrella of the policies of the government of the day. That is a very different framework from an office that has a degree of independence and can express a view that from time to time might challenge or be at odds with the policies of the government of the day. With respect to the range of parliamentary and other statutory offices that have a degree of independence built into their governing legislation, I really hope that we do not see that diminished.

With those words, I am happy to commend the report. Like other members of the committee, I look forward to seeing the outcome of the review into the act. I also look forward to the appointment of another fearlessly independent Commissioner for Children and Young People.

Hon STEPHEN DAWSON: I too rise to make some brief remarks on the Joint Standing Committee on the Commissioner for Children and Young People's 2012–13 annual report. At first glance, the report is not a substantial piece of work. It is certainly not a long piece of work. It is noted in the report that essentially this report covers a five-week period. Under this thirty-ninth Parliament, the committee did not commence until the end of May in this calendar year. However, it is a very important report on a very important issue; that is, the Commissioner for Children and Young People. Previous speakers have mentioned some of the activities of the commissioner. I also want to acknowledge the fine work of the commissioner, Michelle Scott, and the commission. They have done some tremendous work over the past few years. I too was involved around the time this position was created. At that stage I was in the office of David Templeman, who was the Minister for Community Development at that stage. He then became the Minister for Child Protection.

I too am very aware of the work of Hon Barbara Scott in the creation of this position. Members who were in the Legislative Council then—new members who have joined since may not be aware of this—would have heard countless contributions in this place from Hon Barbara Scott on this bill and, in fact, on the idea of a children's ombudsman, which I think is what Hon Barbara Scott used to refer to the position as. In fact, Hon Barbara Scott has been in touch fairly recently with various members of Parliament, or probably all of us. We might have all received an email from Hon Barbara Scott about the review of the Commissioner for Children and Young People Act 2006. As previous speakers have stated and as this report states, the review of the Commissioner for Children and Young People Act, which is required by section 64 of the act, was completed earlier this year, on 31 May, and the report was provided to the Attorney General. It is fair to say that many of us wait with bated breath to see what is in that report and to hear what the government intends to do with this position. I want to add my voice to the support for the continuation of this very important position.

Members before us have mentioned a range of activities that the Commissioner for Children and Young People has been involved in. One only needs to look at the Commissioner for Children and Young People's annual report, which was tabled in this place some time ago, to see the length and breadth of the issues raised in this report. In fact, I have just turned to page 17, and I note that Josie Janz from the David Wirrpanda Foundation is mentioned in the report. She is the fiancée of my brother, who is joining me for dinner at Parliament tonight.

Hon Ken Travers: She is a great netballer.

Hon STEPHEN DAWSON: She is a great netballer for West Coast Fever. Josie has been involved in various activities with the commission and the commissioner.

The other important thing to point out about this report—this is the Commissioner for Children and Young People's report—is the appointments that the commissioner has made in relation to ambassadors for children and young people. In Children's Week 2012, the commissioner appointed 15 eminent Western Australians as the state's inaugural ambassadors for children and young people. I might quickly mention their names: Professor Donna Cross; Mrs Annie Fogarty; Professor Colleen Hayward, AM; Mr Jonathan Holloway; Mrs Tonya McCusker; Ms June Oscar, AO; Professor Trevor Parry, AM; His Honour Judge Denis Reynolds; Hon Barbara Scott; Professor Fiona Stanley, AC; Mr Sam Walsh, AO; Associate Professor Ted Wilkes; Mr David Wirrpanda; Mr Russell Woolf; and Winthrop Professor Stephen Zubrick. The commissioner established this initiative basically to recognise and support the work that many community leaders already do to turn the spotlight on the needs of children and young people across the state, and also to encourage others in the community to consider what more they can do to support children and young people and their families. These eminent Western Australians continue to do a fine job advocating in this area and being ambassadors for this very important cause. In fact, it was only a couple of weeks ago in Derby that I caught up with Ms June Oscar, AO, who has recently been elected as a councillor to the Shire of Derby/West Kimberley. In a meeting between councillors, the Leader of the Opposition and Ms Josie Farrer, MLA, Ms June Oscar was talking about this position, how important it was and how seriously she took the role and her appointment as an ambassador for children and young people. I congratulate those people and I thank them for their work. I hope that they will continue to have a role. Once the review into the Commissioner for Children and Young People Act 2006 is eventually released by the Attorney General, I hope that they will have an ongoing role as ambassadors for children and young people.

Going back to the annual report of the joint standing committee, as I said, this report deals with only five weeks, but I know that the committee has been busy, and continues to be busy, and is watching a range of things and talking to a range of stakeholders, non-government and others, about what the priorities for the commission should be as it goes on. Having spoken to a range of youth groups over the past few weeks, some of the issues that they have raised with me regarding the commissioner relate to the health and general wellbeing of young people. They had some concerns about juvenile justice, and education and employment access. There were some comments about youth-friendly service delivery, and also some concerns about workplace capability. I might touch on those just briefly. In relation to health and general wellbeing, members of this place may well know that one in four people experience a mental health issue, which is why the Commissioner for Children and Young People has been vocal and active in the area of the Mental Health Bill. The commissioner made a submission initially, I think, on the green bill, and then I think a submission was made on the new bill that we are waiting for

and hope to see in this place shortly. One in four young people experience a mental health issue. As many as one in five young people under 30 years of age in WA are carrying chlamydia. The other point that these young people made to me was that the Kimberley region has the highest rate of suicide in the world. I guess what these youth organisations were saying to me was that it is very important that the Commissioner for Children and Young People continues to play a strong advocacy role on behalf of young people in this state—that is, everyone under 18 years of age—to ensure that those one in four young people who experience a mental health issue have their issues addressed and brought to the Parliament, and that members of Parliament in this place act on them.

Hon KATE DOUST: I am very pleased to make some comments tonight on this report by the Joint Standing Committee on the Commissioner for Children and Young People. I was a member of the select committee that inquired into the initial bill that we dealt with. Hon Barbara Scott and Hon Giz Watson were also members of that select committee. I know that it took quite an extended period to come to agreement on what would be in that bill. At the time I was also the parliamentary secretary to the respective ministers who had the carriage of the bill. I know that it was probably a 12-month period of ongoing negotiation, primarily with Hon Barbara Scott, who was indeed very passionate about this legislation, to work our way through the legislation. I listened carefully to Hon Stephen Dawson about the number of comments that Hon Barbara Scott made on this legislation. Members who were in this place at that time would recall that over a period of weeks, Hon Barbara Scott's second reading contribution on this legislation went for four hours and 40 minutes, so it was a substantial contribution. Since leaving this place, she has certainly maintained an ongoing interest. Members would have read recently an opinion piece in *The West Australian*, her comments on the review and the importance and significance of the office of the Commissioner for Children and Young People. I know that she has also provided a raft of information to members in the chamber over the past few weeks.

Although this committee is fairly fresh with some new members, some interesting points are to be noted about its work. Members should read the comments made about the work of the previous committee. I am sure when Hon Nick Goiran returns, he will make comments about this matter. The previous committee looked at the issues of sexualisation of children and young people, which is a significant issue for this committee to address. Certainly, people in the community are raising this issue, given their concerns about how the media and advertising are portraying young children. It is not in the best light. Children are being pushed to act in such a way that they are presented as being much older and, perhaps, in an inappropriate manner to what would be expected from a child of very young age.

I know Women's Forum Australia has played a very active role to put pressure on advertising companies, retailers, and particularly on magazines to change their practices in using such images and the type of product being marketed in retail shops. I know as a parent that that is always of concern. We often get junk mail in the letterbox. People flip through it. Companies such as Target and David Jones were under pressure for a period about the images they were presenting to sell their products. I know in particular that David Jones has since changed some of its practices. Quite a high degree of activity is happening in a range of places to reduce this capacity for children to be presented in these inappropriate ways. I certainly hope that when the parliamentary committee has had the opportunity to review the commissioner's response to that earlier report completed by this committee, it will continue to do further work in this area. Particularly for parents and for all adults in our community, this practice is one of great concern, and we want to see some significant change.

However, this committee still has significant work to do during its next term, and I am sure that it will take up and deal with a raft of other issues with the new commissioner, whoever that may be. I add my thanks and note the great work that Michelle Scott has done over the last few years as the Commissioner for Children and Young People. I imagine it would not have been an easy task to set up this office, and to work through how the office would operate in a new environment given that we have not had this type of role in Western Australia before. She is to be highly commended for the work she has done. I imagine at some points her role would have been frustrating. Nevertheless, she has been quite articulate and keen to present her views having no fear about what she said.

I know that Hon Barbara Scott was always very keen on one issue. Having this parliamentary committee was one of the most contentious points of debate in this chamber when dealing with the establishment bill. I am sure the Deputy Chair remembers that debate! Hon Barbara Scott had a win on that issue. The other issue she was very particular about was the idea that before any legislation impacting upon children in any way is brought into Parliament, the legislation should be put before the children's commissioner, at least for an impact statement to be provided so that government could understand how it would impact on children and young people. That has not happened on numerous occasions in the last five years. In fact, I am not aware of a single piece of legislation during this government's time in office about which the government approached the children's commissioner before a bill's first reading to ask, "What do you think about this? Can you provide us with an impact statement on this legislation?" On a number of occasions, I know members on this side have raised the fact that the government should have had discussions with the children's commissioner about a raft of bills. Those that come to mind are the number of graffiti bills, the raft of hoon bills and the prohibitive behaviour order legislation we

have dealt with. These are just a couple of quite significant areas that certainly would have had an impact on children and young people. Therefore, it would have been worthwhile having a viewpoint provided to us by the children's commissioner. That would have been fairly significant work she would have undertaken.

I would hope that in due course when the government completes its review, at some point—I am not too sure how long it takes to find and replace a new commissioner—it will make known to us who the new commissioner will be. He or she will certainly have substantial shoes to fill. As our community grows in Western Australia, and given the types of issues we deal with, the commissioner's work will indeed be challenging. I hope that some of those issues the commissioner and the parliamentary committee will continue to look at will be around those areas of bullying in schools and in workplaces, particularly for young people, because that is an ongoing issue. The issue of cyberbullying is a very interesting piece of work that the committee could inquire into, and also work with the commissioner on.

Although most of us use technology as part of our work, for those of us who have children, we know that from a very early age, sometimes from as soon as they can crawl, children like to use phones, iPads and computers. They just regard technology as part and parcel of their daily life—just as they walk and talk—but they do not necessarily understand who is on the other side of the screen and the problems that can sometimes be associated with that. It will be an interesting challenge to work out how we deal with the issues of cyberbullying and cybersecurity for children and young people. With growth and change come new challenges. It will make the work of a new commissioner not more interesting, but more challenging. For the members of the parliamentary committee, it gives them ample opportunity to diversify both their knowledge and understanding of the issues that children and young people have to deal with. I know that as a parent I watch with interest the work that is done in this space because I listen not only to my children's issues, but also to the types of issues their friends have to deal with. Life is no longer simple for children these days; it is very complex and sometimes a difficult place to be. I think that the commissioner of the last five to six years has done an exemplary job of listening to young people and transferring that information back to us here in this Parliament, both via the committee and other means.

HON KEN TRAVERS: Seeing this 2012–13 annual report from the Joint Standing Committee on the Commissioner for Children and Young People brought memories flooding back to me! It was on 26 June 2008 at about 9.12 in the evening that I became one of the inaugural members of the Joint Standing Committee on the Commissioner for Children and Young People, and I served on that committee with some —

Hon Col Holt: In 2008?

Hon KEN TRAVERS: Yes, in 2008. I served very briefly on that committee with the then member for Maylands, the then member for Churchlands, and the other nominee from this house, Hon Barbara Scott. Those three women were all incredibly highly respected and intelligent parliamentarians who contributed significantly to the committee. Unfortunately, just as this report covers a fairly short time, my time on the committee was also very short. In fact, my recollection is we probably had less meetings than the committee did that is outlined in this report. Nonetheless, it was a very important stage in the evolution of the role of the Commissioner for Children and Young People, and the role in which the Parliament will react with the commissioner through the parliamentary committee.

People have acknowledged the work of Hon Barbara Scott with respect to this committee. I had previously served on my first-ever committee with Hon Barbara Scott—unless members include my period of time as a member of the library committee which was during a period when the library committee never met! It was during my whole period of time as a member of it, before it was abolished and amalgamated into the Parliamentary Services Committee.

It is right to give credit to Hon Barbara Scott as one of the drivers behind establishing the position of commissioner. However, the first person I recall talking about the need for a Commissioner for Children and Young People was another former woman member of this chamber and, again, a very successful parliamentarian, Hon Cheryl Davenport. In the early days she made a significant contribution to promote the concept that someone working with a parliamentary committee would ensure that the interests and needs of children and young people are considered and acknowledged within the parliamentary process and the broader community. It is worth mentioning that history because often the good work that members of Parliament do to bring about change is often forgotten in this house. Like other members, I look forward to seeing in the coming years what occurs with this position and its ongoing review.

As the Chair of the Standing Committee on Estimates and Financial Operations, I also wanted to note that the Legislative Council does not often get to see the financial workings of the Legislative Assembly. Although it has never been tested, the Legislative Council, unfortunately, cannot call the Legislative Assembly before it to explain its budget.

Hon Liz Behjat: It would be too depressing

Hon KEN TRAVERS: That has been an issue of contention for many years. Occasionally one wonders where some of the money goes. However I did note that in the back of the report there is a small window of opportunity to examine the Legislative Assembly's operations, which refers to the expenditure of the committee over the short time covered by the report. There is an expenditure item of \$309 for "protocol". I wonder what protocol means. Are any members of the committee able to enlighten the chamber on what "protocol" means. I assume it is code for tea and biscuits. Then again, it may not.

Hon Kate Doust: That's a lot of tea and biscuits.

Hon KEN TRAVERS: I do not know whether the Deputy Chair —

Hon Liz Behjat: Is it \$309?

Hon KEN TRAVERS: Yes, \$309.

Hon Liz Behjat: They would spend more than \$309 on tea and biscuits.

Hon KEN TRAVERS: As I have often said in this place, one of the noticeable differences between Legislative Council committees and Legislative Assembly committees, for anyone who ever gets the opportunity to serve on a Legislative Assembly committee, are the morning teas that are provided. There are no assorted cream biscuits, with the few Monte Carlos that go very quickly, that we get on the Legislative Council committees; there is a fine spread of food provided by the parliamentary dining room. I note that this was only for —

Hon Sally Talbot: Forty days

Hon KEN TRAVERS: Forty days and 40 nights, I suspect! They were able to spend \$309 on protocol. We do not often get that window into the inner workings of the Legislative Assembly but when we do, we should take note of it. I look forward to —

Hon Kate Doust: They could save money on printing if the committee went paper-free, as well.

Hon KEN TRAVERS: That is true. But the most efficient way of running things these days is not to be paperless—we can have paper—but to be patient-less. That is the way to save money these days—not to be paperless but to be patient-less—so long as the community gets rid of all its patients. I will probably get into trouble with a journalist at *The West Australian* for bad puns with those recent comments.

I did want to note that. I look forward to the next report of this committee to find out what "protocol" climbs to in a full year. I am intrigued to know what protocol is expended on council committees so that we can do those sorts of comparisons at some point in the future. I do not want to deprive any member of the joint standing committees funded by the Legislative Assembly, but I have no doubt that that is why Legislative Assembly members are always so keen to have the joint standing committees established in their place because of the fine protocol that is provided at their meetings.

Hon LIZ BEHJAT: I want to make a few comments on the report of the Joint Standing Committee on the Commissioner for Children and Young People. As is the case when matters to do with children and young people are discussed in this place, Hon Kate Doust and I often share the same thoughts. I commend her for the comments she made particularly on the pre-sexualisation of children and other forms of child exploitation and her comments about cyberbullying and other forms of bullying. As members of Parliament, we cannot do enough to stay ahead of the game on these issues. Technology changes from day to day, in all manner of things that affect our lives, but there is nothing more precious in our lives than our children and to protect them and future generations. Any work that the joint committee can do in this area is to be encouraged and commended.

As members know, I am a strong supporter of the committee system. The statement of Hon Kate Doust about impact statements and legislation also has merit. Those matters should be revisited in the future if possible, especially in regard to the impact on young people of legislation that we bring to this place.

Other members have spoken eloquently on the specifics of report and have praised those people involved in the formation of the report. I would also like to record my thanks to Hon Barbara Scott for the pioneering work she did in this area. She should be commended for that.

I do not want to delay the house any further, so under standing order 56, I seek to adjourn the debate so my colleague Hon Nick Goiran may speak on this matter at a later stage.

Consideration of report adjourned, on motion by Hon Liz Behjat.

Progress reported and leave granted to sit again, pursuant to standing orders.

CRIMINAL CODE AMENDMENT (CHILD SEX OFFENCES) BILL 2013

Introduction and First Reading

Bill introduced, on motion by **Hon Peter Collier (Leader of the House)** on behalf of Hon Michael Mischin (Attorney General), and read a first time.

Second Reading

HON PETER COLLIER (North Metropolitan — Leader of the House) [5.50 pm]: I move —

That the bill be now read a second time.

This government is committed to strengthening Western Australia's criminal laws to protect children from sexual predators, both within and outside of the state's borders. This bill will do so by amending our Criminal Code in three respects: by inserting a new definition into section 187 as to what constitutes "prohibited conduct" for the purposes of that section; by broadening the definition of "electronic communication" for the purposes of section 204B; and by supplementing the definition of "child sex offender" for the purposes of section 557K. I shall outline what is proposed in that order, dealing first with the amendments to section 187.

Section 187 is contained within Chapter XXII of our Criminal Code. Chapters XXII and XXXI contain a variety of offences of a sexual nature, including sexual offences against children. Section 187 creates the crime of "facilitating sexual offences against children outside Western Australia". In essence, the section provides that a person who enables, aids, counsels or procures another person to engage in prohibited conduct commits a crime punishable by 20 years' imprisonment. The term "prohibited conduct" is defined to be the doing of an act in a place outside Western Australia in respect of a child under the age of 16 years which, if done in Western Australia, would constitute a sexual offence under Chapter XXXI of the Code or the commission of an offence under part IIIA, division 2 of the commonwealth Crimes Act 1914. That part of the Crimes Act made it an offence to engage in conduct commonly referred to as "child sex tourism", whereby Australians travel overseas to indulge in sexual conduct with children outside the direct protection of our laws and law enforcement agencies. Australia's child sex tourism laws recognise a moral obligation to attempt to protect children of other nations from Australian child abusers, by providing that such conduct, even if committed outside Australia's borders, will be punishable by our laws. The passage of the commonwealth Crimes Legislation Amendment (Sexual Offences Against Children) Act 2010 repealed the child sex tourism offence regime in the Crimes Act 1914 and, by way of new division 272, "Child sex offences outside Australia", transferred those provisions into the commonwealth Criminal Code Act 1995. It is therefore necessary to amend the references to the commonwealth legislation. The current commonwealth child sex offence regime closely resembles that of Western Australia, and the reference to repealed commonwealth legislation in section 187(1)(b) of the Western Australian Criminal Code is redundant and unnecessarily restrictive. In any case, merely amending section 187(1)(b) by updating the reference to the commonwealth Crimes Act 1914 to the commonwealth Criminal Code Act 1995 would create another anomaly due to the differing range of ages covered by the state and commonwealth offences. Accordingly, the bill amends section 187 to delete the reference to a "child under the age of 16 years" in the definition of "prohibited conduct". This means that any sexual misconduct committed overseas against children that would be an offence against our Criminal Code can be the subject of a prosecution under section 187, and the reference to the commonwealth Crimes Act is unnecessary and can be deleted.

The bill will also amend section 204B of the Criminal Code to ensure that "electronic communication" explicitly encompasses all forms of email communication and voice communication over a mobile phone or any other electronic medium. Section 204B was introduced into the Criminal Code by the Criminal Code Amendment (Cyber Predators) Bill 2006. Its purpose, broadly, was to protect children under the age of 16 years from sexual activity or indecent matter communicated through the misuse of electronic communications. It was intended to embrace a broad range of electronic communications including internet chat, email, SMS and communication over a mobile phone. To achieve that end, the section defined "electronic communication" to have the meaning ascribed to that term by the Electronic Transactions Act 2003. That definition was subsequently updated to a reference to the Electronic Transactions Act 2011, upon the passage of that Act and the repeal of its predecessor. However, it has emerged that the current definition of electronic communication may be narrower in its scope than had previously been thought to be the case and should be broadened. Two cases have not been able to be prosecuted due to difficulties with the definition of electronic communication; one involved verbal communication over a mobile telephone, and the other involved email communication with photographic attachments. Accordingly, the bill addresses this issue by, firstly, amending the definition of "electronic communication" and, secondly, by inserting a new definition for the term "electronic". The new definition of "electronic communication" will mean a communication by electronic means and will specifically include communication by email, the internet, facsimile, telephone—including mobile telephone—radio and television. The new term "electronic" will include electrical, digital, magnetic, optical, electromagnetic, biometric and photonic technologies.

Lastly, the bill will supplement existing definitions of "child sex offender" in section 557K of the Criminal Code. Section 557K deals with offences committed by child sex offenders. What is meant by a "child sex offender" is defined in subsection (1) of that section. However, the current definition only refers to persons convicted of offences under Western Australian legislation, or other jurisdictions substantially similar to laws otherwise covered by certain laws of the state. The bill will broaden the scope of that definition to include persons who have been convicted of certain child sex offences under the commonwealth Criminal Code Act

1995 or the repealed provisions of the commonwealth Crimes Act 1914. These, essentially, are child sex offences committed outside of Australia, or the use of a carriage service relating to child pornography or child abuse material, or sexual activity with a person under 16 years of age. The expanded definition will allow the Western Australia Police to more readily identify and deal with persons in Western Australia who are convicted of these commonwealth offences.

In summary, the bill will expand the application of Western Australia's criminal laws to continue to protect children from sexual predators both within and outside of Western Australia. Pursuant to standing order 126(1), I advise that this Bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental agreement to which the government of this state is a party, nor does it, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

I commend the bill to the house and table the explanatory memorandum.

[See paper 1054.]

Debate adjourned, pursuant to standing orders.

WAREHOUSEMEN'S LIENS AMENDMENT BILL 2013

Introduction and First Reading

Bill introduced, on motion by **Hon Peter Collier (Leader of the House)** on behalf of Hon Michael Mischin (Attorney General), and read a first time.

Second Reading

HON PETER COLLIER (North Metropolitan — Leader of the House) [5.58 pm]: I move —

That the bill be now read a second time.

The Warehousemen's Liens Act 1952 regulates individuals who are in the business of storing goods as a bailee for hire or reward. Section 13 of the Act confers power to the Governor to make rules and prescribe forms and fees to regulate applications to the Magistrates Court for an order staying the sale of goods under section 7 and payments into court under section 10. The Warehousemen's Liens Amendment Bill 2013 will amend the act by deleting section 13. This will obviate the need to seek approval from the Governor for such rules and allow the Magistrates Court to make rules through the powers provided in the Magistrates Court (Civil Proceedings) Act 2004. Section 12 of the Warehousemen's Liens Act 1952 allows the Governor to make regulations to prescribe a number of things for carrying the act into effect. An exception needs to be made in relation to the fees paid for matters in the jurisdiction of the Magistrates Court. The bill will amend the act so the fees in such cases can be prescribed under section 42 of the Magistrates Court Act 2004. Pursuant to standing order 126 (1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the government of the state is a party, nor does this Bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

I commend the bill to the house and table the explanatory memorandum.

[See paper 1055.]

Debate adjourned, pursuant to standing orders.

Sitting suspended from 6.00 to 7.30 pm

CRIMINAL CODE AMENDMENT (UNLAWFUL POSSESSION) BILL 2013

Introduction and First Reading

Bill introduced, on motion by **Hon Peter Collier (Leader of the House)** on behalf of Hon Michael Mischin (Attorney General), and read a first time.

Second Reading

HON PETER COLLIER (North Metropolitan — Leader of the House) [7.30 pm]: I move —

That the bill be now read a second time.

The Criminal Code (Unlawful Possession) Bill 2013 will make the offence of possessing stolen or unlawfully obtained property an either-way offence. It will also increase the penalty for this offence when heard on indictment to make it consistent with the penalties for stealing set out in the Criminal Code. Currently, possessing stolen or unlawfully obtained property set out in section 428 of the Criminal Code is a simple offence, meaning that it can only be heard summarily and not on indictment. This can cause problems where, for instance, a person is charged under section 428 of the Criminal Code with the unlawful possession of a large sum of cash as well as indictable offences, such as offences under the Misuse of Drugs Act 1981. In such situations, the practice is for the indictable drug offence or offences to be committed to the District Court for trial while the

summary offence under section 428 remains in the Magistrates Court and is adjourned for determination until after the indictable offences are dealt with. If an accused pleads guilty to a section 428 offence, the offence can be dealt with for sentencing in the District Court together with the indictable offence under section 32 of the Sentencing Act 1995. If the accused pleads not guilty to a section 428 offence, however, a second trial must be held in the Magistrates Court at added expense to the community, as there is the duplication of a presiding judge or magistrate, defence counsel, prosecutor and witnesses.

The bill will provide that a charge of possessing stolen or unlawfully obtained property, embodied in proposed new section 417 of the Criminal Code, may be heard either summarily or on indictment. This will mean that if a person has been charged with possessing stolen or unlawfully obtained property as well as with one or more indictable offences, these can all be dealt with together. Currently, the penalty for a contravention of section 428 is only two years' imprisonment or a fine of \$24 000. Given that the offence of possessing stolen or unlawfully obtained property is proposed to be an either-way offence, it is appropriate to increase the penalty for the offence when heard on indictment to make it consistent with the penalties for stealing in section 378 of the Criminal Code. The penalty for stealing in section 378 of the Criminal Code is seven years' imprisonment, with increased penalties in special cases. As the intent of both offences is the same—to deprive a lawful owner of his or her property—the bill seeks to increase the penalty for the offence of possessing stolen or unlawfully obtained property to make it, when heard on indictment, seven years' imprisonment. The penalty for the offence when heard summarily will remain at its current level of two years' imprisonment or a fine of \$24 000. The penalty for stealing increases in particular special cases set out in section 378, such as where the thing stolen is a testamentary instrument, an aircraft, or a motor vehicle which the offender drives either recklessly or dangerously. These provisions have also been incorporated into the bill to the extent possible, so that where a person is found guilty of possessing stolen or unlawfully obtained property in special cases he or she will face an increased penalty.

The bill will also amend those provisions of the Sentencing Act 1995 referred to in the Criminal Organisations Control Act 2012. The Criminal Organisations Control Act inserts lists of relevant indictable offences and relevant simple offences in schedule 1A of the Sentencing Act 1995 for the purposes of section 9D, which prescribes mandatory minimum sentences for certain offences in certain circumstances. Currently, section 428 is listed as a relevant summary offence in part 2 of schedule 1A of the Sentencing Act. The bill proposes therefore to delete section 428 and replace it with new proposed section 417. The offence of stealing per se in section 378 of the Criminal Code is not currently included as a relevant indictable offence in part 1 of schedule 1A of the Sentencing Act. However, stealing in the following special cases is included —

- section 378(2) where the thing stolen is a motor vehicle and the offender drives it in a manner constituting an offence under the Road Traffic Act 1974, section 60 or section 61;
- section 378(4a) where the thing stolen is an aircraft; and
- section 378(5) if the thing is stolen in a variety of circumstances, such as from a distressed vessel or from the person of another.

The special cases in subsections 378(2) and 378(4a) are mirrored in proposed sections 417A(3) and (4) respectively. In the interests of consistency, these new proposed sections are also proposed to be included as relevant indictable offences for the purposes of the Criminal Organisations Control Act.

The bill also makes a consequential amendment to the Wildlife Conservation Act 1950, replacing a reference to section 428 with a reference to section 417.

This bill is consistent with the government's approach to law and order. It will remove an anomaly from the Criminal Code and make the existing offence of possessing stolen or unlawfully obtained property easier to administer.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth. I commend this bill to the house and table the explanatory memorandum.

[See paper 1056.]

Debate adjourned, pursuant to standing orders.

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

Twenty-eighth Report — "Further Review of the Standing Orders (No. 2)" — Motion

Resumed from 20 November on the following motion moved by Hon Adele Farina —

That the twenty-eighth report of the Standing Committee on Procedure and Privileges, "Further Review of the Standing Orders (No. 2)", be adopted and agreed to.

Committee

The President (Hon Barry House) in the chair.

The PRESIDENT: In addition to the twenty-eighth report of the Standing Committee on Procedure and Privileges, “Further Review of the Standing Orders (No. 2)” we will deal with the document “Motion with Without Notice (Further Amendments to the Standing Orders)”. We will consider that to be a supplementary notice paper. I will take it from the orders of the day.

We have dealt with (2)(a)–(h) and we will now consider (i)–(o).

Recommendation 1 —

The PRESIDENT: Recommendation 1 states —

That **Standing Order 21** be amended as follows —

| | |
|--|------------|
| Bills (Second and Third Reading) and Budget Debate (SO 68) | |
| Mover | unlimited |
| Lead Member (Government or Opposition) | unlimited |
| Party Leader or Member deputed | unlimited |
| Other Members | 45 minutes |
| Mover-in-Reply | unlimited |

Hon KATE DOUST: Unfortunately Hon Sue Ellery is away on urgent parliamentary business. On the supplementary notice paper there are a number of amendments to be moved in her name. I will move the amendment that stands in her name. I move —

That recommendation 1 be amended as follows —

- (1) To delete “and Budget Debate (SO 68)”; and
- (2) To insert after the last line of the insert text —

Budget Debate (SO 68)

| | |
|--|------------|
| Mover | unlimited |
| Lead Member (Government or Opposition) | unlimited |
| Party Leader or Member deputed | unlimited |
| Other Members | 60 minutes |
| Mover-in-Reply | unlimited |

I thank the government for the discussions we were able to participate in last week in relation to these amendments to the standing orders. We are moving this amendment because after discussion we felt that it was more appropriate that when dealing with the budget members be able to have 60 minutes for debate on that area. In the past, when Parliament was prorogued there would be an opportunity for members to speak about what was happening in their electorates during the Address-in-Reply debate, in which there would be 60 minutes for members to speak. At other times it is currently specified that movers of a motion, a lead speaker or a party leader have unlimited time to speak. We felt that the change to 45 minutes for the budget debate was somewhat limiting, given we do not have the opportunity to have an Address-in-Reply debate every year. Really, the budget debate has replaced that. It is one of those few occasions on which members can talk about a whole range of issues in relation to their electorates. It was felt that we did not want to limit them on that occasion and so it was appropriate for the budget debate that members generally be given 60 minutes if they were not the lead speaker or a leader of a party, just to give them that capacity to have that time. We note that on other occasions when dealing with a bill, members would normally have their 45 minutes, with the opportunity to seek leave to have an extension. However, it was felt that it was better to be quite clear on this occasion that members were just to have their 60 minutes and it was a much simpler way of going about things. Given that this amendment will be agreed to, I want to be clear that recommendation 2 will then just fall away and we will not be moving that at all.

Hon Peter Collier: It will be put, but we will vote against it.

Hon KATE DOUST: I thank the Leader of the House.

The PRESIDENT: I just clarify that recommendation 2 will still have to be put, but if members do not wish to have it in the standing orders, they vote against it.

Hon PETER COLLIER: I confirm that we will support this amendment. It clarifies something that has occurred in the past. When I was first in this place we had 60 minutes for the budget debate speech and so we do

not have a problem with the amendment at all. The appropriation bills, of course, will be covered in the first component of the amendment with true bills, but the budget debate gives members an opportunity to speak once a year for 60 minutes and formally reflects what has previously been accepted practice, so we support this amendment.

Amendment put and passed.

Question, as amended, put and passed.

Recommendation 2 —

The PRESIDENT: Recommendation 2 states —

That **Standing Order 21** be amended as follows —

Principal Appropriation Bills (Second and Third Reading)

| | |
|----------------|------------|
| All Members | 45 minutes |
| Mover-in-Reply | 15 minutes |

Question put and negatived.

Recommendation 4 —

The PRESIDENT: Recommendation 4 states —

That **Standing Order 21** be amended as follows —

Consideration of Committee Reports

| | |
|-------------|-------------------------------------|
| All Members | one period of 10 minutes per report |
|-------------|-------------------------------------|

At the discretion of the Chair of Committees and when no other Member wishes to speak, a Member of the relevant Committee may be allocated a second period of 5 minutes per report.

Hon KATE DOUST: I move —

That recommendation 4 be amended as follows —

Delete “of the relevant Committee”

We discussed the changes that were made in relation to the committee period we have on a Wednesday. In the past, members would be able to speak for 10 minutes at a time, and if no-one else rose to their feet, they would be able to seek the call again, sometimes on multiple occasions, to continue their discussions about particular report or ministerial statement that we might have been dealing with. The changes made in the last significant round of standing orders amendments provided that members could only speak once for 10 minutes during that period. I understand that when the standing orders were discussed during the last Parliament there was some discussion about giving the chair of the committee an opportunity to get an extra five minutes to perhaps respond to remarks made by members on that report. The discussion we have had is that it would be fairer, if no-one else rose to their feet, to enable any member to seek the call for an additional five minutes—they do not have to be a member of that committee. There may be occasions when a member might seek to provide additional information or to clarify something and we did not want to deny them the opportunity to have that one extra period of five minutes to speak. It was seen as fairly reasonable. As we know, these types of changes are a bit of a movable feast. We see what works and what does not work and at some point in the future we might review this standing order. That is the reasoning behind this amendment and I think it is seen as fairly acceptable across the board.

Amendment put and passed.

Question, as amended, put and passed.

Recommendation 5 —

The PRESIDENT: Recommendation 5 states —

That **Standing Order 23** be amended as follows —

- (1) Unless otherwise ordered, the following maximum total debate time limits shall apply per item of business for the following categories —
- | | | |
|-----|---|-------------|
| (a) | motions on notice (SO 15(2)) | 240 minutes |
| (b) | consideration of Committee reports (SO 15(3)) | 60 minutes |
| (c) | Non-Government Business motion (SO 15(4)) | 80 minutes |
| (d) | Private Members’ Business motion (SO 15(5)) | 60 minutes |

- (2) When an item of business under (1) is interrupted in accordance with Standing Order 15 prior to the expiration of the maximum total debate time limit outlined under (1), the item and the remaining total debate time will be listed on the Notice Paper for the next sitting of the Council.
- (3) At the completion of the maximum total debate time prescribed for a motion on notice, the question for any amendments moved and the principal question (as amended) shall be put without further debate.

Question put and passed.**Recommendation 7 —**

The PRESIDENT: Recommendation 7 states —

That **Standing Order 100** be amended as follows —

- (1) A petition shall —
 - ...
 - (h) if from a corporation, be made under its common seal or, if the corporation does not have a common seal, a copy of the corporation's articles of incorporation must be attached to the petition.

The only change is in subsection (1)(h) of that standing order.

Question put and passed.**Recommendation 9 —**

The PRESIDENT: Recommendation 9 states —

That **Standing Order 113** be amended as follows —

- (9) A corporation making a submission under this Standing Order is required to make it under its common seal or, if the corporation does not have a common seal, a copy of the corporation's articles of incorporation must be attached to the submission.

Question put and passed.**Recommendation 15 —**

The PRESIDENT: Recommendation 15 states —

That **Standing Order 190** be amended as follows —

- (1) When a Committee report has been tabled in the Council, any corollary motion without notice may be moved, including a motion that the recommendations contained in the report be agreed to.
- (2) When a motion is moved under (1), no debate shall ensue at that time. If any Member wishes to speak to the motion and therefore the motion cannot be resolved immediately, the President shall adjourn the debate until a later stage of the sitting.

Hon KATE DOUST: I move the amendment standing in Hon Sue Ellery's name —

That recommendation 15 be amended as follows —

To delete subsection (2) of the recommendation and insert —

- (2) When a motion is moved under (1), no debate shall ensue at that time, and the debate shall be adjourned until a later stage of the sitting.

This amendment simply seeks to clarify the language used. We felt that subsection (2) of standing order 190 was slightly confusing about when we could actually have the debate on the motion. The amendment simply states that when the motion is moved, the debate cannot happen at that point but it does not prevent that debate from being brought on at a later stage of that day's sitting.

Amendment put and passed.**Question, as amended, put and passed.**

The PRESIDENT: Part (3) of the motion on the notice paper states —

- (3) That the Clerk be authorised to make further clerical amendments, as required, to the Standing Orders adopted by the House.

The question is that the whole motion, as amended, be agreed to.

Question put and passed.**Progress reported, pursuant to standing orders.**

ELECTRICITY CORPORATIONS AMENDMENT BILL 2013*Second Reading*

Resumed from 26 November.

HON AMBER-JADE SANDERSON (East Metropolitan) [7.55 pm]: I rise again to speak in opposition to the Electricity Corporations Amendment Bill 2013. All Labor members in this chamber will oppose this bill.

As I said last night, the purpose of the bill is to merge the two entities of Verve and Synergy. That will bring the retail and generation arms under a single board with a view to making economies of scale and saving taxpayer dollars. Those claims have not been demonstrated clearly in the bill. It will essentially create a huge entity and a virtual government monopoly in the energy market, which seems a far cry from the microeconomic, private enterprise and small government philosophies of the party that introduced this bill. On the outside it looks as though it is actually contrary to many deeply held beliefs of the Liberal Party, which is why it creates some confusion for me. Certainly, there are questions that I will go through later. If legislation is the vehicle through which we pursue our politics and our ideology, then this bill is certainly not one of those from the Liberal Party. The ideals that are held close to the party are the creation of wealth, competitive enterprise and consumer choice. There is no evidence that this bill will introduce any of that into the energy market; in fact, it could potentially have the opposite effect. Handing control of 80 per cent of the market to a huge entity does very little, from what I can see in the research I have done, to encourage innovative private operators, particularly in the renewable energy market. It is certainly not evident from what I have seen that that would happen. There is some discussion in the community about this. The usual friends of the Liberal Party—the Chamber of Commerce and Industry, the Chamber of Minerals and Energy, the Economic Regulation Authority, the WA Independent Power Association and the private sector—have found no comfort in this bill and do not have any support for it. No-one in the private sector in this market is saying that this bill is a good thing. In fact, it was clear in the briefing we had that the private sector is saying, “We don’t want you to do this, but if you have to ...” That is the opposite of support; the private sector and most of those representative bodies are saying, “Don’t do this.” Therefore, it seems an anathema to me why we are pursuing this course. It certainly is not the result of clear and meticulous planning, and I will go over that when I talk about the energy initiative.

I will touch on a quote that really demonstrates some of the thinking in the sector around this bill and that the disaggregation of Western Power into the four entities has not been given enough time to work properly. Frank Tudor, who runs Horizon Power, in an article in *The West Australian* last year stated —

... that the benefits of the split up of the old Western Power in 2006 were only likely to be apparent after 15 to 20 years ...

That does not fit with political cycles, clearly, but this disaggregation needs more time to work. He stated —

“The benefits of disaggregation were espoused to be immediate ... It was an investment, pretty much like a capital investment, that was only ... going to yield a benefit over a long period of time ...

This major sector reform has not been pitched to the community very well at all, because people are confused about why the government is pursuing this. It is really another example of dishonesty and omitting to tell the whole truth to the electorate before the election. It is another example of saying one thing before the election and doing another. This is a really major, significant reform to a critical utility that everyone uses and needs, and nothing was said about it before the election. In fact, although nothing was said about it before the election, the Premier announced this reform in one of the first press conferences he held after his re-election, so it was clearly at the front of his mind during the election campaign.

The Premier made similar announcements a number of times over the previous term of government, but it had been hosed down by several members of his own party and cabinet, one of whom was the previous Minister for Energy, Minister Collier. In an online ABC News article of 28 August 2012, not six months before that, the minister was quoted as saying —

... it’s certainly not a priority as far as the Government’s concerned.

“What we will be doing is working with industry to ensure that we can modify the market rules to make sure that we have as most efficient system as we possibly can.”

That would seem to be a sensible approach—actually examining the market to see how we can entertain more renewable energy with a greater number of smaller operators accessing the grid and providing cleaner energy. Looking at the market seems like a sensible way to go; this bill does not seem to do that at all. The minister went on to say —

“We feel that we’ve got to look at reducing costs with regard to the market structure and that’s exactly what we’ll be doing,” he said.

“I’ll be working with a working group over the next couple of months to ensure that we have the best possible system that reduces the costs to provide the best possible outcome ...

However, further along, the article continues —

The Chamber of Commerce and Industry’s chief executive, James Pearson, says the merger option should be taken off the table for good.

Another aspect of the—to put it kindly—opaque decision-making that the Premier seems to engage in was illustrated in his reference to a letter that he stated was the silver bullet that demonstrated that the re-merger had to take place because the sector wanted it. I refer to the joint letter from the chairs of both Synergy and Verve. The Premier was pushed a number of times to table the letter but he refused to, until it was eventually flushed out through intense pressure in the Parliament and from the media. It turned out that the letter did not say that at all; in fact, it asked more questions than it answered and it was clear that both chairs were asking what the government’s objectives were with the re-merger. It was obvious, at that point, that they were not clear as to the government’s objectives in re-merging those two entities. Having been to the briefing, carried out my own research and rifled through numerous papers, I am still not entirely clear what the government’s objectives are, and I am certainly not convinced that this bill is going to achieve any of the government’s stated objectives.

At the briefing we attended earlier this week it was stated that there were three main objectives to this legislation. Firstly, cost; secondly, energy security; and thirdly, to ensure that the private sector stays in the market. If we look at cost first, we see that there is no business case for this. The only response we have had is that the right numbers are appearing; “We’re crunching the numbers, and the right numbers are appearing”. This is taxpayers’ money; a state cannot be run on an instinct or on a feeling. We could not run a business or a government department on that; there is no institution that would survive running on an instinct or a feeling or the right numbers coming out. It does not make any sense. Taxpayers expect much more accountability and a much clearer business case if we are going to embark on such a huge reform that will actually benefit them in the long run. At the end of the day, that is the purpose of this Parliament—to benefit the community, and everything we do in this Parliament should do that.

We are facing cuts to schools. We have seen the aims for Fiona Stanley Hospital being clawed back; it was to be a paperless hospital, but that is now going to be delayed. There are going to be pay cuts to hospital workers, police retrenchments and public sector cuts, yet there has been no business case for the re-merger of Verve and Synergy. We do not know how much it is going to cost for what has been a hobbyhorse of the Premier for many years.

The first objective is clearly not demonstrated. I have some sympathy for the second objective, energy security, but if diversification of energy sources is the key to energy security, this legislation will not achieve that at all, because they will have to get access to the grid. We have been told, “Oh, they’ll play fair; we’re going to ring-fence. They’ll play fair and they won’t treat themselves any better than anyone else.” I am yet to get my head around how we will actually operationalise that sort of ring-fencing in the organisation.

The third objective is to ensure that the private sector stays in the market. There is no evidence that this re-merger will ensure that. The re-merged entity will control 80 per cent of the retail market and 60 per cent of generation. I would hate for this bill to limit the opportunity of other private investment. Billions of dollars of private investment are being put into renewable energy across the world, and we need that in Western Australia; we are incredibly well placed, yet we will have created this giant in the market that will narrow opportunities for those renewable and sustainable options that people want more of.

Claims have been made in the other place that the disaggregation of 2006 created too many regulatory entities. It did, indeed, create a number of regulatory entities and converted one of the regulatory entities. None of these will be removed as part of this bill; in fact, it will create yet another regulatory entity. Some numbers have been floated around in respect of regulations created by the disaggregation. Minister Nahan claimed in his second reading speech that the disaggregation had cost \$9.7 million in annual management costs since 2006. That is, I agree, a lot, but let us look at the evidence for those management costs. He also claimed that it had cost \$500 million in additional establishment, management and regulatory costs. There will obviously be a significant cost in creating even one more regulatory body, so we are bringing them together and introducing one more regulatory body to make sure that they play fair in the market. That is essentially because the private sector is spooked by this move. The government said, “Don’t worry; we’re going to merge them, but we’re going to create another regulatory entity, even though we believe in less regulation, to make sure that they play fair.” That is bizarre; it is a little back-to-front. There are questions about whether legislation is even required for bringing these two entities together, yet the main thrust of this bill is to introduce that regulatory body.

If we are talking about this being an incredibly heavily regulated entity, we need to see the regulations so that we can see how it will be regulated. We have only half the information that we need to see how this legislation is actually going to work, which is why members on this side of the house are struggling to see how it will produce the outcomes that are claimed for it by the government. We are really struggling to see that, because we cannot

see the actual regulations. How is it going to be regulated, how are the ministerial controls going to be exercised, and how is the ring-fencing going to be operationalised? We have just been told, “It’ll be okay; the first draft will be ready this week.” Well, the bill is in the upper chamber of the Parliament and the first draft of the regulations was ready only this week. This is very poor planning and another example of a bill that has not been properly planned and meticulously thought out for a major reform that has not been properly planned and meticulously laid out for the community and for the Parliament to properly scrutinise.

The bill was declared urgent in the other place, which was another unpalatable aspect of this process. We have had some time in this chamber to look at the bill, but in the other place it was not allowed the usual time to sit on the table so that members could consult with their electorates and major stakeholders to see whether the bill would be of benefit to their constituents. There are clearly a number of issues with this bill that have not had proper planning.

I now come back to the regulations. It was claimed in the other place that \$9.7 million in additional annual management costs have been created since 2006 and \$500 million in establishment, management and regulatory costs. That is a lot of money. I would like to see the evidence of that. This government has been in government for five of the last seven years and has been presiding over those management and regulatory costs, so why did it not do something sooner? Why has it taken the government this long to address those issues instead of making such a huge reform and using this as an excuse? There is no use in wrapping up the business case in two weeks when this bill is being debated now.

Extraordinarily, the Minister for Energy in the other place stated that he does not know the cost because the government has not done it yet. A hospital or a school would not be built on the premise of we do not know the cost because we have not done it yet. A service would never be provided on the premise of we do not know the cost because we have not provided it yet. Taxpayers expect proper planning and due diligence from government. They expect the government to know the costs and to be able to present those costs to them. The evidence that it will save hundreds of millions of dollars is not clear. We do not know the cost, the regulatory environment or the savings, yet we are still asked to support this bill.

I struggle to see how the ring-fencing of the three or four entities can genuinely work in an operational sense by bringing these organisations together. I am concerned for the staff within those entities. Significant burdens will be placed on them and I am concerned about whether they will be adequately supported and trained so that they do not breach any internal confidentiality. I am really concerned that they have the ability to go about their work and conduct their business and are given support and training to not inadvertently breach confidentiality when dealing with other units of the business. That is a potential risk for people working in the new Synergy.

Looking through the directions paper “Strategic Energy Initiative, *Energy2031*” —

Hon Peter Collier: A wonderful document.

Hon AMBER-JADE SANDERSON: It is a very thorough document, but in my view there are some flaws in it because it lacks serious planning for renewable energy. I ask now: what was the point? Is this the same as the red tape reduction plan? Nothing in that document talks about this kind of major reform. The government pours in resources and the time and effort of people who are passionate about the sector, interested in the sector and want to see a thriving sector, and then throws all of that out the window because the Premier has changed his mind. In fact, some of the objectives laid out in that document contradict the purpose of this bill. It is a flawed document because it does not provide any proper planning and policies for renewable energy, and it certainly does not talk about re-merging these two major entities.

I want to talk about renewable energy in relation to this bill. WA is incredibly well placed and has abundant renewable energy sources. WA is amazingly globally well-placed to harness the natural resources to provide a cleaner and more sustainable future. WA has wind, solar, wave, geothermal, biomass and concentrated solar thermal—a technology that moves towards the ability for solar to provide base power, which has always been a fundamental issue with solar power. In fact, a recent article in the South Australian newspaper *The Sunday Mail*, dated 24 November, talks about how ZEN Energy Systems is developing storage for solar energy through photovoltaics, which has always been a fundamental issue for people who have solar panels. I have them. It would be nice to say what we can have, but we cannot; we feed it back in. The article states —

... ZEN Energy Systems Chief Executive Officer Richard Turner says.

...

“We have the technology now to generate and store energy in the home far cheaper than purchasing that energy from the grid.”

Manufactured in South Australia ...

“Householders are increasingly seeking protection against rising energy bills ...

“The case for harnessing free energy from the sun is as compelling as ever.”

The first commercial installation is underway. The article continues —

“Generating solar energy is one thing, storing it is quite another ...

It is. That is the leap that solar energy needs, not only to do it but to do it in an affordable way that households can manage. These are the technologies that the state needs to be looking at—that is, renewable, sustainable and clean technologies. They are great initiatives.

I also want to touch on comments made in a journal *Towards Sustainability: German and Australian perspectives on climate change and energy policies*, which is more interesting than one would think it could be. It contains some comments of Albert Goller, who is the managing director of Siemens Australia Ltd. Siemens is a hugely successful global company and Goller’s comments about Western Australia are interesting, especially from someone so senior who clearly has a strong business instinct and is a leader in the business community. He is reported in the journal as saying —

Without a doubt Australia is blessed with natural resources and it has the space and the climate that is positioned perfectly for the production of renewable energy on a large scale. In that respect, Australia has the potential to be the most admired country in the world, as a sustainability leader that other countries can learn from.

I believe we are missing opportunities to harness this power, this potential and this opportunity. This bill reflects the old way of thinking. The old way of thinking is about dirty fuel, coal-fired power stations. It is not about how to harness the ability for solar to run base energy. It is not about developing innovative and new market techniques to allow this sort of innovation to flourish. According to Bloomberg, global investment in renewable energy is worth \$260 million a year. We need some of that in WA, when the renewable energy market in Australia is shrinking —

Hon Peter Collier: It doubled here over the last four years.

Hon AMBER-JADE SANDERSON: It has shrunk in the last 12 years. It has retracted in the last 12 years.

Hon Peter Collier: In Western Australia, the renewable energy component has doubled since we took office.

Hon AMBER-JADE SANDERSON: In Australia it is retracting, and that is partly due to political uncertainty, certainly over the last few months with the election of the federal government and its direct action plan. We should be harnessing the majority of that investment for new jobs, clean jobs and green jobs and a much more sustainable future.

Comments made by the energy minister last week indicate that he is walking away from renewable energy and, rather than encouraging new large-scale renewable projects, he said that Western Australia is clearly in the situation of having excess generating capacity. Some arguments about gold plating of the energy sector that we have seen were discussed. He went on to state —

“To build additional capacity on top simply to satisfy the RET (the national renewable energy target) is a sub-optimal approach and expensive for taxpayers. Western Australia can satisfy its RET requirement by purchasing certificates from projects on the Eastern States.”

He is proposing to abandon local renewable projects and subsidising wind and solar farms in the eastern states to meet our renewable energy target requirements. That came from the energy minister and it is deeply disappointing and concerning. I want this government to address the market issues that will enable Western Australia to harness its true potential, as outlined by Hon Peter Collier in August 2012. I feel that this bill does not do that; in fact, it makes it harder for smaller operators, who are spooked by and deeply uncomfortable with this bill and the creation of this huge entity, to do that.

Lastly, I want to touch on the cost of living and the impact that electricity and utility prices have on the cost of living because it is related to this bill. We keep saying that it will impact on costs and it will help costs. There is no evidence of that. At the end of the day, the people in my electorate need to be able to turn on the lights, pensioners need to be able to put on the heater, and the people who live in West Swan and Midland need to be able to turn on the air conditioning on a 42-degree day when there is no sea breeze, but a nice hot wind coming from the desert, knowing that they will be able to pay the bill. Over the past five years, we have seen savage increases in those costs. The rise in the cost of living and in utility charges is a significant contributor to those—I am sorry does the member have something to add?

Hon Paul Brown interjected.

Hon AMBER-JADE SANDERSON: I look forward to his contribution to this bill.

The rising costs of living create major stress on households, and those stresses result in homelessness, family stress and people losing their ability to cope with everyday life. Balancing the family budget is one of the most stressful things that most families have to do. Most members in this chamber probably do not have to deal with

that stress at that acute level every day. It is really tough. I want this government to introduce better provisions and support for people on low incomes and government pensions so that they can pay their utility bills and to properly subsidise those people who want to engage in renewable energy. So far there has been no articulation from the government about how this bill will support any of that. The community is confused by this bill and why the government is engaging in this process. It needs to be much better articulated. I want the government to address market issues that will enable proper renewable, sustainable energy, not deal with the immediate cost issues. That is why I will not support this bill.

HON DARREN WEST (Agricultural) [8.22 pm]: I also rise to speak against this rather strange piece of legislation, as my colleagues have done before me. The Electricity Corporations Amendment Bill 2013 typifies the state of the government at the moment. It is a bill that nobody understands and nobody really wants and has clearly been thought up and drafted in a terrible hurry. Quite frankly, it typifies a chaotic, dysfunctional, divided and deceptive government, and I will go into some details about why I think that in the next 45 minutes.

Several members interjected.

Hon DARREN WEST: I think that most of the electorate agrees with what I am saying. It seems to come up in every debate. There does not seem to be any order, cohesiveness, function or merit in the legislation that comes before us, as little as there is. I do not think this bill is any different.

We have shown over and over again how this government will say anything—or in this case not say anything at all—to get elected, and then, after the election, it thanks everyone profusely for putting it into government, but does a 180-degree turn on those who supported it. The promises and commitments made were taken at face value by an electorate that clearly appreciated what it heard and gave its precious vote accordingly. The electorate put its faith in the government, only to be let down again and again. I have talked in this place several times about promises made and commitments broken and how the electorate has been let down. This is a slightly different case. In this case, we have seen the Premier stoop to a very low level. I will go into that in more detail, and I have some documentation I am sure members are familiar with. In bringing this legislation to the people, the Premier has told a blatant, barefaced, deliberate, shameless untruth to achieve a sneaky and deceptive outcome that he alone defiantly seeks. Even the Minister for Energy has not really sought this bill, because my understanding is that the first the energy minister knew of this legislation was when he saw it in the cabinet submission. His only involvement has been his second reading speech in the other place, but I will go into that further a little later.

The Premier seems to think that this is a good idea and many of his colleagues have agreed, which I can understand. I think there is some level of smarts in a member supporting the leader's position, but nobody else thinks this is a good idea, as has been pointed out by previous speakers. Mums and dads do not think this is a good idea. They are very cynical about a government that has increased power prices by as much as 60 per cent. They are very cynical about a government that seeks to change something that has been a relatively recent change—that is, the disaggregation of Western Power. Mums and dads in Western Australia immediately wonder what this will mean for them, because they have been let down time and again with massive increases in power bills. Not only have they been let down with massive increases in power bills, but also businesses, many of which use great amounts of power, have been let down. It is getting to a point in Western Australia at which our power prices are becoming a bone of contention in whether businesses will come to Western Australia to do business or whether they will move somewhere else in Australia where they can get some relief from the massive increases in power prices that have been brought about by the Barnett-Grylls government. Of course, as has been pointed out by Hon Amber-Jade Sanderson, business is spooked by some of the actions of both the state and federal Liberal governments.

I believe that the Chamber of Commerce and Industry of Western Australia is not in favour of this merger, which I found strange, just as I had difficulty in comprehending why a Liberal government that believes in small business and free enterprise would advocate for the Duties Legislation Amendment Bill 2013. We argued all night about that bill, but it was passed by Liberal members. Even the CCI does not advocate for the re-merger of Verve Energy and Synergy. I wondered why members opposite, who have been supported strongly by the CCI over the years—many members in this and the other place have been members of, or have represented, the CCI—would not take some notice of what the organisation is saying to them.

The Chamber of Minerals and Energy does not seem to think this is such a great idea. It has said publicly that it does not believe in re-merging these two entities, it does not see the value in it, and it will result in increased power prices for the industry. The Energy Supply Association of Australia does not believe in it. I understand that even the Economic Regulation Authority would be opposed to such a merger.

Why we are debating this? Why has the Liberal government brought such a proposition to Parliament? There has to be a reason. If there is no valid or compelling reason from any of these groups, and I have not yet heard from anyone opposite—I hope a contribution from someone opposite may convince me otherwise—that there will be good positive outcomes for Western Australia from this legislation, why would it be brought to Parliament? It is

badly designed legislation. It is poor legislation from a poor government. I am yet to be convinced by anyone—I look forward to the contributions—about why we have this legislation in front of us. To me, it is an unnecessary piece of legislation. Western Power was disaggregated not so long ago, with the agreement of the organisations that I have mentioned. I think it was widely recognised that it would take 10 to 15 years for the maximum benefits of the disaggregation to show. Why would we not let that disaggregation process take its course? It needs to be acknowledged by those on the other side that, with the benefit of hindsight—I think voters also would agree—former energy minister and Treasurer Eric Ripper probably was not a bad fellow to have in charge of some of these big utilities and in charge of the books of Western Australia. When he left, as has been pointed out several times, state debt was at \$3.8 billion. By the time this government lot has finished in eight years it will be \$28.3 billion. Maybe it is time members opposite sat and thought that maybe there was some good method in what Eric Ripper as energy minister had to say at the time disaggregation was touted. Mums and dads of Western Australia know their power bills did not rise significantly under energy minister Ripper or his successors, as they have under this government; they have risen in titanic proportion since the election of this government.

This bill does not really support the government's stated objectives in the area of reviewing our energy sector. Again I have to ask: if it does not support the government's stated objectives, why bring such legislation into Parliament? I do not see a plan at all to support the introduction of the legislation and I do not see any community interest. I do not have people calling my office. Neither I nor any of my colleagues have people bumping into us in the street saying, "You really need to do this. It's in the public interest. It's a great idea." As a matter of fact all I hear is the contrary. I think people are confused. I think people are a bit spooked. People are concerned about what this legislation will mean to them.

Verve Energy and Synergy have not asked for this legislation. Contrary to what the Premier told Parliament, neither Verve nor Synergy asked for this legislation. In a short while I will quote from a letter sent to the Premier from Verve and Synergy jointly. They indeed have not asked for this legislation. Given the events that have happened since then, I think the contrary is true.

Another aspect of this bill that I do not get, as a person who has been involved in a business and who has had to sit down and do a budget every year and make a plan for the following year's financial activities, is that we have not been told by government, because it cannot tell us, how much this legislation will cost or save Western Australians. To me that is just bizarre.

I would think that one of the ways the government would rationalise legislation is to say to the people who elected it, "We are doing this because at the end of the day in five years we anticipate, whether we are right or wrong, that this will save your household X number of dollars a year; we anticipate that this will save businesses so much per year; we anticipate that this will increase investment in the state; and we anticipate that this will attract business." The government cannot say any of these things. It has brought into Parliament this poor legislation designed on the run without the approval of any of the major players in the sector and without any information on what it will cost or what it will save, yet we are being asked to support this legislation. Of course we would not support that legislation; I would be surprised if anyone does, but let us wait and see.

I have not seen any documentation to explain why we need this legislation. I have had nothing. Even the briefing left us in some doubt about why this legislation is coming forward and why we are debating it. The cart is well and truly before the horse. Why could this legislation not have been in an intelligent, tangible form that we could all understand before it came to this place or the other place?

The cabinet decision to merge Verve and Synergy was made without consulting Verve or Synergy. That would be strange enough and would set off an alarm bell in itself. As clearly stated in the letter I will quote later in my remarks, I wonder why the government would bring in legislation with a cabinet decision to merge Verve and Synergy without first consulting the two organisations in question. That is very strange, and once again signals a dysfunctional, chaotic and disorganised government.

The Public Utilities Office has not been consulted on any level, which I thought the government perhaps might do when drafting legislation. If the government did not consult with it at that stage, perhaps it might have consulted with it when it was preparing the legislation for cabinet. Certainly I would have thought that before it brought the legislation to Parliament it would have had a bit of consultation with the Public Utilities Office. Even if it did not entirely agree with the legislation, perhaps there could have been parts about which the government could say, "We have talked to the Public Utilities Office and it is in general agreement" or "in some agreement" or "is not in agreement", but at least there would have been some level of consultation.

As I have said before, I am advised—although I am not a member of cabinet and do not work in the minister's office—that the Minister for Energy, the member for Riverton, had no knowledge of this legislation until he received the cabinet submission that went to the other members of cabinet. That to me would set off an enormous alarm bell. If the Minister for Energy is not driving this major reform into the energy needs of the future and the energy utilities of Western Australia, then the logical questions are: Who would be behind this? Is

it the Premier? Is it somebody else in cabinet? Is it perhaps someone from outside the cabinet? Which person might come up with this novel idea, prepare the legislation, draft it and have it ready to go to cabinet without telling the energy minister? That is another reason not to get right in behind this legislation without asking a series of questions and another reason not to in the first instance support this legislation.

As I pointed out, the process has been nothing but flawed. The government is a bad government that is unable to manage the finances of Western Australia and keep the promises it made at the election, and I think even the trust of the Premier and the office of the Premier have been somewhat tainted in getting this bill to where it is today. A flawed process from a bad government will always lead to a flawed bill. That is what we have here. We are being asked to consider a flawed piece of legislation. Quite frankly, it should get thrown back to whomever came up with it, and that person should be told, "Go away, have another go. There's a lot of questions to be asked about this. There's a lot you need to sort out. Take it away, sort out these issues, consult with these industry groups, get some good advice, bring back the bill, show the energy minister before you put it to cabinet and let's have another go." That is the logical thing to do and I think any Premier worth his salt would do that—not this one!

Once again the people of WA will have to foot the bill when this all goes wrong, as I believe it will. Any evidence I have seen so far makes me think that this will go wrong, and when it does we all know who will have to pay. They are the same old people that the government asks to pay every time; the same people for whom the government put up electricity, water and gas prices; the same people for whom the government put up car registrations, insurance and stamp duties. They are the same people who will have to pay yet again. I can tell members that a lot of people in Western Australia are not doing so well, despite the state being the powerhouse of the Australian economy. Although we have lost our AAA credit rating, a lot of people are doing very well, but a lot of people are chasing their bills around the fridge door trying to find a way to make the sums add up so that they can be paid. People have had to go without putting on their gas or electric heater because they cannot afford to pay the bill. There are elderly people who are cold in winter. As pointed out earlier by Hon Amber-Jade Sanderson, not everyone lives in Cottesloe. There are people who need to put on their air conditioning when it gets to 42 degrees, and they are not all in Perth. A lot of those people live in my electorate in the wheatbelt and further east. Hot winds come in from the east in the afternoons from way out in the Great Victoria Desert, across the wheatbelt and into the environs of Perth that make it hot and people need to put on air conditioning.

I think it is unreasonable to expect that in a country like this the government will put electricity prices up so high that not everyone will be able to afford to run air conditioning when it is hot. But I suspect that will happen because this is what the government always does. Once again the people of Western Australia are going to have to foot the bill for the government's mismanagement. It has run up debt and has no political will to reduce it or deal with it. It has lost the AAA credit rating which is now down to AA+. There are going to be costs involved just in that act of treachery on the people of Western Australia.

The government is going to merge these companies with no plan and no process. We know that the government is not good with money and I suspect that prices will rise again. I also suspect that Liberal members, along with their dressed-up friends in the Liberal-National Party, will do as the emperor says and support this legislation. I have made some very good and valid points, as have my colleagues on this side of the house, about why this should be thrown in the air, re-evaluated, looked at again and brought back to this place in a more logical and meaningful form. I do not suspect that people on our side of the house will support this legislation; I will not because it would be irresponsible to support this piece of legislation. It is not a good piece of legislation; it is poorly crafted.

I will now talk about a few other things in this legislation. Hon Kate Doust touched upon this in her comments. As a regional member, I like the idea of decentralisation. I like the idea that people who run government agencies and are involved in the big decisions made by government agencies that do the majority of their business in regional areas actually live in a regional area. I think that they should make a contribution and a commitment to regional areas and the best contribution one can make to regional areas is to live there. A person can be part of the community and understand what the people they are working for need and want. The notion that the chief executive officer of Horizon Power is based at Horizon headquarters in Karratha is good. Indeed, Hon Nigel Hallett agreed with that. When a recommendation that this should be reviewed was put to the former Labor government in 2007, Hon Nigel Hallett —

Hon Ken Travers: Quick as a gun he was.

Hon DARREN WEST: He was quick as a gun! He put out a very sensible press release and showed some immense intellectual capacity. He said —

Fly in fly out is not an option when it comes to the provision of electricity in regional Western Australia.

...

The excuse is that because the CEO cannot fly to these areas, travelling by car is more time consuming, costly and difficult to schedule, which would have a negative impact on the service provided to these out of the way places.

He argued that if he lived in Perth it would be easier to fly. The other thing that Hon Nigel Hallett said in a press release when he was the shadow regional development minister in 2007 was —

Welcome to the realities of life in regional Western Australia. The tyranny of distance and its impact on those living and working in regional WA is just a fact of life. People in regional areas just have to live with it and work around it or nothing will ever get done.

They were the words of Hon Nigel Hallett in 2007. To its credit, the state government of the day listened to the sensible comments made by Hon Nigel Hallett, it took heed of his words and indeed —

Hon Ken Travers: I suspect that his comments were pivotal.

Hon DARREN WEST: I think they were pivotal because —

Hon Kate Doust: It cruelled his career.

Hon DARREN WEST: I think so too. It did cruel his career, maybe because he is the odd one out over there, or because he is the only one with a bit of commonsense.

Hon Ken Travers: I suspect it was because of those comments that the Premier never made him a minister.

Hon DARREN WEST: It may be so, because even then maybe the Premier thought that Hon Nigel Hallett was talking a lot of hot air, when it turned out that Hon Nigel Hallett was right! I think that this is actually a good idea. I will be most surprised if the National Party supports this. Goodness me! It has just spent \$688 billion up there to win the seat and now the government is going to take Horizon Power out of the seat. I expect that the National Party will surely have something to say about this issue.

Hon Amber-Jade Sanderson: But will they?

Hon DARREN WEST: We will see when it comes time for a vote. As often happens, members of the National Party say one thing, but when it comes time to vote they do not quite back up the talk with the walk. We will see.

Hon Ken Travers: Three months after the issue was debated, the honourable member for North West Central finally raised it in the press but forgot to talk to the minister about it.

Hon DARREN WEST: Is that a fact? The poor old minister.

Hon Ken Travers: The National Party takes its time getting around to doing anything.

Hon DARREN WEST: Yes; that seems to be the way. I digress. I will be most surprised if the Nationals walk out on the Karratha community, because the National Party has expended a lot of energy and money in winning over the Karratha community to win the seat of Pilbara. Good luck to them. But let us see whether it will stick by those people now that it has the votes or will we see the usual —

Hon Ken Travers: Like it did to the wheatbelt community.

Hon DARREN WEST: Just like it did to the wheatbelt community. Thank you very much for the votes but goodbye, we are off somewhere else because we have other people more important than you.

Hon Helen Morton: Why not just turn around and have a little knitting circle over there.

The DEPUTY PRESIDENT (Hon Simon O'Brien): Order! We have gone from startled gazelles to knitting circles, but what we are actually on is the Electricity Corporations Amendment Bill 2013 and Hon Darren West is telling us why it should or should not be read a second time.

Hon DARREN WEST: In a brief response to the minister, it sounds like a great idea, but I would need to learn to knit. If the minister has any knitting tips, I would be pleased to hear them. My grandmother was an avid knitter and used to knit several garments, so there was no real need for me to learn. I will go back to the bill at hand. As Hon Ken Travers has pointed out, the Nationals have walked out on the wheatbelt community.

Hon Ken Travers: The way electricity prices are going the member may need to learn to knit again for those cold winter nights.

Hon DARREN WEST: A scarf for those cold winter nights when we cannot afford to put on a heater. Seriously, the Nationals have walked out on the wheatbelt. The tier 3 railway lines are closed—we have talked about that in this place. On the day that we were condemning the government for closing the tier 3 lines, Co-operative Bulk Handling took a record receive of 487 000 tonnes in one day—the biggest day ever.

Hon Ken Travers: And 17.

Hon DARREN WEST: And 17; 487 017 tonnes in one day and we were condemning the government for closing the tier 3 railway lines. The National Party walked out on the wheatbelt—goodbye!

Hon Ken Travers: Did the National Party members walk, or was it more a case of running?

Hon DARREN WEST: I think they may have been chased out.

Hon Ken Travers: Chased out, you reckon?

Hon DARREN WEST: The bus services to little communities like Mukinbudin, Trayning and Bencubbin are all gone and closed. The Nationals walked out with those—see you later. The *AvonLink* is going to close at the end of the year. The National Party has walked out on the wheatbelt and the *AvonLink* has gone. The country local government fund has gone. The point I am trying to make is that those opposite make these big commitments and say all this good stuff, such as keeping the CEO of Horizon Power in Karratha, but now they are going to take him away. Under this legislation they are going to take the CEO of Horizon Power out of Karratha. It is all good to say that they support regional development and all these things; the reality is that that is what they say, that is the talk, but the walk is very different. They are going to take the CEO of Horizon Power out of the regional areas. It makes no sense, just like the rest of this bill.

Hon Ken Travers: Clearly the member did not understand so maybe you should re-explain it to him, but a bit slower so he can follow you this time.

Hon DARREN WEST: I would love to, Hon Ken Travers, but time is going to be the enemy yet again. There is only 20 minutes to go.

The DEPUTY PRESIDENT: Order! The other enemy is multiple people talking and poor Hansard has to take down the member's remarks for posterity. If people could let Hon Darren West get on with it, he can continue his remarks.

Hon DARREN WEST: The final point about talking the talk, walking the walk and not supporting regional Western Australia is that today I asked a question about the Bundiyarra Boomerang Hostel. Well, you know, talk, big fanfare, press release and photo op—no, no dice, no hostel, it is not coming.

Hon Jacqui Boydell: Stop helping him try to make sense.

Hon Kate Doust: Is that the member's contribution to the debate?

The DEPUTY PRESIDENT: Order! Hon Darren West has the call, not half a dozen other members at the same time.

Hon DARREN WEST: I would be happy to take advice from the National Party on not making sense because they are the experts.

The other thing I would say is that it is hardly surprising that members of the National Party would agree to the CEO of Horizon Power moving to Perth, because that is where most of them live as well. Why not? But business can be done in the bush; we have proved that. I can offer advice to members on that. If members think that is not how it is, they can join the Liberal Party and be done with it. On this issue, the National Party and the Liberal Party, to use an agricultural analogy, could be seen as fleas on the same dog. WA Labor does not accept this legislation and as I have pointed out, it a poorly drafted, silly piece of legislation that should never have been brought into this place. Of course, we will not accept that. The Australian Labor Party was formed in a regional area, so we have some understanding of the importance of returning wealth, keeping employment and giving some real say to the regional areas. I will keep fighting for that. This bill does not do that and that is another reason to oppose it.

I still do not know why the Liberal–National government wants to do this. I hope some members on the other side will get up and give us a rousing 45-minute contribution about why this legislation should be supported. I am open to good ideas and suggestions, and if the arguments were strong enough I would be happy to get behind this legislation and support good commonsense, but I doubt that will happen.

This government has made some terrible decisions in the area of energy. As I pointed out, Eric Ripper as energy minister set a fine example that should have been followed by members opposite. We have seen some disasters from the former Liberal energy minister and we do not have to go into too much detail. We all know that millions and millions of dollars have been lost at Muja. I think there will be more losses as a result of the passage of this bill and taxpayers will again have to pay. There was also the solar panel debacle. What a doozy that one was! It will end up costing taxpayers \$50 million. It was a flip-flop decision that the government could not make its mind up on and it ran off half-cocked. Sound familiar? It is doing it again. The government ran off half-cocked, did not consult and did not think. It just charged in with a line item in the budget. There was an outcry. The government backed down—another \$50 million lost. Good processes were not followed on that issue either. Do members know what? The people who made these decisions are still in this place making them today; there are still poor decisions getting made today. There is a big pipeline called the Windimurra pipeline. It was another

poor decision. It is sitting out there not being used. I think it is time those opposite started listening to some of the lessons that Hon Eric Ripper put up and started listening to some of the comments coming from this side of the house. When it comes to running the state I think the Labor Party has a better record than the Liberal–National government. I think the government needs to do better for taxpayers.

Hon Helen Morton interjected.

Hon DARREN WEST: We left the AAA credit rating, we left with a magnificent set of books, a \$3.8 billion debt that was easy to service and money in the bank to pay for Fiona Stanley Hospital, and look at what the government has done with that. What have we really got to show for this blowout of debt and the loss of the AAA credit rating? We are not all rolling around. People are worse off than they were then, with their power bills and higher charges. I do not think the government can sit over there and say, “Oh, yeah.” Government members had better go and find a mirror and have a look at themselves, because realistically they are the only ones saying they are doing good job.

Hon Helen Morton: What did the people of Western Australia tell you, my friend?

Several members interjected.

The DEPUTY PRESIDENT: Order! Hon Darren West is addressing the second reading debate of the Electricity Corporations Amendment Bill 2013 and members are not here to drown him out.

Hon DARREN WEST: The voters of Western Australia did support the Liberal government. It does elections very, very well because it promises the earth and delivers nothing. The people of Western Australia now know exactly what the government is like, and we will wait and see how the next election goes. I think the people understand now that it all sounds great before the election. It all sounds fantastic. Everything is good. The posters are good. As I have pointed out before, the Milli Vanilli experience is exactly what the government is. It all sounds great until we put the record on and it is not as good as we were led to believe. I sincerely know that. At the next state election I think the result will be very different for the government. I will let the government bask in the glory of the last election because, for me, the next election is what matters.

It is my understanding that we are being asked to support a major piece of legislation about which the Premier has been, at best, untrue. There is not even a business case for why we should do this. In any other business, in any other government instrumentality, there are better checks and balances than this. There must be a business case, a plan, as to how we go about things. There is not even a business case. That raises enough serious questions in itself. If there is no business case, how can we possibly support a piece of legislation? I think that would be irresponsible. That is why we did not have a AAA credit rating, because the government is irresponsible. There is no fully funded, fully costed plan; there is not even a business case. I think this bill is the precursor to a privatised energy sector in Western Australia. That concerns me because the government has a bit of a record with privatisation. We have seen the privatisation of future services at Fiona Stanley Hospital, the paperless and patientless hospital, as well as at the Midland Health Campus. There are concerns among working people about what this privatisation will mean. Historically it means losses of jobs, losses of wages and conditions, profits going offshore and a reduced quality of services for those who use them—the taxpayers. There are many examples of privatisation going bad. I use the example of the tier 3 railway, which was leased to a private operator and is now closed. It would have been better off in government hands. We are not always best off swinging entirely to the privatisation way. There is some middle ground. I understand that those opposite do not agree with everything being nationalised. We do not agree with everything being privatised. The compromise will be somewhere down the middle. The disaggregation of Western Power did that. It kept the nationalised power model going as well as opening things up to competition from private operators, and I think we were in a fairly good place. I do not think there is a need to move further towards a privatisation model by merging these two electricity organisations.

Renewable energy is the energy of the future. Rather than rearranging the deckchairs on the *Titanic* by misleading the other place and the Premier making comments that turn out not to be exactly true, we would be better off to put our energies into pursuing renewable energies. Western Australia should be the king. We should be the home of renewable energy—both baseload and peak energy load. We should be kings of the world. We have lots of tidal action. We have lots of sunshine; with climate change, we have more and more sunshine. We have lots of wind. We should be engaging this. I note that the current Premier of Western Australia, when he was energy minister back in the 1990s, was instrumental in Western Australia’s very first renewable energy project, the wind farm at Albany, which enjoyed the installation of 12 wind turbines. They produce 21 megawatts of energy annually. That project captured the imagination of the Albany community and the Western Australian community. I remember specifically taking holidays to Albany in about 2001 or 2002 so we could have a look at these wind turbines. It was a good project. It opened in 2001 once the government changed, but the current Premier was certainly involved. He has done nothing since. He has not been actively engaged in renewable energy since. There are so many opportunities we can pursue. It is more than just photovoltaic units on roofs of

houses. There are so many opportunities. There is concentrated solar power, tidal energy harnessing and more and more wind turbines that could power Western Australia both in peak load and baseload systems.

While I touch on privatisation, I want to quote from an article that appeared on PerthNow that states —

THE West Australian government denies its pre-election promise not to privatise electricity assets was a lie —

The government has denied that. We will see whether that is another broken promise. The article continues —

despite freshly-revealed plans to sell off Verve and Synergy.

After Standard & Poor's stripped the state of its AAA credit rating this week, the WA government said power and water utilities, and land and port assets were potentially on the block as the Liberal-led government sought to reduce debt.

Premier Colin Barnett told parliament on Wednesday —

This article came out on 21 September —

that assets sales were the quickest and most direct way of doing so.

It is getting worse all the time. We have run up debt and we are going to sell the back paddock of the farm to help reduce the debt. That is no way to reduce debt, because if we sell our assets, we will not have any income-generating streams and the spiral goes on and on. I have seen it before with farming families who get into strife. They sell off a bit of land and five years later the whole lot has gone down the tube because no income is coming in.

I will talk a little about the letter, of which I have a copy, to the Premier from Verve and Synergy. This has been debated quite a lot. Nowhere in the letter does it say that Verve and Synergy are in favour of an amalgamation of the two organisations. Nowhere in the letter does it say that. However, the Premier said in Parliament that this letter did support it—that Verve and Synergy were in favour of supporting a merger and that the letter confirms it. Premier Barnett was caught out once this letter was obtained. It was pretty easy to obtain because the people who wrote the letter had some level of horror that the Premier would misquote what they had said in a letter directly to him. It was quoted and this was incorrect. I have here from the Leader of the Opposition some fast facts with a few key dates. On 10 April 2013, at a press conference announcing the merger, the Premier said —

“I guess one of the telling points came mid last year when the chairmen of both Verve and Synergy wrote to me and said the two should be amalgamated and I took that advice,” ...

Here is the letter; that is incorrect. The letter did not say that at all. The Premier was telling a gross untruth and the Premier knew he was telling an untruth. The Premier deliberately misled the people of Western Australia because he would have known that. He surely would have read this letter and understood that it does not say that Verve and Synergy are in favour of a merger. Go forward six months, on 30 October 2013 in Parliament during debate, the Premier said —

... why would the chairmen of both Synergy and Verve write to the Premier of the day and say, “This does not work; you need to put the two entities back together”?

...

I'm just telling you that the chairmen of the two utilities wrote to me in a joint letter, saying, “This does not work; put it together.” —

Here is the best word; at the end he said —

Fact.

Fact—it is a total fiction! This letter does not say that; this letter says the opposite of that. It looks for further information. It is not a fact; it is a bare-faced untruth. The Premier knew this. I think that this is a bigger issue than even this piece of legislation, but that is what we are talking about tonight.

On 31 October, the next day, when questioned in Parliament, when this letter came out and journalists and members of Parliament received copies, the Premier, when caught with his hand in the lolly jar, said —

Perhaps what I said yesterday might have been a slight overstatement.

A slight overstatement! When he has deliberately misled the public of Western Australia about what the letter said, the Premier called it a “slight overstatement”. The Premier went on to say —

The letter does not actually call for an amalgamation but certainly makes comments along those lines.

It does no such thing; it asks for clarification on what plans the Premier has for the merger of Verve and Synergy. I urge all members opposite to read the letter, the Premier's comments in *Hansard* and the information

that I have here, because they will find out that the Premier is misleading them as well, if they are not aware of it. The Premier also said —

No, the letter does not specifically ask the government to do it; but it is a persuasive argument in favour of amalgamation. That is the way I interpret it.

I put it to the Premier that is not the way it should be interpreted at all; it is certainly not the way it was written. I think that the Premier knows that is not the way it is interpreted. I think the Premier has been caught. I think it is a very serious offence when the Premier of the state, to get a piece of poorly worded, badly drafted, shambolic legislation through Parliament, has to resort to telling deliberate, bare-faced untruths. I think that is a matter for another body. For that reason alone, for the fact that the Premier has come out and been so disdainful to the Parliament and to the people of Western Australia, once again, Minister for Mental Health, I think the people of Western Australia probably will not be so kind to the government next time. Knowing that the Premier has been quite prepared to look down the barrel of a TV camera and lie directly into their lounge rooms, I do not think that they will be so kind.

The letter from the Verve Energy chairman and the Synergy chairman is dated 30 March 2012 and actually states —

... the Government's key objectives for the proposed merger are not entirely clear to us.

That is what the letter states. I do not know whether members opposite interpret that to mean “we want a merger”. I do not. The letter also states —

Consequently, the Corporations are keen to avoid being involved in what might turn out to be a less than satisfactory process or outcome, —

I still do not interpret any of that as “we want a merger” —

and to this end we suggest that the Corporations undertake a conventional due diligence exercise before a decision is made to proceed.

We cannot interpret that in any way as “we want to merge”. Therefore, it is very, very clear that the Premier has misled Parliament, he has misled the people, he has misled his own party, he has misled the National Party and he is attempting to mislead us. He will not mislead us; we are onto him; we know what he is like and eventually everybody else will, too.

That is yet another reason not to support this silly piece of legislation.

Withdrawal of Remark

Hon HELEN MORTON: I believe that the member is alluding to a debate in the Assembly and under standing order 41 that is not allowed. I have also heard him make allegations of the Premier of our state misleading the Parliament and I believe that that probably falls under section 44 and imputations and personal reflections on another member of Parliament. I think that it would be appropriate for him to withdraw those statements.

The DEPUTY PRESIDENT (Hon Simon O'Brien): I will consider that matter and reflect on it.

Hon KATE DOUST: I listened very carefully to the debate that Hon Darren West has been engaging in. He made a number of comments about the Synergy–Verve letter that was sent to the Premier in 2012. It is in fact a letter that I referred to in my own contribution to the second reading debate. It is out there in the public arena and it has been debated quite intensely in the public arena. We have only to read articles in *The West Australian* to acknowledge that it considers that the Premier misled the Parliament on this particular issue and he did not provide the actual detail that was in that letter; he stated entirely different facts. I do not see that the member is impugning the Premier at all; he is simply stating a fact that everyone in the community is fully aware of, that the Premier purported the letter to be one thing and we actually know it is entirely a different thing. Therefore, I do not think that the member has said anything different from any other member who has already made reference to this letter. It is public knowledge that the Premier was not entirely honest about this matter.

The DEPUTY PRESIDENT: Thank you, member. I am just reflecting on the point of order. I am not going to leave the chair, but it is a serious point of order that has been raised. I need to reflect on the point that has been raised and seek some advice.

Members, this is potentially a very serious matter and that is why I have asked the indulgence of the house for a few minutes to seek advice. I will now offer some advice in response to the point of order that has been raised. I was, of course, listening with interest to the debate, and listening closely. There are a couple of points that I would offer to members generally; they are not particularly offered to Hon Darren West, who just happened to be the member speaking at the time, although I am sure he will take note, as will other members.

Firstly, standing order 58 requires that a member must identify any document quoted in debate, including an uncorrected version of *Hansard*. That is just a matter of course; when you say, “I want to quote from this document”, you should identify it. That was just something I picked up.

Hon KEN TRAVERS: I do not think he was quoting that.

The DEPUTY PRESIDENT (Hon Simon O'Brien): The actual wording that was used was, “and I quote”, and that was what alerted me to it. Again, there has been other discussion of this point; that is not the particular point that was raised, but I was actually about to raise it with the member about now anyway.

That then leads me to the matters that the member went on to discuss, and one of those was the question of imputations and personal reflections, which again takes us back to standing order 44. Again, I think this just indicates that there is a need for members to be careful, when engaging in proper and relevant debate, about how they couch their terms to avoid transgressing this particular standing order. While it would be quite in order for a member engaged in debate, as was the case here, to point out apparent contradictions—in this case, from a government minister, or an incongruity in the quoting of a letter and the subsequent identification of what the letter really said—and while that may be entirely relevant to a debate such as a second reading debate, it is then that members perhaps need to be careful that they do not go a few steps further than that and start making personal reflections on other members. That is why the L-word is probably a good one to avoid. In response to that part of the point of order raised, I think the point has been made, and I will simply advise the house that I think we were getting a bit close to that point of breaching standing order 44, so hopefully we have returned from that.

The other issue raised by the Minister for Mental Health related to standing order 41, which relates to allusion to debate in the Assembly. It states —

A Member shall not allude to any debate of the current calendar year in the Assembly, or to any measure impending therein.

The advice that I have received from Clerks at Table is that this standing order is intended most particularly not to anticipate and seek to influence some matter that may currently be before the other house. The practice of this place, as I have observed it over many years, has been that there is on occasion relevant reference to the other place as a matter of course; it has become so commonplace that it is the custom and practice of the house to tolerate that, although if we start to stray into a debate that purports to closely examine and forensically take apart a debate or a proceeding in another house, we clearly are then transgressing standing order 41. It is an interesting point, and insofar as the honourable member was looking in some detail at proceedings in the other house, I think the point of order about allusion to debate in the other place must be upheld on this occasion.

That deals with the point of order, and I hope it has clarified that; however, I will take this up with the President because he might be interested in offering some further advice to the house on another occasion. Having dealt with that point of order, we now return to the question: that the bill be read a second time. Hon Darren West.

Debate Resumed

Hon DARREN WEST: It is not my intention to breach standing orders. As I am not fully conversant with all of the standing orders, I am happy to take the Deputy President’s sage advice and will adapt my contribution accordingly. I must point out that as a result of the interjections and points of order, I will not get through all of my contribution and I may need to ask for an extension of time. Many of my comments did not come from the other place. To clarify, the comments of 10 April 2013 are from a press release made by the Leader of the Opposition, and they were made at a press conference and not in the house.

Point of Order

Hon SALLY TALBOT: I raise a further point of order—not to interrupt Hon Darren West who is doing a fine job complying with the Deputy President’s instructions—but about the reference to standing order 41 regarding references to debates in the other place in the honourable minister’s point of order. In her second reading speech leading the debate for the opposition, Hon Kate Doust referred to the noticeable differences between the second reading speeches of the minister in the other place and the minister representing the minister in this place. The speeches were different in substance, very different in length and there was a great deal of material omitted from the second reading speech made in this place. This is clearly a matter of some concern to the opposition. I am raising this now not to get in the way of other members contributing but so we can have some clarity on this point after the Deputy President has spoken to the President. To what extent can we debate something like five pages of speech on a bill that was not amended going missing in the transit between the two houses?

At the risk of trespassing on the Deputy President’s patience slightly, the nature of the second reading speech in the other place and the way it was couched was the subject of quite substantial public criticism. That suggests that it should be the subject of quite vigorous debate and discussion during the second reading debate in this place. I would ask the Deputy President to take that on board as well.

The DEPUTY PRESIDENT (Hon Simon O'Brien): Yes, I will take that on board and I will refer the matter to the President. I think the house might benefit from his reflection on this overnight and perhaps a ruling to help guide us on the matters raised. For now, I observe that it has long been the practice that we have our own debates

in this house. If members observe incongruities between the two houses or within another house, then that may be the subject of a public debate, but it is not necessarily a matter for this house. Again, I thank you for your observations and I will refer this matter to the President. I thank members for their patience and willingness to take on board the comments I have made.

Debate Resumed

Hon DARREN WEST: As I previously indicated, I have been thrown around a little bit by the points of order. I know everyone makes valid points of order but it has thrown me a bit. As I am sure members are aware, sometimes one forgets where one is and loses one's place.

I just clarified that the quotes I referred to were in a press release from the Leader of the Opposition, Mark McGowan. The quote attributed to the Premier was made at a press conference. I concede there was a quote from a debate but I was unaware that there was a standing order —

Point of Order

Hon KATE DOUST: I understand Hon Darren West seeks to provide an explanation to the issue canvassed earlier and perhaps he needs a couple of extra minutes to explain himself and I seek that he is granted an extension of time.

The DEPUTY PRESIDENT: I do not know that he was trying to do that.

Darren West: I still have a bit to contribute and I seek leave to continue my remarks.

[Member's time extended.]

Debate Resumed

Hon DARREN WEST: I will wind this up. I accept that the comments attributed to the Premier were from the debate. I was unaware of the standing order and I thank the Deputy President for pointing that out to me. The final quotations were from question time, which, from my interpretation of that standing order, may be fair game because they were not part of a debate. I also quoted from the letter.

I wanted to point that out and now I will be brief; rather than make my expanded remarks I will shrink them down and give a summary. When I read the two second reading speeches, they were markedly different. The bill that was read in this house was markedly different from the bill read in the other place. I deduced from reading the two speeches that we have a very annoyed Minister for Energy. There is no plan to reduce costs in the merger of these two entities. If there was a plan to reduce costs, we would have heard about it. This government is desperate for some good news. It is desperately seeking something bright to give to the electors and taxpayers of Western Australia. Clearly, there is no plan to reduce costs. A government desperate for some good news would be screaming from the rooftops the reasons it is doing this and how it would save people money. I can only assume that because we are not hearing that, there are no cost savings. Once again, if there are no cost savings, why is it being done?

The Chamber of Commerce and Industry of Western Australia has repeatedly been on the record not supporting this merger. Why does the government disagree with the Chamber of Commerce and Industry? It is after all the CCI's domain and an area in which they could offer good advice. I know that in a former life the Premier was very heavily involved with the CCI; as were other people here. Why is it that the government is putting up a piece of hastily convened, poorly drafted and bad legislation that the CCI does not agree with? It does not make sense.

This legislation has no friends. I cannot find anyone who says this is a great idea—nobody at all. It seems that even the Minister for Energy is not a friend of this legislation. It is one of the many things that this government does that has no friends. I touched on topics such as the school cuts, tier 3 rail, the *AvonLink* closure and regional bus services, all of which have no friends. The government continues to put up legislation that is not well liked or well received by the community. I wonder why the government is doing this when there are no economic benefits to this legislation; the CCI and other stakeholders are not involved; and it was clearly quickly and poorly drafted without input from the Minister for Energy. There has been debate about ring-fencing and how regulations can deal with it—I will not go on about it too much more—but it does make me wonder how this will work in an operational sense. It is not fair on employees to have such a veil of secrecy and high level of confidentiality. I think there are times when employees feel compromised by this issue and the veil of confidentiality surrounding it.

I believe that the only involvement that this minister had on this bill was when he read his second reading speech, which, as I pointed out, is vastly different from the second reading speech in this house. It goes from bad to worse. I also refer to the strategy document that Hon Amber-Jade Sanderson pointed to and that the Leader of the House thought was a good document; he referred to it as a well-drafted document. However, it is at odds with this bill. Once again, it is not a friend of this bill.

Over the years we have seen some tremendous bungling by this government—namely, waste at Muja and gold-plating the energy generation system for political gains, which has pushed up prices. Power prices have risen by over 60 per cent. It is the same old people who are paying it. That is, people who get up early and go to work every morning are coming home with less disposable income in their bank every fortnight thanks to this government. This legislation will have a big impact on families. There will be a massive impact on the cost of living for Western Australians. Once again, what is even worse is that not only have we lost the AAA credit rating, but we are not creating an environment that is inviting for business to come to Western Australia. Yes, we have resources; yes, we have gas, but if our power prices are too high, people will choose to do business elsewhere. They do not have to come here. They can go to the eastern states, they can go overseas; businesses can relocate to areas that are best for them to do business. The higher that the government pushes prices, with poorly drafted bad legislation that the Premier has to be somewhat deceptive about to get through, the more we wonder what message that is sending to businesses and enterprises around the world to come and do business in Western Australia.

No-one gets this bill; we do not get this bill; I do not really think members opposite get this bill; the Chamber of Commerce and Industry of Western Australia does not get the bill; all the people who I have mentioned earlier—nobody seems to understand this bill. Therefore, I will not vote for it and nor should members opposite. Thank you.

HON KEN TRAVERS (North Metropolitan) [9.31 pm]: I rise to indicate that I oppose the Electricity Corporations Amendment Bill 2013 in both policy and in detail. I am the one who is often keen to give those types of opposition speeches; I have given them in the opposite way on many occasions when I have supported a bill in both policy and detail. Recently, however, we had the Leader of the Government complain in the media that members of the opposition were not giving sufficient scrutiny to the legislation as it comes through this place.

Hon Peter Collier: That was in response to the comments of your leader!

Hon KEN TRAVERS: It does not matter why; the minister needs to accept responsibility for his own comments. They were the comments he made.

Hon Peter Collier interjected.

Hon KEN TRAVERS: The minister complained that we lacked scrutiny on legislation. They were his words; that is what he went out there and told the media. He did not think the opposition was giving enough scrutiny to legislation. I feel incumbent now to make sure I detail, for the benefit of the Leader of the House, the minister who is handling this bill in this place, why I do not support the bill in both policy and detail.

The long title of the bill states —

An Act to amend the *Electricity Corporations Act 2005* to provide for the merger of electricity corporations, to consequentially amend other Acts, and for other purposes.

Quite a benign-sounding long title to the bill. However, of course, it is a bill that has a long history. I think if we were to look for a piece of legislation that we have dealt with in recent times that best summarises the way in which the Barnett government has behaved since the March 2013 election, this is the bill! This bill highlights the chaos, the dysfunction and the confusion that has reigned in the Liberal–National government since the date of the election. The Minister for Health is always very confident in expressing how positively the people of Western Australia voted for the government on that day. That is true!

Hon Helen Morton: Are you referring to me?

Hon KEN TRAVERS: Yes.

Hon Helen Morton: I am the Minister for Mental Health and Disability Services.

Hon KEN TRAVERS: Sorry, my apologies to the Minister for Mental Health. However, I suspect the government may be looking for a new Minister for Health in the not-too-distant future. I am sure the Minister for Mental Health would be a prime candidate because when we look at her record so far, the minister has not actually achieved much, so she would be a perfect replacement for the current minister.

Hon Helen Morton interjected.

Hon KEN TRAVERS: In all seriousness, I always rated the minister as one of the people who had capabilities on the government side. I am yet to see where that has manifested itself. The action plan that the Minister for Mental Health assisted the former Minister for Mental Health to write is a plan that we are still waiting to see the light of day some five years later.

Hon Helen Morton interjected.

Hon KEN TRAVERS: The Minister for Mental Health is trying to drag me off the issue. I will not be distracted because I want to stick to why the policy and detail of this bill should be opposed. I make the point that the Minister for Mental Health made the comments earlier that this government had a resounding victory at the last election; that is true and I accept that. I do not think the people of Western Australia, when they voted for the government at that time, expected that they would see so quickly the chaos, the dysfunction and the confusion that has reigned for the past six months. In fact, I think it was only about a month ago or less at the Liberal Party state conference, that the Premier drew a line in the sand and said it was all finished. Yet, we continue to see the chaos occurring. As I said, this bill absolutely summarises that chaos, dysfunction and confusion more clearly than any other piece of legislation that we have dealt with in recent times.

The whole issue around electricity and the electricity corporations has a long history. Again, it is interesting to note that when the people voted in March, they were not told by the government that this legislation would be coming forward. We had the on-again off-again marriage of the two entities for the past four years, but the now Minister for Education, who was then the Minister for Energy, ruled it out. He made it very clear it was not going to happen. We never actually ever heard a definite statement that the minister or the government would merge these two entities.

I would have thought an issue of this significance and merit would have warranted it being taken to the people. I wonder what the people of Karratha would have said about even the more minute details of this bill, but nonetheless important details, such as the removal of the requirement for Horizon Energy to have its head office in Karratha. Why was that never made public to the people of Western Australia by one or other of the coalition partners in this government? Why did they not make that clear to the people of Karratha? We know that the great warrior—the white knight on that issue—is back in the chamber. Obviously, he was away earlier on urgent parliamentary business —

Hon Kate Doust: We welcome his wise words on this matter!

Hon KEN TRAVERS: We look forward to his wise words on these matters because I am sure he has not had a conversion on the road to the government back bench on this matter. However, I make the point that this matter has a long history. I want to take members through a bit of the history because in the long version of the second reading speech, as opposed to the short version of the second reading speech, I think it will start to resemble the long title of the bill and the short title of the bill in future if we continue the history. There was a lot talked about with the supposed history of the legislation. But one key element that was never mentioned was that WA Labor went to the 2001 election with a policy of reform of the energy area. At the time it was considered quite unique for a Labor Party to be out there advocating for a policy that had a fairly strong market-based approach. That was supposedly the domain of the Liberal Party. Apparently, the Labor Party was supposed to be opposed to those things. But interestingly, at the time, there was a lot of support within industry in Western Australia for that market-based approach. It was a balanced approach. It did not support privatisation, but it did support the use of markets to drive efficiency in the energy system in Western Australia. It was a very comprehensive policy that was written by the then Labor opposition. In fact, I think Eric Ripper is one of the people who have been given credit for it, but one of the other architects of that policy, whom I recall doing a lot of work on it, was the former member for Cockburn, Bill Thomas. He was one of the great intellects of anyone to go through Parliament in a long time and certainly in my time as a member of Parliament. He never saw high office, but one of the significant contributions he made was in developing the policy that the Labor Party took to the 2001 election. In the 2001 election policy, Labor's plan for the electricity industry was very clear. The executive summary of the 2001 election policy states —

- **introducing genuine competition**

Western Power's generation division will be separated from transmission and the other divisions. An electricity market will be established that welcomes private sector participation and encourages genuine competition.

It goes on to state —

- **promoting fair trade**

An independent electricity industry Regulator will be established. The Regulator will ensure that the industry is conducted in a transparent way and is fair to all participants, prospective participants and consumers. In particular, monopoly or near monopoly providers must not be able to exploit consumers.

That is very interesting. We will understand later that what will be set up today if this bill is passed is a monopoly or near monopoly provider that will potentially have the capacity to exploit consumers. If time permits, I will go through in a fairly detailed way why I think that will occur.

The policy also referred to ensuring accountability. It made a very clear statement about privatisation not being the answer; it was not about privatising. We know that one of the things that occurred prior to that was the

disaggregation of the old centralised energy utility, which included both electricity and gas. That disaggregation created AlintaGas, which was privatised by the then Liberal government. Interestingly, the minister at the time is the now Premier.

Some of the background provided in that document included a comment that the restructuring in Western Australia had been limited. It referred to the old State Energy Commission of WA being split into Western Power and AlintaGas, with AlintaGas being privatised. It goes on to make this point, which I think is very telling —

This limited restructuring has not been sufficient to stimulate a truly competitive electricity market in this State. Robert Booth, in his book, *Warring Tribes—The Story of Power Development In Australia* describes Western Australia as “the high cost State”.

Western Australia has the least competitive electricity market in Australia, and apart from the Northern Territory, its consumers continue to pay the highest prices.

Again, it is very interesting to note that, despite all the claims by members opposite that these reforms have caused Western Australian consumers to pay more, the Liberal Party energy policy for the most recent state election referred to the cost of power and stated that Western Australia has the second lowest energy costs of any state in Australia. I think it is worth remembering that Western Australia has a very difficult energy market to service. The eastern states have a major grid that operates from Queensland to South Australia. We do not. Western Australia also has in its energy prices an in-built tariff equalisation charge, which means that consumers in the south west interconnected system pay an additional cost to subsidise the system in the rest of the state run by Horizon Power; in fact, parts of the SWIS are subsidised. I do not oppose that; I support that. But it is another cost borne by consumers in Western Australia. I note the time so I will not go through in detail a number of the documents that confirm that Western Australia has now gone from having the highest electricity costs in the country, second only to the Northern Territory, to having one of the lowest electricity costs.

I will make a final comment before I sit down tonight. When I looked through the Liberal Party’s policy, I could not find a single mention of the merger. It never took it to the people of Western Australia before the 2013 election.

Debate adjourned, pursuant to standing orders.

GREAT WHITE SHARKS

Statement

HON PHIL EDMAN (South Metropolitan) [9.45 pm]: Tonight I wish to talk about great white sharks.

Several members interjected.

Hon PHIL EDMAN: I would really like to have no interjections, because this is serious. In 1976 my father decided—I do not know why—to take me to see the movie *Jaws*. I was absolutely petrified after seeing that movie. I was so scared that I did not have a bath for two weeks—seriously! I lived with that for 10 years.

When my wife and I decided to buy a house in Rockingham and we lived close to the water, she decided to get me out of the house by getting me to take up scuba diving, so I did. I have done probably over 500 dives not only off the coast of Western Australia, but also all over the world. Having that fear of the great white shark, the best thing to do was to face my fear. So I went to South Africa and swam, obviously in a cage, with a great white. I then went to South Australia and did some extensive filming of the great white in Port Lincoln. I have some of that footage here. If that does not sort out a person’s fear of the great white, I do not know what will. I learnt and have a great deal of respect for sharks, particularly the great white shark. I understand that it is not our world underneath the water. That is my opinion. We may be able to control things on the land with traffic lights, police, government and so forth, but we will never, ever control what happens beneath the water. When people go out on the water, or underneath it, they take a risk. They are visitors.

I have a different view. I have been following the media very closely. People who ride a pushbike or a motorbike wear a helmet. People who drive a car, wear a seatbelt. In actual fact, it was not so long ago that we had the “Slip! Slop! Slap!” campaign because of skin cancer. All these things reduce the risk of what could be fatal. I would like to share that there are shark deterrents on the market. I have not done any diving in the past two or three years, but I will shortly, and when I do, I will buy a shark deterrent. Most of the people who have been attacked in Western Australia over the past 13 years have been either surfers or divers. Shark deterrents are available on the market. People can get one for the back of their ankle, for their surfboard or even for the back of a scuba tank. Some people ask whether it is proven to work. I remember going to the Parliamentary Liberal Party conference a few years ago in York. I was driving home from York at 12.30 pm on 30 October 2010. One of the young ladies, Elyse Frankcom, who was working on a swim-with-the-dolphins tour, actually got attacked and bitten near Garden Island in Rockingham. She had one of these products—I think it was called Shark Shield—which was off but when she turned it on, the shark left her alone and she survived.

Just recently a man called Mr Hosie was diving on the HMAS *Swan* wreck just off the coast of Dunsborough. I quote from an interview with him on ABC radio —

... Mr Hosie ... he swam down away from the wreck and down to the ocean floor, the same level as the shark.

“It actually did take an interest in me because something had moved into its space and it swam straight towards me from about 20–30 metres away.

“At about 10 metres away when it was still heading straight towards me ... I established eye contact, that’s when I thought, ‘maybe this wasn’t such good idea’.

“But I had faith in my shark shield otherwise I wouldn’t have been wearing it and about 5 or 7 metres away, it turned away from me.”

The shark shield saved his life.

The media and the general public talk about culling, and I am glad that our state government is doing patrols with helicopters and looking at shark nets. They are all fantastic things, but I tell members right now that if they think I am going to wait around for any state government to do something before I jump into the water, they have to be kidding me. I will definitely be wearing one of these things so that there is less risk. People have to take some responsibility for themselves too. When they go into the water, they know that there are sharks there. Think about it. These devices apparently do work.

I have to say that I am also very disappointed in the state media. I sent out a media release on this issue. Not one of them printed it and not one of them wanted to talk about it; they just wanted to continue talking about culling. All I want to do is save some lives so that somebody else does not get eaten alive; okay? I just want to send a message like that. It is not about politics; it is about trying to save a life and maybe we do not have to hear about another tragedy such as happened on the weekend.

Mr President, I hope that some people will take note of what I have said tonight, and maybe if somebody has listened to what I have had to say, it may give them the determination to choose life over death.

GRAYLANDS HOSPITAL VOLUNTEER SERVICE MIRACLE BABIES FOUNDATION

Statement

HON DONNA FARAGHER (East Metropolitan — Parliamentary Secretary) [9.52 pm]: I rise tonight to say a few words about a couple of events in which I had the pleasure of participating in the last couple of weeks. I do so tonight because I think it is important that we as members take time to talk about people who we are lucky enough to have had the opportunity to meet through our work—people who make a significant and positive difference to the lives of others such as those who are less fortunate, those who are sick and those who are in need. They do this not in the hope of being recognised, but simply because they want to help others, which I think is highly commendable. Both of these events that I had the opportunity to participate in were in the health space, if I can put it that way. I am pleased to note that the Minister for Mental Health is in the chamber tonight. The first event was a visit to the Graylands Hospital Volunteer Service. I must admit that Graylands Hospital is not in my electorate. I was attending this event on behalf of the Premier and I was not aware of this particular service before that visit. However, I have to say that after spending the morning with a few of the volunteers, it was incredibly rewarding for me to hear about what they do.

This group of volunteers, for those members who also might not be aware of the service, provide friendship, support and assistance to patients at Graylands Hospital. They provide food, clothing, transport and other essentials. They provide emergency packs that contain essential items such as socks, underwear and a phone card for those who arrive at Graylands Hospital with very few, if any, in some circumstances, personal belongings. They also provide a comfort trolley that allows patients in closed wards the opportunity to purchase a variety of goods. They have an op shop where pre-loved clothes and accessories can be purchased at minimal cost—and that is specifically for the patients. One really kind gesture of the volunteers is to plan for patient birthdays. They arrange transport for patient outings and they fundraise for initiatives that benefit the hospital and its patients. They are a wonderful group of volunteers who assist more than 1 000 people each year. Although they are not necessarily huge in number, they are truly committed. There are about 50 in the core group of volunteers, some being psychology students from universities as well as others who help out. The chairman of the service, Edna Prosser, has been a volunteer with the service for some 38 years. Another volunteer had been part of the service for about 36 years and a number have been involved for more than 20 years. I have to say that they are just a wonderful group of Western Australians and tonight I wanted to recognise the work that they do for the patients of Graylands Hospital.

The other event I attended was the Miracle Babies Foundation Thank U NICU Day for the neonatal intensive care unit at King Edward Memorial Hospital for Women. Members might not know—I was not aware of this

specific statistic until I was given it by the foundation—that around 45 000 newborn babies around Australia require the help of a neonatal intensive care unit or a special care nursery each year, 25 000 of whom are born premature and up to 1 000 tragically lose their fight for life each year. The thankyou day was established by the Miracle Babies Foundation to recognise and thank the staff in these very special units right across Australia. At the time that event was held at King Edward Memorial Hospital, another event was held at Princess Margaret Hospital for Children and a range of similar morning teas were held right across Australia on that day.

Here in WA more than 2 000 premature and unwell newborns are treated at King Edward Memorial Hospital neonatal unit each year. In fact, the unit is the largest in the Southern Hemisphere. Babies come to that unit from the Kimberley, Esperance and right across Western Australia. Outside of being the largest unit, it is one of the most advanced neonatal units in the country. It has the best survival rate in Australia, which is something we as Western Australians should be proud of. Obviously we would all very much want no little baby to die, but the fact that WA has a very good survival rate is something we should be very proud of. The simple fact is that the wonderful staff who work in these units provide not only those little babies quite obviously with the very best medical care available, but also wonderful care and support to families and most particularly the parents. I think we would all agree that there is nothing more special than being told that we are going to become a mum or dad. However, a roller-coaster of emotions inevitably flow when that little baby is born, and it is very challenging if that little baby is born premature or unwell. We are so excited that a baby has been born but then there is that concern and worry attached to all of that if they are in one of these nurseries. I have had experience in that regard, which I have talked about in this place before today, and I do not intend to again tonight. The simple fact is that these men and women who work in these units are so incredibly dedicated and work under extreme pressure. They provide the best medical care to those babies, but they also provide support under those very difficult circumstances to their family members. Both of my children spent time in a neonatal unit and it is challenging. As a parent we often feel a bit helpless because we do not feel there is much we can do. However, we know that our little baby is getting that care. Even when those staff are so incredibly busy looking after any number of babies at any one time, we know that their care is the same for every baby no matter how sick or otherwise they are, and I think that is a testament to them.

Just after I had said a few words to the staff and members from the Miracle Babies Foundation who were there, staff were coming and going out because they were on shifts. One of the nurses came in and I remembered her from when my son Harry was taken to the unit. I was able to go up to her and say to her, “I am sure you do not remember me, but I remember you.” She said she remembered me, but I do not know whether she did or not; she might just have been being polite. I was so pleased that I was able to say thank you to her. I simply wanted to get up tonight and reflect on those two events I had the opportunity to be part of, both in a different sense, but both related to health. We, as members of Parliament, should reflect on the very good things that other people do in our community. The wonderful caring work undertaken by people as part of the volunteer service at Graylands Hospital or indeed at King Eddie memorial hospital or any other neonatal unit right across Australia should be commended.

House adjourned at 10.01 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

GREAT NORTHERN HIGHWAY — ROAD SIGNS

383. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport:

- (1) Does Main Roads WA keep records on the number of roads signs that have been knocked over or damaged due to over width freight?
- (2) If yes, how many road signs were knocked over or damaged on the following sections of the Great Northern Highway in 2012–13:
 - (a) Roe Highway to Muchea;
 - (b) Muchea to Wubin;
 - (c) Wubin to Meekatharra; and
 - (d) Meekatharra to Port Hedland?

Hon Jim Chown replied:

- (1) No
- (2) (a)–(d) Not applicable.

GREAT NORTHERN HIGHWAY — BRIDGES

384. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport:

- (1) Does Main Roads WA keep records on the number of bridges that have been damaged due to over width or over weight freight?
- (2) If yes, how many bridges were damaged on the following sections of the Great Northern Highway in 2012–13:
 - (a) Roe Highway to Muchea;
 - (b) Muchea to Wubin;
 - (c) Wubin to Meekatharra; and
 - (d) Meekatharra to Port Hedland?

Hon Jim Chown replied:

- (1) No
- (2) (a)–(d) Not applicable.

ELLEKER–GRASMERE ROAD — BRIDGE COLLAPSE

385. Hon Ken Travers to the Parliamentary Secretary representing the Minister for Transport:

I refer to the collapse of the bridge on Elleker–Grasmere Road in August 2013, and ask:

- (a) when was the last inspection of this bridge prior to its collapse;
- (b) has the reason for the collapse been determined:
 - (i) if yes to (b), what was the reason; and
 - (ii) if no to (b), when is it expected the reasons will be known;
- (c) when was the bridge due to be replaced;
- (d) how old was the bridge;
- (e) what is the gross vehicle mass limit for this bridge;
- (f) how many bridges in Western Australia are older than this bridge; and
- (g) what are the locations of the bridges in (f), and when are they due to be replaced?

Hon Jim Chown replied:

- (a) A visual inspection was undertaken in March 2013.
- (b) (i)–(ii) A final report on the collapse has yet to be finalised.
- (c) 2013–14.

- (d) 113 years.
- (e) 14 tonne.
- (f) Two.
- (g) Wheatbelt South Region and Mid West Region. Detailed inspections are undertaken on a regular basis and replacements are scheduled as required.

ST JOHN AMBULANCE – WA HEALTH — CONTRACT

393. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Health:

I refer to the contract between St John Ambulance and WA Health which expired in 2012–13, and I ask:

- (a) has a new contract been developed;
- (b) if yes to (a):
 - (i) what is the period covered by the contract;
 - (ii) will the detail of the contract be made public;
 - (iii) what does the contract state in relation to the provision of services in the South West;
 - (iv) what are the staffing levels in the South West during the contract period;
 - (v) what are the key performance indicators for St John Ambulances performance in regional Western Australia; and
 - (vi) will the Minister table the contract, redacting any monetary amounts, and, if not, why not; and
- (c) If no to (a):
 - (i) when will the new contract be finalised; and
 - (ii) will the detail of the new contract be made public?

Hon Alyssa Hayden replied:

Answer as at 18 November 2013:

- (a) The current 2012–13 contract was extended for one year. It expires on 30 June 2014. The new contract for 2014–15 onwards is in development.
- (b) (i)–(vi) Not applicable.
- (c) (i) By 30 June 2014.
- (ii) This is yet to be determined.

DENTAL HEALTH WORKERS — SOUTH WEST

542. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Health:

I refer to Budget Paper No. 2, Volume 1 at page 130 “Spending Changes”, line item “Regional workers incentives allowance payments (Dental health)”, and ask:

- (a) how much of this funding will be paid to dental health workers located in the South West electoral region;
- (b) what is quantum of the incentive allowance paid to dental health workers in the South West region;
- (c) how many dental health positions are currently vacant in the South West region; and
- (d) for each of the positions identified in answer to :
 - (i) what is the position title;
 - (ii) where is it located; and
 - (iii) how long has it be vacant?

Hon Alyssa Hayden replied:

- (a) Nil. The “Regional workers incentives allowance payments” applies to staff employed by Dental Health Services who work in certain geographical locations within the north and east of the state only.
- (b) Not applicable.
- (c) There are currently no vacancies for allocated dental positions in the South West region.
- (d) (i)–(iii) Not applicable.

BUNBURY REGIONAL HOSPITAL — EMERGENCY DEPARTMENT

550. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Health:

I refer to Budget Paper No. 2, Volume 1 at page 133 “Significant Issues Impacting the Agency”, line item “Emergency Department Services”, dot point 6, and ask the Minister to table the performance results for the Bunbury Regional Hospital Emergency Department for 2012–13?

Hon Alyssa Hayden replied:

Percentage of all patients departing Bunbury Hospital ED within four (4) hours in the 2012–13 Financial Year, by Quarter.

| Hospital | July–Sept 2012 | Oct–Dec 2012 | Jan–March 2013 | April–Jun 2013 | % |
|------------------|----------------|--------------|----------------|----------------|-------|
| Bunbury Hospital | 76.5% | 77.9% | 75.9% | 74.4% | 76.2% |

Source: EDDC (Emergency Department Data Collection) This data was submitted to the AIHW on 31 September 2013 for National reporting purposes.

ABORIGINAL HEALTH SERVICES

553. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Health:

I refer to Budget Paper No. 2, Volume 1 at page 135 “Significant Issues Impacting the Agency”, line item “Aboriginal health”, and ask:

- (a) of the funding allocated, how much will be spent in the South West electoral region; and
- (b) which agencies or community organisations will receive funding to deliver Aboriginal Health services in the South West electoral region, how much funding and what services or programs will be delivered?

Hon Alyssa Hayden replied:

- (a) A total of \$2,729,138 is allocated to the South West electoral region.
- (b) The following services are funded to deliver Aboriginal health programs in the South West electoral region; the funding amounts are for the 2013–2014 financial year:

Bunbury Milligan Community and Learning Centre — \$37,023

Program: *Indigenous Early Childhood Development*

GP Down South — \$47,940

Program: *Culturally Secure GP Service — Practice Nurse clinical attachment to AMS service/program*

St John of God Hospital Bunbury — \$438,294

Program: *Tackling Smoking*

Program: *Healthy Transition to Adulthood*

South West Aboriginal Medical Service (SWAMS) — \$582,479

Program: *Aboriginal Health Community Re-Entry Program*

Program: *Aboriginal Allied Health Teams*

WA Country Health Service, South West — \$421,448

Program: *Aboriginal Liaison Officers*

Program: *Care Pathways for Boodjarri Yorgas*

Great Southern GP Network — \$47,940

Program: *Improving Access to GP Services*

Southern Aboriginal Corporation — \$125,434

Program: *The Gnum-aries Hurt Project*

WA Country Health Service — Great Southern — \$336,163

Program: *Healthy Transition to Adulthood*

Program: *Aboriginal Health Community Re-Entry Program*

Program: *Patient Liaison Service*

Program: *Maternal and Child Health*

Program: *Child Development and Women’s Health*

South Metropolitan Area Health Service — \$692,417

Program: *Mandurah Aboriginal Health and Wellness Centre — Nidjalla Waangan Mia*

BUNBURY BREAST CANCER CLINIC

569. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Health:

I refer to Budget Paper No. 2, Volume 1 at page 152 “Appropriations’ and the Breast Cancer Screening and Assessment Clinic in Bunbury”, and ask:

- (a) for the 2012–13 budget, how much money was allocated towards the operating costs of the clinic;
- (b) For the 2013–14 budget, what is the expected cost to Government of running the clinic; and
- (c) how many staff (medical and non medical) run the clinic and what are the positions?

Hon Alyssa Hayden replied:

- (a) In 2012–13, the allocated budget for Bunbury Breast Cancer Screening and Assessment Clinic was \$460,000 including rolled over funds from the previous year due to delays in commencing the service. The actual expenditure for this period was \$471,000.
- (b) The 2013–14 projected cost of running the Bunbury Breast Cancer Screening and Assessment Clinic is \$890,000.
- (c) 1.40 FTE Medical (Radiologist, Surgeon, Physician)
0.20 FTE Nursing
1.20 FTE Allied Health (Radiographer)
2.45 FTE Admin (Reception and support services)
5.25 FTE Total

WA COUNTRY HEALTH SERVICE — CHILD DEVELOPMENT SERVICES

583. Hon Sue Ellery to the Parliamentary Secretary representing the Minister for Health:

With particular reference to the WA Country Health Service and the 2010–11 Budget which allocated a total of \$49.68 million over four years to 2013–14 to improve access to child development services, I ask:

- (a) in each financial year 2010–11, 2011–12, 2012–13 and 2013–14 to date, how many additional:
 - (i) speech pathologists;
 - (ii) occupational therapists;
 - (iii) physiotherapists;
 - (iv) clinical psychologists; and
 - (v) social workers were employed in child development services; and
- (b) how much of the forward estimate allocations in the 2010–11 Budget of:
 - (i) \$6.944 million in 2010–11;
 - (ii) \$11.018 million in 2011–12;
 - (iii) \$14.942 million in 2012–13; and
 - (iv) \$16.726 million in 2013–14 was spent in each year?

Hon Alyssa Hayden replied:

- (a) The WA Country Health Service (WACHS) has employed:

| | 2010/2011 | 2011/2012 | 2012/2013 | 2013/14* |
|------------------------------|-----------|-----------|-----------|----------|
| (i) Speech Pathologist | 4.7 | 4.75 | 4.75 | 4.75 |
| (ii) Occupational Therapists | 5.2 | 5.2 | 6.2 | 7.2 |
| (iii) Physiotherapists | 1.0 | 1.0 | 1.0 | 1.0 |
| (iv) Clinical Psychologists | 0 | 0 | 1.0 | 1.0 |
| (v) Social Workers | 3.0 | 3.0 | 3.0 | 2.8 |

*as at 29 October 2013

- (b) The forward estimate allocations in the 2010/11 Budget that was spent in each year:

| | (i) 2010/2011 | (ii) 2011/2012 | (iii) 2012/2013 | (iv) 2013/2014 |
|--------------|---------------|----------------|-----------------|----------------|
| Budget | 1,748,900.00 | 2,754,500.00 | 3,736,000.00 | 4,182,000.00 |
| Actual Spent | 1,748,900.00 | 2,754,500.00 | 3,736,000.00 | — |

WACHS only receives part of the annual allocation, with the balance of funding being allocated to the Child and Adolescent Health Service (CAHS) for metropolitan Community Health Services.

