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(HANSARD)

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LEGISLATIVE ASSEMBLY

Tuesday, 21 October 2014

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THE SPEAKER (Mr M.W. Sutherland) took the chair at 2.00 pm, and read prayers.

PERTH HERITAGE DAYS — PARLIAMENT HOUSE

Statement by Speaker

THE SPEAKER (Mr M.W. Sutherland): Parliament House opened last Sunday, 19 October, for Perth Heritage Days, commemorating the 100th anniversary of World War I and the seventy-fifth anniversary of World War II. Both the President and I attended and were extremely pleased that an estimated 1 100 visitors attended despite inclement weather.

Staff of the Parliament did a huge amount of work for the event, including the development of displays, a special event website, brochures and media materials, and training of volunteers, and also did a great job when staffing the building on Sunday.

A special thanks also goes to Bill Grayden, a former member of Parliament and World War II veteran, who was an integral part of the parades and displays.

We were supported on the day by the generous contribution of volunteer and other organisations. I extend my thanks to Heritage Perth; the 10th Light Horse Regiment and the Westralian Great War Living History Association re-enactment troops; the Australian Army; Aviation Heritage Museum of WA; Phil Sullivan's 10th Light Horse display; Bob Maumill and his team at 882 6PR; the Royal Australian Navy; the Country Women's Association of Australia; Lions; Scouts Australia; and the Returned and Services League of Australia.

I strongly encourage members to review the displays and to visit Parliament's commemorative website, which is available through the Parliament House homepage.

I also note that today, 21 October, is the anniversary of Proclamation Day, which was a day of huge celebration in 1890 when the Western Australian Constitution was proclaimed in a very colourfully decorated Perth, with the proclamation being read by the Acting Chief Justice, Sir Henry Wrensfordsley.

HONOURABLE EDWARD GOUGH WHITLAM, AC, QC — TRIBUTE

Standing Orders Suspension — Motion

MR C.J. BARNETT (Cottesloe — Premier) [2.03 pm] — without notice: I move —

> That so much of standing orders be suspended as is necessary to enable statements to be made by the Premier, Leader of the Opposition and other members to mark the passing of former Prime Minister Gough Whitlam.

Question put and passed with an absolute majority.

HONOURABLE EDWARD GOUGH WHITLAM, AC, QC — TRIBUTE

Statement by Premier

MR C.J. BARNETT (Cottesloe — Premier) [2.04 pm]: It is appropriate that this Parliament and this house in particular mark the passing of former Prime Minister Gough Whitlam. He has a unique place in Australian politics and, indeed, Australian history. I begin by extending the sympathy of the Western Australian government to the family and friends of the late Gough Whitlam.

The 1972 federal election saw Gough Whitlam lead the Labor Party to government after 23 years in opposition. It was probably the most famous election in Australian political history—the "It's Time" campaign election; I remember it well. It was an election campaign that was different from anything that came before it, and there is no doubt that it captured the minds and emotions of Australians, particularly the then young generation of Australians—the baby boomers, of which I am one.

It was a time when emotions were running high in Australia. This was after the 1960s, and all that the 1960s represented in post-war Australia to a new younger generation. It was a time in which there was high immigration to Australia by people from all around the world, the time of the Vietnam War, the moratorium demonstrations and, indeed, the time of conscription.

Gough Whitlam was certainly a conviction politician; he said what he believed, he stood for what he believed in, and there is no doubt that he changed Australia. In my mind, reflecting on those times, he changed Australia from a postcolonial mentality and took Australia into a modern, contemporary society. He brought us into Asia

and gave pride to our nation. It was an extraordinary period in Australian history—economic history, but particularly social history.

Many people today, particularly in the federal Parliament, have talked about Gough Whitlam's achievements, and they were many. In thinking about that, I have listed what I see as his seven most important achievements, not necessarily in order. Certainly, the introduction of universal health care, through what was then known as Medibank, was a transformational policy and gave health care to all Australians.

Free university education was important in itself for both students and universities, but it also gave equality of opportunity to Australians who did not previously have it. I remember that when I first began at university, it was a fairly exclusive institution; not many people came from, if you like, the wrong side of the tracks to get into university, which at that time in Western Australia meant only the University of Western Australia. Whitlam changed that and gave people the aspiration and opportunity of a tertiary education.

The diplomatic recognition of China was immensely important, particularly for Western Australia, where we dominate the Australia–China trade relationship.

Promotion of the arts and, indeed, arts identities, was very visible during the "It's Time" campaign; some of us can remember those ads running almost continuously on television during that era.

There was the recognition of Aboriginal land rights and, more particularly, recognition of the place of Aboriginal people in Australia's society. That was an important social reform.

There was also recognition of the contribution made by migrants to Australia—again, a real feature of that period of the Whitlam government—and making all Australians understand their contribution and respecting a multicultural Australia.

Equal pay for women was also a major reform within the workplace, and there were other reforms.

It was a government that was led with an idealistic and inspirational approach for a new and modern Australia. Unfortunately, that idealism, aspiration and optimism was progressively replaced by a number of scandals and failures within government. The Whitlam government was in office for only three years, and they were turbulent years; I remember them well. There were a whole series of scandals of various sorts, none more infamous than the Khemlani affair, which ultimately probably brought down the Whitlam government.

From my recollection, and from thinking about it this morning, I do not think those problems were created by Gough Whitlam himself; I think he was let down by ministers who had maybe been in opposition for too long, had become too impatient, and did not have the experience to manage their agencies, and it was a period of instability in Australian government and Australian politics as result. Unfortunately, Gough Whitlam was unable to restore stability to his government, and the demise of the Whitlam government is probably the most infamous episode in Australian political history. There was the chaos in the years towards the end of the Whitlam government, including the blocking of supply. People will argue whether it was appropriate or not for the then opposition to block supply in the Senate. Then, of course, there was the dismissal of the government in November 1975. That is without a doubt the most controversial episode in Australian political history. I believe that Australia still does not feel comfortable about the dismissal. I do not think Australians felt comfortable at the time, whichever side of politics they were on, and to this day I think many Australians, myself included, are not convinced that that was necessarily the right course of events to have taken place.

Whatever one may conclude about Gough Whitlam and his government, there is no doubt that in every respect he was a huge figure in Australian politics. He was a brilliant person—a conviction politician who had his agenda for Australia, and maybe had he been surrounded by stronger ministers and more capable people, he may not have been restricted to just three years as Prime Minister.

I conclude by acknowledging that Gough Whitlam changed Australia. He changed Australia from postcolonial thinking into a contemporary country and a more tolerant society. Again, I extend my sympathy to his children, family and friends.

Statement by Leader of the Opposition

MR M. McGOWAN (Rockingham — Leader of the Opposition) [2.10 pm]: I am pleased to stand here as leader of the state Parliamentary Labor Party to acknowledge a great Australian. Edward Gough Whitlam was a man who transformed this country. I have admired him virtually since I can remember. Although I do not remember the Whitlam government, I have a vague recollection of the dismissal of his government and my father's unhappiness on that particular day. I have met him and I have read a lot about the Whitlam government in the time since. One of the biographies I read was by his speech writer, Graham Freudenberg—himself a great writer and a great Labor icon as well. He described Whitlam in his biography as "the greatest living Australian" and "the greatest Australian to have ever lived". I think many of us believe that; I certainly believe that he was a wonderful, transformational and important historic figure for this country. Although I think his last few years have been unfortunate and unpleasant in many ways for him, and so therefore his passing for many and perhaps

even himself is a relief, I am still sad to be standing here today acknowledging that event. He was asked what he wanted to be remembered for. Although he was flamboyant and had a lot of flair, and had a unique media savvy in the days before "media savvy" was commonplace, he wanted to be remembered as an achiever. When he was asked, "What do you want to be remembered for?" he always said, "An achiever—someone who actually did things in life." If one ever wants an example of someone who fulfilled their ambition, Gough Whitlam is one of those people.

Gough was guided by a range of principles, but equality of opportunity was always the one principle that he quoted most of all. At his 1972 campaign launch and in all of his speeches he would say "equality of opportunity for all Australians". When he was asked, "What does that mean?" he said, "I want every kid to have a lamp on their desk", which basically meant people had the opportunity to study and do something educational with their life. Equality of opportunity, democracy, and fairness for all meant an Australia that could hold its head high in the world, and an Australia that was independent and took its proper place amongst the nations of this planet. I believe that if Gough Whitlam had been born in Britain, he could have been Prime Minister. If he had been born in the United States of America, he could have been President. I am pretty confident that he believed that too! He was the sort of person who could mix it with world leaders. He met and mixed on an equal basis with Mao Tse-tung, Lee Kuan Yew, Zhou Enlai, Lyndon Baines Johnson and Harold Wilson, and he had the respect of them all. During his time as Prime Minister and, for a period, Minister for Foreign Affairs, we, as Australians, knew that we could hold our head high because we had a Prime Minister who could mix it with world leaders and represent this country properly.

I will go through his life briefly. He was born in Melbourne on 11 July 1916, which was the eleventh day of the Battle of the Somme—that is for how long he had been alive. He was elected to Parliament in 1952 in a by-election for the outer Sydney seat of Werriwa. He became Prime Minister in 1972 and left office on 11 November 1975, eventually leaving Parliament in 1978. Prior to his election to Parliament he was a very good and successful barrister; he was a father and also a husband to the much-celebrated Margaret, who was a very substantial figure in her own right; and he was a navigator in the Royal Australian Air Force. He did not make much of his war service; he was not someone who played on it.

I met him maybe half a dozen times. One of my fondest memories of him was meeting him in 2003 when he came across to Western Australia for John Cowdell's fiftieth birthday party. I had the opportunity to sit with him at a table and question him for a time about his life. He told me stories about Robert Menzies and said that he actually had a good relationship with him. He told me side-splitting stories about how, as a younger member of Parliament coming through the ranks, he got under Robert Menzies' skin. He also told me about his war service as a navigator. He was six foot four inches and had to squeeze into the front of an American-made Ventura medium bomber. During the Second World War, from 1942 until 1945, he flew missions out of Arnhem Land and, I think, Bougainville, against Japanese shipping. Anyone who does that is a very, very brave individual indeed.

After the Second World War he came back to Sydney, settled in Cronulla and ran for the Sydney city council but lost. He then ran as the state Labor candidate for the seat of Cronulla and lost. Then in 1952, he was preselected for Werriwa and became a federal member of Parliament. He often said that had circumstances been different, he could have been either the Lord Mayor of Sydney or the Premier of New South Wales, but he ended up being the Prime Minister of Australia. His life experiences shaped his views. He grew up in Canberra when it was a small country town and experienced country life. It was not the Canberra of today, but the Canberra of the 1920s and 1930s. He settled with his family in outer Sydney, where he experienced the lives of people living in the outer suburbs and the deprivations of education and health that they endured. He and all his neighbours lived in houses that had no sewerage, which is so much less commonplace today. That prompted him to say at one time that Australia was "the most effluent nation on earth"! His view was formed by his experiences of living in, essentially, a country town, living in the outer suburbs, and also living with Aboriginal people in Arnhem Land when he was a navigator in the RAAF during the Second World War. His view was one of compassion and social democracy. He believed that there is a role for government to assist those less fortunate, there is a role for government to guide our country and there is a role for government to enforce and ensure that we have strong democratic institutions in this country.

His first speech to Parliament was in 1952. He had arrived at Parliament via a by-election as a tall six foot four urbane Sydney barrister. As one can imagine, he was somewhat unusual amongst his colleagues at that time. He arrived and delivered his first speech to the house, which is ordinarily heard in silence.

His opponents in the then Liberal and Country Parties were there watching. The speech was of such quality that they all realised that here was a person to be reckoned with. The then leader of the Country Party interjected on him, which was unheard of. After the hubbub had died down, he responded and quoted Disraeli, a former British Prime Minister, saying —

> … Disraeli said … "The time will come when you shall hear me". Perhaps I should say, "The time will come when you may interrupt me".

That was his off-the-cuff response to the then leader of the Country Party.

He spent 20 desolate years in opposition. He refined his ideas: the role of the national government in health and education and in providing equality of services across this country. He worked his way upwards through the party. Whilst his colleagues were in bars and hotels—on both sides, I might add—he was in the library, researching. His talents were eventually recognised by suspicious colleagues, and by the time of the 1961 federal election he became deputy leader. He provoked such a violent response from his opponent for that deputy leadership role that Eddie Ward, the then member for East Sydney, tried to punch him in the corridor, missed and hit the door, and when asked about it said that the "young brolga" had escaped him.

He became party leader in 1967, the year of my birth, after the disastrous 1966 federal election and decided upon a course of action. He had to reform the party. He had to create the policies. He had to win the people. His view of Labor was that it had to become more democratic, include the leader in a primary position, recognise the importance of that role and become more mainstream with progressive mainstream views and values. He lost in 1969—just—and won in 1972. Then came a flurry of activity. The greatest transformational economic decision in the history of this country—the recognition of China—was Gough Whitlam's achievement, and all else in his economic record pales into insignificance. We in Western Australia, of all places, are the beneficiaries of that decision. He created Medibank, the forerunner to Medicare. He ensured that higher education was available to all—I am sure that when I arrived at university in 1985 I was a beneficiary of that. He introduced school reforms and land rights. He withdrew Australia from Vietnam, and I expect many people are alive today as a consequence of that decision. He introduced the Racial Discrimination Act; ended the White Australia policy; introduced equal pay for women; ensured that we had our own awards rather than the Imperial system, and our own national anthem; introduced the Family Law Act and trade practices laws; and, as I said earlier, brought sewerage to the suburbs. In many respects he was a very practical but visionary man.

He was dismissed in 1975 in circumstances that I think most people recognise today were a bad day for Australian democracy. He was too trusting of his Governor-General, and his Governor-General misled his Prime Minister. He then cemented his place in many ways in history. I expect he would rather have gone on for another two years in government and fought an election; and, if he had lost at that point in time, he would have been remembered as a Prime Minister. But, now, for many people, he is remembered as a legend because of the way that he was dismissed and the way that he conducted himself during that campaign. He came out with some of the most memorable phrases in Australian political history: "Maintain the rage", and "Well may we say 'God save the Queen' because nothing will save the Governor-General." He was resilient. From 1975 to 1977, despite a shock of proportions most of us would have never recovered from, he kept the parliamentary leadership and kept working. He lost again in 1977, in many ways in a more disappointing way than in 1975, and he then left the leadership and left the Parliament. He then went and undertook roles in UNESCO and the not-for-profit sector, travelled, and did various other things for the rest of his life; indeed, apparently he was turning up to his office a couple of days a week until recently, at age 98.

He was a very hard worker. He came up with some of the greatest quotations in our political history. He reformed this country in ways that are now regarded as mainstream, but at the time were controversial and opposed by his political opponents. For many people, time has mellowed their impression of Gough Whitlam. I think many Western Australians now look back fondly on his style of leadership and the things he achieved for this country. He had a band and a song named after him, and it is a very good song. As far as I am aware, he is the only Prime Minister to have had that honour. I have not heard of another band called the McMahons, the Menzies or the Howards. It might happen in time. He has had more books written about him than any other Prime Minister. He has had libraries and institutes named after him. You name it—he has had all sorts of accolades. He remained, in my experience, a decent man, a friendly man and a man who would listen when I met up with him. He is loved by his family and friends and he had a great many supporters across the community.

I want to close with two quotes. Graham Freudenberg said that one of Gough Whitlam's greatest accolades was grace under pressure. No matter how hard it got, he was always a man who was in command and could command himself when times were tough. The great American author Gore Vidal, who knew Gough Whitlam, said that in 1972 Australia engaged in a unique experiment: it elected its most intelligent person as Prime Minister. I doubt we will see that happen again.

Gough Whitlam was a great man. I am sure we will all miss him.

Statement by Leader of the National Party

MR D.T. REDMAN (Warren–Blackwood — Leader of the National Party) [2.26 pm]: Thank you, Mr Speaker, for the chance to talk to the motion moved by the Premier. A lot of things have been said by members on both sides of the house. Like the Leader of the Opposition, I was a very young man during Gough Whitlam's era as the Prime Minister of Australia. I recall that when I was a student at Goomalling District High School in the mid-1970s, some controversial issues came out at the time. I had limited background knowledge at the time, but it came out in later years, and I will refer to that in a second.

It is important to respect anyone who seeks out public office and, in particular, those who seek and aspire, in this case, to hold the highest public office in the land—that is, the position of Prime Minister of Australia. No matter what side of politics they come from or their creed or colour, anyone who takes on that challenge needs to be respected. It is interesting to look through his history. Today the Leader of the Opposition described his commanding physical presence. I remember watching a documentary at some stage about Gough Whitlam's tailor. Apparently the tailor used to make his shirts. Gough Whitlam had particularly long arms and he was not able to simply buy a shirt off the shelf; his tailor had to add a bit to each of the arms to make it fit. A few other comments were run at the time about the tailor, but I will not mention them here. Clearly, he had a commanding physical presence, which added to his skills as a public speaker. He had great intellect, wit and humour. We do not come across many people who have the whole package as a talent and a parliamentary performer, but clearly he was one of those.

He is considered to be a reformer of both his party and the country. He was able to articulate and lay out a vision. Regardless of whether we liked that vision, his capacity to tell the story and articulate the narrative that supported that highlighted Gough Whitlam as a very, very good public performer and someone who was able to bring people along with him. He was so good that he convinced my dad to vote for the Labor Party for the only time in his life in the 1972 election. It is the only time my father did that—he has never gone back and done it again since—but clearly he respected the story and the vision that was laid out and the capacity of Gough Whitlam to articulate that in public office.

I think the previous two speakers have already mentioned Gough Whitlam's great achievements. It is important to reiterate that list. Gough Whitlam established Medibank, provided free tertiary education, supported Aboriginal land rights, ended conscription, indexed pensions, campaigned for equal pay for women, reformed family law, boosted the arts and changed the honours system. He also changed the national anthem. As a kid in the mid-1970s, I would have supported *Waltzing Matilda*! However, on reflection, I am pretty happy that *Advance Australia Fair* was the one that came to the fore.

I think the Premier and Leader of the Opposition mentioned that Gough Whitlam laid the foundations for our relationship with China, and nowhere is that borne more testimony to than in Western Australia, given the importance of that relationship to our local economy.

My first venture into the nature of politics and how it works was at high school in Esperance in 1980, when we studied *The Dismissal*, which is a film about what happened during the Gough Whitlam prime ministerial time, including his dismissal as Prime Minister. We studied the history behind that at school. I guess that was my first exposure to what had happened, the issues and challenges, and how someone was able to win the highest office but did not have the capacity to deliver—what played out is now a matter of history. But there is no doubt that he was a great statesman who believed in Australia. He also appealed to Australians' better instincts rather than material instincts, and it is appropriate that this house recognises his passing.

Statement by Member for Morley

MR I.M. BRITZA (Morley) [2.31 pm]: I hold the dubious honour of having had Mr Whitlam as my local member. Having spent 30 years in Liverpool, New South Wales, he was my local member and I remember him; this tall man could never be forgotten. I wish to share an anecdote with the house in memory of Mr Whitlam, and in deference to him I wanted to wait until he passed before I shared it because I thought that would be the most honourable thing to do.

My father was the local Baptist minister at Bayswater when he accepted a call to be the Baptist pastor in Liverpool; our family arrived there in January 1970. The local member —Mr Whitlam—and his wife, Margaret, were invited to my father's induction service. After the church ceremony, all my brothers and sisters were lined up and introduced to Mr Whitlam. I hasten to say, before I share this next part with the house, that this was my former life, not my current life. All my life my father had introduced me the same way, and he did not change what he said on this Sunday morning. He went through and said to Mr Whitlam, "These are my sons Murray and Ross and my daughters Joyce and Vivienne. This is my son Ian, and, Mr Whitlam, this is the man who will preach the gospel; and this is Karen." There was nothing made of it, and he just shook my hand. He walked about 15 paces, and then he came back to me; I was 15 years old, and I will never forget it. He bent down for what seemed like forever and took my hand and said, "My boy, God knows we've got enough principled preachers, we just don't have enough principled parliamentarians; you ought to reconsider." Then he walked away. Many times since I have been here in Parliament I have thought about contacting the man to say that his words may have been prophetic—I do not know whether he would have been happy about me being on this side of the house! However, I want to acknowledge that he played a significant and important part in my young life as my local member, and I saw him on many occasions. I have never forgotten those words, and I want to say to the house that I have never shared them with anybody because I decided not to until he passed; I now feel I can say them with a sense of honour for a man who deserves honour from the house.

Statement by Member for Kwinana

MR R.H. COOK (Kwinana — Deputy Leader of the Opposition) [2.33 pm]: I am in large part a product of the Whitlam era. I do not remember a great deal about the process of government, but I understood and remember the excitement in my family, and the spirit of change and reform that the Whitlam government represented. It informed much in terms of my moral compass today about the lessons and principles that were alive in that government of the time.

I remember being told of the Whitlam sacking. I came in from playtime at school and the teacher, with somewhat of a smirk and a look of glee on his face—I did not come from a very well-informed school in that sense—said that the Whitlam government had been sacked. I was not aware of the processes of the sacking. At that point in my life—I was about 10 years old—I do not think that I was even familiar with the role that the Senate played. However, I knew that the bad guys had won, and that the good guys had taken a hit. My family was resolute in its sense of injustice about the sacking at the time. My parents were, I guess, classic middle-class socialists. They were middle-class professionals who at that time were imbued with all the change, the excitement and the opportunity that the Whitlam government represented, and everything that the Whitlam government did and said; in particular, the ending of the Vietnam War, which meant that my eldest brother was taken out of the ballot; the maturing of a national identity through things such as a new national anthem and so forth; the extension of universal health care; the abolition of tertiary fees and the great growth of our tertiary education sector—I went to Murdoch University, one of the generation of universities that grew strongly out of that time—and, of course, Aboriginal land rights.

These are all issues to which I have applied myself and fought to defend ever since. We need constantly to be reminded about these important reforms in our community and the need to continue to defend them. I campaigned in university, somewhat unsuccessfully, against the reintroduction of tertiary fees. I worked in native title out of commitment to the principles of Aboriginal land rights. Today I recommit myself to a public universal healthcare system at a time when governments are contemplating charging fees to see doctors or attend emergency departments. The Whitlam reforms were all very important and we should be cognisant of and very grateful for them, from a government whose vision was far-reaching and whose reforms were energetic and immediate, as a result of which our country has been changed forever. Today we have lost a great Prime Minister. Gough Whitlam's achievements will be remembered for many things. I want to quote the former Prime Minister Julia Gillard, who I think said it very well this morning. She wrote —

> He is alive in our universities and the many lives he changed by giving free access to university education, my life included in that count.
>
> Alive in Medicare and the uniquely Australian health system we now take for granted.
>
> Alive in our suburbs and in our family law.
>
> Alive in our relationship with China and our multicultural society.
>
> Alive in our embrace of land rights for Indigenous Australians and our hope for a truly reconciled future.

I met Gough Whitlam only once, at a function a few years ago. Even then, at his advanced age, I got a great sense of the charisma, the intellect and the power of a truly great Australian. He will be much missed.

Statement by Member for Cannington

MR W.J. JOHNSTON (Cannington) [2.38 pm]: We will never know how history treats us, because we will never be there to see it. However, we all know how history is going to treat Mr Whitlam, because we have already written it. Very few people in politics in Australia have had the impact that Gough Whitlam had. We are witnessing that today with the outpouring of warmth and gratitude for Gough Whitlam's service by such a wide spectrum of the community, regardless of political affiliation. I would like to say a few things about Edward Gough Whitlam. People may not know that he was a graduate of Canberra Grammar School. I did not go to that school—I went to a different school—but one of my friends went there, and when he finished year 12 and the valedictory ceremony was held, the principal never mentioned Mr Whitlam, which I found very interesting. He was the only Prime Minister of Australia to have attended Canberra Grammar School, yet the school was not prepared to mention him to its year 12 graduates. It is true that Edward Gough Whitlam became divisive in his life, but that is because he was trying to change the nation. When we try to change things, we are not always popular.

I want to go through a few of the ways he impacted on me and my family in a personal sense to give members an appreciation of the contribution of Edward Gough Whitlam. Before I do, I want to make a comment about the 1972 election. That was the first election victory for the Labor Party in 23 years. The Liberal–Country government had become sclerotic. Everybody knew that it was time to change. It had nearly lost in 1969. Members may not realise that back then it was not common to do television advertising. The Premier has already remarked on the "It's Time" campaign. People used to get their information from the free spots on the ABC.

Members may not know that the Liberal Prime Minister at the time, Billy McMahon, the actor Julian McMahon's father, gave one of these addresses to camera on the ABC and concluded by saying, "I hope voters will examine the government's record and vote Labor." I think that was a summary of the nature of that election. It was a landslide victory to Labor. Even though there was a landslide change in seats, it was still only a small victory in the chamber. Mr Whitlam was a genuine leader who has made a real difference to Australia.

The Premier mentioned the Khemlani affair. Members may not realise that when Gough Whitlam became aware of the Khemlani loans issue, he sacked the minister involved because that matter had nothing to do with Mr Whitlam. In fact, the seeking of the loan through Khemlani was done with the express opposition of and with the order from the Prime Minister not to go down that path. It was a different time. If we read the newspapers from the 1970s, we will see that the idea that governments could fix all problems was much more strongly believed. Now we know that governments are not often the solution, despite what any leader says.

I want to talk about what Gough Whitlam's time meant for me and my family. I was 10 in 1972 and 13 in 1975. This was the first time we had had economic reform in Australia. Gough Whitlam cut tariffs. It was the first chance to open Australia, having had what Paul Kelly describes as the Australian compact. Gough Whitlam was the first person to move away from the Australian compact. The next thing was free universities. My brothers and sisters, the children of a working-class Catholic family, became the first Catholics in history to attend university because they could attend for free. Although we no longer have free universities, the fact that the free university debate continues 40 years later shows the impact of the changes made by Whitlam.

When Gough Whitlam was still the Leader of the Opposition, he ended the debate about funding Catholic schools. Members may not realise that there was no funding for Catholic schools in Australia for over 50 years. It was only in the 1950s, following the split in the Labor Party, that the then Prime Minister, Bob Menzies, introduced state funding of Catholic schools. This was a divisive issue at that time. When Mr Whitlam became leader in 1967, he put that debate behind us. All these years later, no-one debates the issue of support of Catholic schools with public funds.

Gough Whitlam ended conscription. On the day of the election in 1972, I was in Wagga Wagga. The reason I was in Wagga Wagga was that the next day, a Sunday, my brother was completing his basic training for national service. My family was at my uncle's house. My uncle had voted Liberal. He and his family retired to bed early while the Johnstons celebrated late into the night, because we knew that the next day when my brother finished his basic training and passed out at the parade ground at Kapooka outside Wagga, that would be it; he would be home before Christmas. If Gough Whitlam had not won that election, who knows where my brother would have ended up? Land rights have already been mentioned. Members should think about what was happening in the 1970s. Even into the 1980s we still had the black hands television advertisement about land rights. That is in the past.

Medibank came from the idea that the state would provide for people who could not afford health insurance. People do not understand that until Medibank came in in 1973, with Bill Hayden the health minister, a poor person did not have any health insurance, and hospitals were not free—apart from in Queensland. People do not understand the huge revolution that occurred under Gough Whitlam. It was sad that Medibank was later pulled apart and became a private health insurance fund, although later on the Hawke and Keating Labor governments reintroduced Medicare, and now both sides of politics back the approach of a national health insurance scheme.

Our national anthem was not introduced until the 1980s. *Advance Australia Fair* was, in fact, our national song. Even in the 1970s our national anthem was *God Save the Queen*. It was really good for Catholic school students, because at primary school my principal would never allow *God Save the Queen* to be sung. When our national song *Advance Australia Fair* became our national anthem, for the first time ever my principal allowed the singing of a national song at school. Members will understand how unifying that was. *God Save the Queen* was a song about the leader of a different church. We cannot run away from that unifying issue.

The introduction of a national honours system meant that Australians were reflected with Australian honours rather than with British honours.

Gough Whitlam increased support for the arts. Everybody who has ever been to the National Gallery in Canberra looks at *Blue Poles*. It was purchased for $1.3 million and was criticised as a waste of money; it is probably worth hundreds of millions of dollars now. It also changed the nature of the debate about arts. I am no arts person; I am not a regular at any arts events, but the fact is that providing funding to give the arts a primary position changed the nature of Australia, and it is changing it today.

The nature of politics was changed. Politics went from being only about managing to being about reform. That is still being debated. Again, that was a complete change that only Mr Whitlam was able to achieve.

People do not realise that in New South Wales public housing was provided by the Anglican Church. Mr Whitlam convinced the Anglican Church to give its housing stock to the state of New South Wales and it became the public housing stock of New South Wales. Again, that was a major change to the way that Australian

society was conducted. If members think about it, poor Catholics were staying in accommodation that belonged to the Anglican Church, which was wrong.

In a very personal sense, my mother worked for an organisation called the Government Conveyancing Office in Canberra; she was the receptionist—a low-paid job, answering the phone. This office allowed young families to do their conveyancing through a fixed rate scheme, rather than being caught up with lawyers.

We come to 1975, which had two important dates. The first was 16 October 1975, when the Senate refused to pass supply. As it happens, I was at Parliament House in Canberra on that day on a school excursion from year 7 Daramalan College; we were all there. It was amazing. We did the tour of Parliament House and we came outside to see all these people rallying in front of the steps—Bill Hayden, and Bob Hawke, who was of course the president of the Labor Party and also president of the Australian Council of Trade Unions at the time; and then Gough Whitlam, Paul Keating and few other leaders of the Labor Party came onto the steps of Parliament House to address the crowd. I was there as a little 13-year-old. I ran around and got a few signatures. I had a copy of the Australian Constitution in one hand and a notepad in the other. Stupidly, I got them to sign the notepad instead of the copy of the Australian Constitution. All my friends are not surprised that back when I was 13, I was holding a copy of the Australian Constitution. Then, on 11 November 1975, was the dismissal. I came home from school, a year 7 student. My sister was there, and I asked her where my brother Bert was. She said, "The Governor-General sacked Gough Whitlam. Bert's gone to talk to his friend about it." I said, "No, no; tell me the truth. Where's my brother Bert?" She said, "The Governor-General sacked Gough Whitlam. Bert's gone to see his friend John to talk about it." That was how, as a 13-year-old, I got to know that Gough Whitlam had been dismissed. As the Premier says, in retrospect, we all recognise that it was an error. It is interesting that the member for Hillarys has something in common with Gough Whitlam; that is, they were sacked using the reserve powers. Jack Lang, Gough Whitlam and Rob Johnson were all sacked with the reserve powers.

I also lit a candle for democracy. As we all know, from the Wednesday before an election, election advertising is no longer allowed, but back in the 1970s, the electronic media were not allowed to report on elections either. The newspapers could continue to report, but not the electronic media. It was called the blackout from the Wednesday night before the election. The Labor Party had saved up its free time on the networks—it was not just the ABC that gave free time; it was all the networks—and it had a rally for democracy on the lawns in front of Parliament House in Canberra. People were asked to come to the lawns of Parliament House on the Wednesday before the election and light a candle for democracy. There was a massive turnout—I think there were about 40 000 or 50 000 people in a city of 200 000—and it is true that most of us in Canberra at the time thought that we were home; we thought that we were going to be okay on the weekend. But, of course, that was not to be and the government was ejected from office. The people of Australia never get election results wrong and that was clearly the right result, because that is what the people of Australia voted for, no matter how hard it was for supporters of the Labor Party to cope with the decision of the people. We can go through all that happened afterwards, but we can see that Mr Whitlam's program from 1972 is still guiding Australia.

I want to finish with a story from Kerry Sibraa, who was the President of the Senate. Kerry Sibraa told me and a group of people this story about when he was an organiser for the Labor Party in the lead-up to the 1972 election. He was just a young guy, working for the New South Wales Labor Party. He was told that the leader was in the boardroom and that he should not disturb him, but there was going to be a national executive meeting. Kerry Sibraa's job was to put out the glasses and pour the water. He sheepishly went into the boardroom to do his job to set up for the national executive meeting and Gough Whitlam was there reading a story in the newspaper about independence for some African country. Kerry was trying to sneak in the side. He said that Gough Whitlam put the paper down and said, "Comrade, they're making countries faster than I can visit them!"

Whether or not people supported Gough Whitlam and whether or not they thought he did a good job, there is absolutely no question that, along with a small number of other people such as Edmund Barton and John Curtin, Gough Whitlam changed Australia forever. The Australia in the 1960s, when I was a little kid, will never be again, and that is good.

Statement by Member for Bassendean

MR D.J. KELLY (Bassendean) [2.53 pm]: Before I say a few words about Edward Gough Whitlam, I thank the member for Cannington; I now understand why I never heard *God Save the Queen* during my school years. The penny had never dropped with me either. Gough Whitlam was a great Prime Minister. I want to mention a few things that he did that particularly resonate with me. I started university in 1982, so I went to university during the time when university education was free. I am quite confident that, had university education not been free at that time, I would never have gone to university, and I think my life would have been very different. My brothers, sisters and I were the first generation in our family I am aware of who went to university. It had a very profound impact on me. My time at university taught me a lot about not only Australia, but also the world. When I think about what I learnt at school about economics and the history of Australia and what I learnt when I went

to university, they were like chalk and cheese. Australian history was all about white explorers discovering an untouched land where the local inhabitants were noble savages and there was a very romantic view of their life, if they got a mention at all. When I went to university, one of the first essays I wrote was on the 1905 so-called Aborigines Act here in WA. My paper referred to the horrendous set of laws that had been passed by this Parliament to control Aboriginal people in Western Australia, supposedly for their own benefit. That law was a complete revelation to me. I had gone through 12 years of schooling and had no inkling that life for Aborigines was the way it was here in Western Australia. I had been taught at school that the Third World was that way because people in those countries were backward and lazy. When I got to university I realised things were a lot more complicated than that.

The fact that, because of Gough Whitlam, I had a chance to go to university profoundly changed my life and the way I viewed life. For that I will be forever grateful, as will many other Australians who would never have got a tertiary education had it not been for Gough Whitlam's view that education should be available to all. That was an intrinsic part of having a fair and open Australia, and I thank him for that. Yes, access to free education has been wound back to some extent now and its achievement is a constant battle, and we are in one of those battles again as we speak, but Gough Whitlam marked some territory there. He said university education should be open to everyone and, because of his vision, I do not think that debate will ever be the same.

The very notion that poor people in Australia did not have the right to go to a hospital unless they could stump up the cash would be abhorrent to most of us now, but that was the situation until the Whitlam government introduced Medibank, now Medicare. To get elected, it is now necessary for people on both sides of the debate in federal politics to say they are a friend of Medicare. That was not the case only a few years ago. Prime Minister Whitlam changed the debate around that issue. Every time I have gone to a public hospital or have taken my children to an emergency department when they have needed to be looked after, I have thought how lucky we are to have a public health system in Australia that is free primarily because of the wisdom of his government.

In the 1970s there were certainly no votes in land rights, if there have ever been. There certainly were none in the 1970s, but that is something that Prime Minister Whitlam pursued because it was the right and fair thing to do. The image of Gough Whitlam, as Prime Minister, handing back the land to the Gurindji people, symbolised by his pouring sand through Vincent Lingiari's hands, is a powerful and special one for me in Australia's history. He did that for no other reason than that it was the right thing to do. It certainly was not because it was going to be politically popular. That issue has always been difficult. Children's books and songs have been written about that episode in Australia's history. One of the great pleasures with my two small children when I bought them that book called, I think, *From Little Things Big Things Grow* was telling them that story. It is a story of a powerful person in Australian political life who took the time to concentrate on an issue that was never going to win him any votes, but he committed to it because it was the right thing to do and Australia will forever be the better for it.

As shadow Minister for Water, I have to say something about Gough Whitlam's love of sewerage—the deep sewer. Although some people will say that he was interested in the arts and the finer things, he was also deeply aware of what working-class Australians needed. One of those things was to live in a house that had access to sewerage. Gough Whitlam was interested in not just the finer things. Indeed, whether it was delivering free health care, free education or deep sewerage, he was very much a Prime Minister who was about delivering for ordinary working-class Australians.

Some people try to diminish Gough's achievements during his time as Prime Minister by saying that it was a turbulent and controversial time and that he was divisive. From the moment he was elected and he began to do things such as recognise China, end conscription and provide free health care and free education, there were those in this country who opposed him, and some opposed him with great vitriol. Far from being the error of one individual—the Governor-General of Australia—the Dismissal was part of a strategy that Gough's opponents pursued for many years to destabilise his government. No politician operates in a vacuum; indeed, all politicians deal with what those who oppose them throw their way. Although neither he nor his ministry were perfect, his government was brought down as part of a deliberate strategy by those in this country who opposed his progressive agenda. Anyone who does not say that the Dismissal was completely the wrong thing to do is not a true democrat in the sense of someone who believes in democracy. We in Australia are lucky to have democratically elected governments. Those democratically elected governments should not be brought down before their time—that is, before they go to the people in the time frame that their mandate would ordinarily give them. His term was brought to an end. Many governments would have never been re-elected had their terms been shortened. The mid-term blues is pretty common and many governments and many politicians organise their agenda around what they do mid-term and what they do leading up to an election.

Gough Whitlam was a great Prime Minister. His government has left an indelible imprint on Australia's history and Australia is much the better for it. I thank him and his government for what they did for our country.

Statement by Member for Mandurah

MR D.A. TEMPLEMAN (Mandurah) [3.03 pm]: On 13 November 1972 in the Blacktown Civic Centre, the then leader of the federal Labor opposition, Gough Whitlam, stood to deliver his policy speech for the election that was to be held less than a month later. He started with five words that will be remembered for a long time to come. He said simply, "Men and women of Australia". His speech delivered the program that would see Labor elected less than three weeks later. It is important to reflect on that program, of which there were three key aims. The first was to promote quality, the second was to involve the people of Australia in the decision-making processes of their land, and the third was to liberate the talents and uplift the horizons of the Australian people. It is the view of many Australians today, as we reflect on the life and contribution of Edward Gough Whitlam, that he achieved those aims for this country. As has been said and will be said over the coming hours, days and weeks, Gough made a number of enduring contributions, but I will reflect on one that has had a major impact on so many Australians—namely, his policy announcement during his policy speech on 13 November 1972 in which he said —

> The inequality which begins before school has become entrenched and inescapable by the time a student is ready for tertiary education. Fees represent less than 5% of university income but a very large percentage of parents' or students' income. From the 1974 academic year, fees will be abolished at universities, colleges of advanced education and technical colleges.

From that moment, and with the passage of the enacted legislation, Gough changed the way that Australians looked at their aspirations. He provided an opportunity for many young Australian men and women to aspire to study at a university, college of education or technical college. We now see, and will see into the future, the benefits of that policy decision. The third aim of the program was to liberate the talents and uplift the horizons of the Australian people. I think he did that in a range of ways. Culturally, he did it with the recognition of our first people—the Indigenous people of this country. Creatively, he did it for the men and women of this country who are artists, artisans, performers, actors and writers. He also did it in the way we see ourselves and where we want to be. He lifted the horizons of all Australians. Despite what some people have said today and what some people will say tomorrow and into the future, Gough was a great Australian. He was a great Australian Prime Minister; he was a man who served his nation during war; and he served his nation in an enduring public life, and it is appropriate that we remember him in that way.

Statement by Member for West Swan

MS R. SAFFIOTI (West Swan) [3.07 pm]: I rise to make a short contribution to this motion. It is a great privilege to stand today to recognise the life and passing of Edward Gough Whitlam. It is indeed a very sad and significant day in Australia's history. It is a day on which we should pause to reflect on the significant contribution that this man made to Australia—indeed, that is the right thing to do. It is appropriate that we acknowledge the significant contribution that Edward Gough Whitlam made to Australia. No matter which side of the political fence one sits on, no-one can underestimate what he did for Australia and for all Australians.

I was born in 1972, so I never experienced life before Gough, but I recognise what he did for Australia. Indeed, one of my earliest memories is being in the lounge room of our Roleystone home and jumping up and down on the couch singing, "We want Gough! We want Gough!" I remember my father looking at me with surprise but also a bit of pride. Although we were never a highly political family, my father and other family members recognised what Gough did for Australia. He changed Australia for the better. Much of what we are proud of in Australia was introduced by Gough Whitlam. That is not something that can be said for many Prime Ministers. He changed Australia for the better. He modernised Australia into what we are today. The list is massive, but I want to put on the record universal health care, the scrapping of university fees, Aboriginal land rights, the establishment of the Department of Aboriginal Affairs, the Racial Discrimination Act, the giving of equal pay to women, the reduction of the voting age to 18 years of age, the ending of conscription and, of course, the recognition of China. He took Australia forward with vision. Many people have wanted to lead our country and they have done so by dividing, in a sense—by creating division and fear. Gough Whitlam created a vision for a better Australia, and Australia was going with that vision. Of course, when someone challenges authority and the status quo, there will be criticism when they actually want to change, and there was. However, reformers do that, and Gough Whitlam set forward a path for Australia that most governments after Whitlam have adopted.

I believe the dismissal was one of the most shameful, undemocratic things that happened in Australia's past. People can try to justify it by talking about chaos and dysfunction, but if every government earmarked by chaos and dysfunction since then had been sacked by the Governor or the Governor-General, not many governments would have stayed in power. If every government that has done deals or wrecked a state's finances was dismissed by the Governor or the Governor-General, there would be changes of government all the time. Anyone who believes in democracy cannot accept what happened in 1975.

As I said, I am grateful for Gough Whitlam and for all he did for Australia. In the car this morning, I heard a comment he made on his eventual passing. He said —

> I've never said I'm immortal. I do believe in correct language. I'm eternal; I'm not immortal.

Statement by Member for Girrawheen

MS M.M. QUIRK (Girrawheen) [3.12 pm]: We have heard a lot today about Gough Whitlam, and I think it is a testament to the man that we have heard about so many different aspects of his long and very productive life. We all know that he was a tremendous orator, and a few of us here are old enough to actually remember some of those speeches firsthand. He was a wit and his wit was quite wicked on occasions. He lived to 98 years of age, and I consider him a model for active ageing.

One thing he was not was modest, but he did not have a lot to be modest about. I want to talk briefly about three manifestations of Gough Whitlam's reforming zeal. The first of those was giving legislative effect to the elimination of the White Australia policy; the second is the ratification of the Racial Discrimination Act; and the third is his pioneering steps for Aboriginal land rights. Those are the sorts of measures that I think single out statesmen from leaders, and Gough Whitlam definitely was a statesman.

On the White Australia policy, Gough Whitlam is quoted as saying —

> I was profoundly embarrassed by it and did all I could to change it.

I worked in the Department of Immigration in Canberra in the early 1980s and certainly heard many stories from the old-timers there of the application of the White Australia policy even a decade before. I was told stories, for example, that there were different coloured cardboard files, depending on a person's race. For example, the manila folder for a Caucasian might be blue or green, and those folders got processed. The folders for non-Caucasian applicants for migration might be red or orange, and there would be periodic bonfires in which those applications for migration would be just torched. I think the unambiguous actions abolishing the White Australia policy was very important for us to mature as a nation. As I said, the vestiges of that discrimination were certainly present when I worked in the department some 10 or so years later.

For the next area I want to talk about relating to the Racial Discrimination Act, I will use Gough Whitlam's own words. I will quote from *The Whitlam Government: 1972–1975*, which is one of the many books that Gough Whitlam wrote. He was a prolific writer, and that is something that has not been mentioned today. I quote —

> As Prime Minister, I was deeply concerned that Australia had failed to ratify the UN Convention on the Elimination of All Forms of Racial Discrimination which I have already mentioned in the chapters on International Affairs and Aborigines. The UN General Assembly had adopted this Convention on 7 March 1966. Australia had signed it on 13 October 1966. It had entered into force with the accession or ratification of 27 states by 4 January 1969. When my Government was elected the Convention had been ratified by 87 countries but still not by Australia.
>
> The Convention outlawed all forms of racial discrimination on the grounds of race, colour, ethnic background, place of birth or descent.
>
> …
>
> My Government determined that Australia should join the majority of the countries of the world in outlawing racial discrimination … I appointed Grassby —

This was Al Grassby —

> Special Consultant to the Government on Community Relations and gave him a brief, *inter alia*, to work with Attorney-General Murphy in drafting the Bill to outlaw racial discrimination and to enable Australia to ratify the Convention.
>
> The Bill was introduced into the Senate on 31 October 1974. Following the appointment of Murphy as a justice of the High Court of Australia, Kep Enderby was appointed Attorney-General and took the carriage of the Bill in the House of Representatives. It was introduced there on 13 February 1975 and debated on 6 March and 8 and 9 April. In the Senate it was significantly amended by the exclusion of safeguards which we had sought in relation to prohibiting racial incitements against groups as distinct from individuals …
>
> Steps were taken immediately to lodge the instruments of ratification with the Secretary-General of the UN. After the mandatory 30 days of waiting ratification was effected and the *Racial Discrimination Act* 1975 was proclaimed on 31 October 1975.

Some might say in the nick of time! The book continues —

> Grassby had been appointed Commissioner Designate on 29 July 1975 … he became Australia's first Commissioner for Community Relations …
>
> The high objectives of the *Racial Discrimination Act*, the culmination of years of effort, I spelled out at the modest ceremony which launched the Office of the Commissioner for Community Relations …

> The new Act writes it firmly into our laws that Australia is in reality a multicultural nation, in which the linguistic and cultural heritage of the Aboriginal people and of peoples from all parts of the world can find an honoured place. Programs of community education and development flowing from that Act will ensure this reality is translated into practical measures affecting all areas of our national life.

We cannot underestimate the significance and the foundation that that laid for our multicultural country and our maturity as a country with issues relating to racism and multiculturalism.

The third and final area I want to mention concerns land rights and the steps that Gough Whitlam took. The member for Bassendean has already referred to that very historic moment when Gough Whitlam handed back land to the Gurindji people. Vincent Lingiari, the leader of the Gurindji people, had led a strike at Wave Hill station of stockmen who were paid a risible amount of wages. That strike had gone on for many, many years. It was a real culmination of a struggle by the Gurindji people that the big man from Canberra came. He met with the Gurindji people and made the symbolic gesture of handing over the freehold title of the lands by putting sand into Vincent Lingiari's hand. In so doing, he said —

> "Vincent Lingiari, I solemnly hand to you these deeds as proof, in Australian law, that these lands belong to the Gurindji people and I put into your hands part of the earth itself as a sign that this land will be the possession of you and your children forever."

As I said, the Gurindji people went through a great struggle, so this was the culmination of many years of that struggle. I will always recall Vincent Lingiari's gracious reply to Gough Whitlam —

> "Let us live happily together as mates, let us not make it hard for each other ... We want to live in a better way together, Aboriginals and white men, let us not fight over anything, let us be mates ..."

This is the true legacy of Gough Whitlam, and I feel privileged to have been able to say a few words today.

Statement by Member for Gosnells

MR C.J. TALLENTIRE (Gosnells) [3.20 pm]: It is a sad honour to be able to mark the passing of Gough Whitlam today. Gough Whitlam was somebody who believed in a strong, independent Australian identity. He also believed in the value of international institutions, and in the environmental area we saw the coming together of Gough Whitlam's vision of a strong Australian identity and his belief in international institutions. In 1974 Australia signed the World Heritage Convention, which we have used so successfully with the listing of various World Heritage sites. That convention enabled the Hawke government, in the 1980s, to protect the Franklin River when there was talk by the Tasmanian government of damming it. It was Gough Whitlam who enabled us to protect the Great Barrier Reef by passing the commonwealth Seas and Submerged Lands Act 1973, when the Queensland state Bjelke-Petersen government was intent on exploiting the Great Barrier Reef for oil production. The Whitlam government also passed legislation to enable the creation of a national parks service, and he led the way with environmental impact assessments. As other speakers have already said, he recognised Aboriginal people's land and water rights. There were other international conventions as well, such as the protection of wetlands through the Ramsar Convention and the passing of the Japan–Australia Migratory Bird Agreement. Gough Whitlam understood that working with other countries was essential to the protection of the natural Australian heritage values that form such a key part of our national identity.

Gough Whitlam also understood the importance of Australia as a multicultural society. He understood that having people in Australia who maintained strong cultural links with their cultures of origin was a great way of internationalising our country, and I am sure that Gough Whitlam would be delighted to see in the Speaker's gallery here today Brother Abdullah Khan, executive principal of the Australian Islamic College, and other colleagues from the Islamic community. Australia's growing multiculturalism is one of our great strengths, and we have Gough Whitlam to thank for that.

Australia's identity today and the values that the Australian Labor Party has developed are so strongly connected with the vision of Mr Whitlam that we are deeply in his debt. I feel saddened by his passing, but I rejoice in the great achievements of a life so well lived.

Statement by Member for Armadale

DR A.D. BUTI (Armadale) [3.23 pm]: It is with a sense a great honour that I also rise to speak to this motion. Hon Gough Whitlam has to go down in Australian political history as the greatest reformer in respect of social and cultural issues; whatever side of politics we come from, it would be hard to deny that fact. He opened up Australia to the world in many respects, he made Australians more confident, and he allowed us to believe that we could be an independent nation. Many other speakers have gone through his list of achievements, so I do not think there is any need for me to repeat them, but I would like to say something about land rights and conclude with a quote that I think says a lot about Gough Whitlam, the politician and the person.

Who could forget the first two weeks after the 1972 federal election when Gough Whitlam and Deputy Prime Minister Lance Barnard held 27 portfolios between them for two weeks until the cabinet could be decided by the Labor caucus? Gough Whitlam did not rest on his laurels during that time; he sought to implement commitments that he had made during the election campaign, and he implemented a number of them that did not require legislation, including the diplomatic recognition of China. Western Australia has been a great beneficiary of that diplomatic recognition made by Gough Whitlam during the first two weeks of his new government.

A number of people, including the member for Girrawheen, have mentioned land rights; the member for Girrawheen also mentioned the famous photograph of Vincent Lingiari and Gough Whitlam, which will probably go down as the greatest Australian political photograph we have ever seen. In the photograph, Gough Whitlam is passing some soil into Vincent Lingiari's hand. As he did so, he said —

> "Vincent Lingiari, I solemnly hand to you these deeds as proof, in Australian law, that these lands belong to the Gurindji people and I put into your hands part of the earth itself as a sign that this land will be the possession of you and your children forever."

Gough Whitlam was sacked before he could implement land rights legislation; Malcolm Fraser, to his credit, later implemented that legislation, but it was Gough Whitlam who started the debate about land rights and Aboriginal rights in Australia. As my friend the member for Kimberley has told me, Gough Whitlam goes down in history as Australia's greatest Prime Minister in the eyes of many Indigenous people. Both Bob Hawke and Malcolm Fraser did many things in respect of land rights, and Paul Keating introduced the Mabo legislation; but that was in response to the High Court of Australia's Mabo decision. Gough Whitlam decided, without having to be pushed by the High Court, that Australian Indigenous people, the first peoples of Australia, deserved to have land recognition.

Before I conclude with a quote from the 1969 federal election campaign, I should mention that I have been fortunate enough to have met Gough Whitlam twice. On one occasion I sat at his table at a dinner, and prior to that, in the mid-1990s when I was an academic at Murdoch University, I met him at a function there. He came up to me and saw that I had an Italian-sounding name and, without blinking an eye, started speaking to me in very fluent Italian—far more fluently than I could converse with him, and I am sure the member for Bunbury would have enjoyed that very much and would have thought that Gough Whitlam was a native of Italy!

This quote comes from the 1969 federal election campaign which was, of course, unsuccessful, but laid the groundwork for the success of the 1972 campaign. I think it says a lot about Gough Whitlam the person, and I think it is what drives many people on this side of politics —

> "When government makes opportunities for any of the citizens, it makes them for all the citizens. We are all diminished as citizens when any of us are poor. Poverty is a national waste as well as individual waste. We are all diminished when any of us are denied proper education. The nation is the poorer—a poorer economy, a poorer civilisation, because of this human and national waste."

Statement by Member for Willagee

MR P.C. TINLEY (Willagee) [3.28 pm]: It is with great pleasure and solemn pride that I rise to add to the already significant contributions of other members in honouring the life of such a great Australian. I also thank the government of Western Australia for having the good grace and respect for a great Australian to bring on what is effectively a condolence motion, when there was absolutely no requirement to do so. As we all know, Gough Whitlam was not a member of this Parliament, but he was a grand figure in Australia. It is good to see that some elements of the Liberal and National Parties are very focused on what it is to be a contributor to our community and to our society. I thank those members opposite who brought on this motion for their graceful approach. I also acknowledge that this great man in Whitlam was also a great leader inside his own team. Often we hear the mantra about leadership that a leader should be judged not by how many people follow him but by how many leaders he creates. I believe that is an unknown hallmark of the Whitlam era; he created a significant number of leaders—or should I say that he allowed the expression of those around him in a political policy sense to flourish. Many members have stood in this place and talked about the grand contribution of the Whitlam government and the Whitlam vision as expressed in free education. I remind members that free education was ushered in by a significant figure in support of Gough Whitlam—that was Kim Beazley Sr. Twenty-eight years of Kim Beazley Sr's professional and political life was devoted to the single policy tranche of universal free education, but it was only under Whitlam's vision that he was able to deliver that. Kim Beazley Sr is a grand West Australian.

I want to focus on one part of the Whitlam legacy—that is, as members might think it appropriate for me to talk about the ending of national service in the very early days of the Whitlam government. It was one of the very first acts of the Whitlam government. Gough Whitlam and Lance Barnard, the two-man cabinet, were owners of every government portfolio within the Whitlam government for a period of time, and one of their first decisions

was to extract the troops from Vietnam and to end the national service that was not necessarily in the Australian character. Great conscription debates of the First and Second World Wars gave rise to the militia finally in the Second World War, and played out long and hard in the socially divisive environment around the Vietnam War, and it affected our population and communities through national service or compulsory service. Conscription was established in 1964 under Prime Minister Menzies, not as a contribution to the Vietnam War, but to provide a greater army to resist communism in South-East Asia. The first deployment of conscripted Australian troops was to the Konfrontasi between Indonesia and Malaya. There was an ambition to increase the army's strength to 33 000 by 1966, but, between 1965 and 1972, when national service was abolished, over 800 000 people were in the ballot, of whom 63 000 were conscripted and 15 381 national servicemen served in Vietnam. Of course, if servicemen serve in war, there are always casualties. Over 200 national servicemen lost their lives in Vietnam. This all happened with the backdrop of significant social upheaval in the Australian community through the 1960s and into the early 1970s. Those who are old enough to remember and those who have studied the great moratorium marches and so on will know that it was extremely divisive.

Unfortunately, the dark thread of national service that pervades even to this day is the way that servicemen and women of that era were seen as the protagonists of everything that was wrong with the way that we went about our business in Vietnam. Unfortunately, they were the focal point of much of the community's vitriol. Similarly, the Vietnam veteran community also felt quite detached, dispirited and alone. Often the rotations of those returning from Vietnam were on aircraft in the dead of the night. There were none of the welcome-home parades that people might be familiar with from the First and Second World Wars. The Vietnam veterans did not get the recognition that they so richly deserved for serving their country without question. It is a dark thread. Today, those veterans, who survived the Vietnam War with all their attendant issues blame Gough Whitlam personally and the Labor government of the era for the way that they were treated. However untrue and refutable by the facts that that is, it is something that governments of all persuasions, both state and federal, have learned from. Governments have learnt that they cannot treat returning soldiers or soldiers going into harm's way in the way that they were treated in that era. It was completely understandable in relation to it. I remember, as a young soldier on the Gold Coast in the annual march past commemorating the Long Hai battle fought by the 8th Battalion, which was the first battalion withdrawn from Vietnam, that we had beer cans thrown at us. That was in 1980. So it lasted and continued to last. People might remember Anzac Days in the late 1970s and early 1980s and the enmity towards service personnel. Then the Anzac march up and down St Georges Terrace was so poorly attended that a cannon could have been let off on the pavement—in contrast, today, we treat returned service personnel with crowds 10 deep on that same pavement. Unfortunately, the Whitlam government and Gough Whitlam were held personally accountable for the social environment of the time, which is grossly unfair; it is something that needs to be recognised. I want to say to those Vietnam veterans that with the passing of a great Australian, who they hold so poorly in their esteem, may it give them some rest and the capacity to move on and enjoy the remainder of their lives. Of course, his visionary contribution is something that is far greater than anything for which we might hold him accountable.

Statement by Member for Albany

MR P.B. WATSON (Albany) [3.36 pm]: I will say a few words about Gough Whitlam. Everyone else has said the great things that he did. I met Gough Whitlam only twice. When I was captain of the athletics team at the Commonwealth Games in New Zealand, we had the choice of meeting the Queen or Gough Whitlam. I was not really politically motivated then when the opportunity was given to me, and I was not really a royalist, so I thought, "I will try this Gough Whitlam bloke." He was one of the few people that I have seen in my lifetime who had a presence when he walked into the room. The Queen walked in, and a few people looked up and around, but when Gough Whitlam and Margaret walked in, what a dynamic environment it became. We sat down and had lunch, and I walked around and introduced myself. He looked at me and said, "You're a good-looking rooster; you should take up politics one day. Not for those Libs—be a Labor man." I never thought about it until later. In 2001, I had only just been elected, and I went to a Labor Party function in one of the big hotels in Perth; I think Simon Crean had just been elected and Gough Whitlam had a book launch. Gough Whitlam was sitting over in the corner with his big presence and everyone was too scared to go over to him. I walked across and said, "G'day, Gough. Peter Watson." He said, "I told you you would be a politician." He had remembered that from 1974 until 2001. He had not only a tremendous wit, but a great memory. He was a true Labor man, who had Labor values; he looked after his people and was concerned about his community. He wanted to get things done, but he was not worried about getting re-elected at the next election as a lot of politicians are; he just wanted to get social values done. A little bit of Labor died with Gough Whitlam. I was very sad to hear of his passing and my deepest sympathies go to his family and to all the true believers throughout Australia who think he was a great man. He will be sadly missed.

Statement by Member for Mirrabooka

MS J.M. FREEMAN (Mirrabooka) [3.39 pm]: I also would like to honour Gough Whitlam. He was a visionary and a reformer. I was lucky enough to first meet him in 1985 and I thanked him, as I am a product of

Gough's education reforms. I am the first person in an extended family to attend university. I am probably someone from the wrong side of the tracks, as the Premier would say. Gough Whitlam gave me the opportunity to attend university, which changed my life forever. I still very much believe in free education because of the benefits that I personally have had because of that. My father still wonders why I went to university and does not know what I made from it! He is a tradesman and he questions it somewhat. However, I believe that receiving a free tertiary education was my absolute chance in life and I thank Gough Whitlam for that. I celebrate his achievements with Aboriginal land rights, the Racial Discrimination Act and the concept of a multicultural Australia; I get to celebrate our multiculturalism on an ongoing basis in the electorate that I represent.

Like the member for Kwinana, I want to recommit to the fight for Gough's legacy of free universal health care. In particular, I want to talk about his great contribution in a time that was progressive for women; the 1970s was a feminist era of which I would have been proud to be a part, but I was just a young woman. However, it made a difference to me with how I saw myself in the world. Certainly, Gough Whitlam ensured that women's participation in society was embraced and enhanced, and changes were put into action. Indeed, he was the first Prime Minister in the world to appoint to a Prime Minister an adviser on women's affairs, Elizabeth Reid, and he established the women's affairs section within the Department of the Prime Minister and Cabinet, headed by Sara Dowse, whom I recently heard speak. We can imagine someone going into the bureaucracy in Canberra in the 1970s and talking about implementing women's policy in the commonwealth public service. He ensured that half a million female workers became eligible for full and equal pay through the 1972 equal pay case and he saw an overall 30 per cent rise in women's wages. On 2 May 1974, he ensured that women were included in the definition of the adult minimum wage through amendments to the Conciliation and Arbitration Act. He funded women's health centres. We would not have women's health centres and women's refuges and crisis centres today if it was not for the great reforms of the Gough Whitlam era. He removed the luxury taxes on contraceptives, thereby making it available to many in the community. He passed the Maternity Leave (Commonwealth Employees) Act 1973, which gave 12 days full pay and 12 months unpaid leave for commonwealth employees. He also outlawed pregnancy-related discrimination. My mother worked for Australia Post as a telephonist in the telecommunications section. When she married, she was promptly told that as a married woman she could no longer work because other people needed her job. He outlawed such things and that was never to be seen again. He and his government introduced the supporting mother's benefit for single mothers in 1973.

Gough Whitlam was a great reformer and a great man, and my sympathy goes to his family. I thank the house for allowing us to take these moments to celebrate a man who changed many of our lives; he changed mine. Following his dismissal, he said, "Maintain your rage and enthusiasm." I am still enraged at what happened to him, but I am enthusiastic because of people such as Gough Whitlam and I am enthusiastic to see further reform in Australia in the future.

[Members stood and observed a minute's silence.]

ARTS AND EDGES REGIONAL ARTS AUSTRALIA SUMMIT

Statement by Minister for Culture and the Arts

MR J.H.D. DAY (Kalamunda — Minister for Culture and the Arts) [3.44 pm]: Last Thursday I had the pleasure of attending the opening of the Arts and Edges Regional Arts Australia summit held in Kalgoorlie–Boulder. Also in attendance was the federal Minister for the Arts, Senator George Brandis. This biannual event is the nation's largest regional arts gathering and the state government, through the Department of Culture and the Arts, was proud to be a major partner, providing $300 000 towards the summit plus travel grants to Western Australian artists and arts workers wishing to attend.

The summit ran from Thursday, 16 October to Sunday, 19 October, and featured performances, exhibitions, talks, workshops and panel discussions, bringing almost 600 people from around the country to share their experiences. The majority of events centred on the Goldfields Arts Centre, which has had $6.2 million allocated for capital upgrades and operating costs through royalties for regions. There was an overwhelming positive atmosphere in Kalgoorlie–Boulder with something for everyone, covering the art forms of theatre, dance, music, visual arts, writing, film and digital media. It was truly a celebration of culture and regional Australia with the intent to create links between artists and audiences across the nation.

While at the summit I was pleased to launch the Department of Culture and the Arts' regional action plan and announce the first round of recipients of the $900 000 regional touring boost grants program. It was clear throughout my visit that the delegates and the speakers were passionate about regional arts and the contribution of arts and culture to creating active and vibrant regional communities. I congratulate Regional Arts Australia and Country Arts WA for organising such a fantastic event in the goldfields–Esperance region and for their ongoing support for and commitment to provide opportunities for both our regional artists and our regional communities to enjoy truly world-class artistic and cultural experiences.

2014 KINGS PARK FESTIVAL

Statement by Minister for Environment

MR A.P. JACOB (Ocean Reef — Minister for Environment) [3.46 pm]: I take this opportunity to update the house on the success of the 2014 Kings Park Festival, which ran for the month of September. This year's festival saw approximately 600 000 people visit Kings Park in September, including tourists and many local families with young children. All visitors to Kings Park were treated to spectacular displays of native wildflowers. These displays included about a quarter of all plant species in Western Australia, placing the state's unique flora on centrestage for local and international visits alike. Throughout the festival 90 free events took place, appealing to a range of interests and ages and making the festival a true community occasion. Popular events included live music each Sunday in the state's botanic garden, the return of the park's much loved Adorable Florable characters, guided walks, science seminars, the Friends of Kings Park native plant sale and school and family events.

Funding from major festival partner Santos meant that the music program and other family events were provided at no cost for the community to enjoy. Friends of Kings Park, Lotterywest and *The West Australian* also provided valuable support to ensure wide community awareness, participation and accessibility. The Kings Park Festival provides an excellent opportunity to showcase one of Australia's most treasured botanic parks and gardens. It gives the community the chance to get out into nature, appreciate our local environment and see a huge variety of native plants, many of which are not found anywhere else. I take this opportunity to congratulate the Botanic Gardens and Parks Authority and its volunteers and funding partners for delivering another successful Kings Park Festival.

MENTAL HEALTH BILL 2013

Statement by Parliamentary Secretary

MS A.R. MITCHELL (Kingsley — Parliamentary Secretary) [3.48 pm]: I rise to thank members for their support of the Mental Health Bill 2013. I am pleased to say that after a journey over 10 years in the making, the bill was passed on 16 October 2014. The debate in both this chamber and the other place was extensive, ranging from general principle to fine detail. I thank all members who participated in the debate for their constructive contributions. I can confidently say that the bill has been significantly improved via the parliamentary process and would like to acknowledge all those involved.

I know that many key stakeholders, including the Mental Health Law Centre, the Health Consumers' Council of WA and the Royal Australian and New Zealand College of Psychiatrists, spent innumerable hours analysing the bill and preparing submissions. These submissions were the genesis for a number of amendments that were made and have ultimately improved the bill. The bill will guarantee a better standard of treatment and care for people who are acutely unwell. It will ensure that their views are considered and their rights protected. It will acknowledge and support the important role of families and carers—a long overdue change. In doing these things and more, it will make a positive difference to the lives of people who are affected by severe mental illness. I thank all those who have been involved in this historic piece of legislation.

QUESTIONS WITHOUT NOTICE

SYNERGY BOARD — COSTS

821. Mr W.J. JOHNSTON to the Minister for Energy:

I refer to the appointment of Synergy board member Mr David Hunt, who has to be flown into Perth from New Zealand and provided with accommodation multiple times a year at the taxpayers' expense, and the minister's comments that "a merged entity would reduce overheads in the form of a single board".

(1) What are the total costs per annum of this special arrangement, including flights, accommodation and allowances?

(2) Is this on top of paying the new chairman, Mr Lyndon Rowe, $550 000 a year, whereas Michael Smith received $130 000 a year?

(3) How can the minister claim that there would be savings from the merged Synergy board when these costs are included, as well as paying board members higher fees?

Dr M.D. NAHAN replied:

I thank the member for this question.

(1)–(3) David Hunt was appointed to the new board of Synergy in July. David Hunt, of course, is not new to Synergy. He was a board member previously, from 2006 to 2012.

A government member: Who appointed him?

Dr M.D. NAHAN: Labor, and he was from New Zealand at that time also. The member for Cannington complains that I appointed a person to the board of Synergy and asks how dare he be a fly in, fly out person, when the previous government did the same in 2006, and he remained on the board for five years. He did a great job. David Hunt was also a FIFO when the previous government appointed him to Synergy—it was the same firm, but it is a little bit expanded now—and he flew in and out from New Zealand. He was paid then $55 000 a year as a standard director's fee; he is paid $65 000 a year now as a standard director's fee. I have a hard time understanding Labor's criticism of David Hunt being on the board now, when he was on the board under the previous Labor government. Maybe the member for Cannington should go back and talk to his colleagues and ask them why they appointed David Hunt to the board of Synergy, when he flew in and out of New Zealand, and why it is odd to do that now. I am puzzled here.

Mr D.J. Kelly: How much is it costing?

Dr M.D. NAHAN: As I indicated, he receives a standard director's fee of $65 000, and under the present arrangement, since he left the board a couple of years ago, there is an understanding that he comes to only five or six meetings. The rest he does by Skype or its equivalent, so that he does not travel. We specifically tried to reduce the travel costs. This man is one of the leading experts in the area. He is very well known in Western Australia, because he was hired by the previous Labor government as a major adviser in the disaggregation of Western Power. In other words, Labor hired him as a FIFO back then. Then, of course, he was put on Synergy's board as a FIFO by the same government. He was also hired by the present government as a consultant on the merger of the entity, and he ran New Zealand's largest integrated electricity generator and retailer. In the time of the previous Labor government, a whole raft of people on the board of Western Power and the subsequent entities were based in the eastern states. In fact, at one time, that government even had the chief executive officer of Western Power fly to and from New South Wales on a weekly basis. He did not last long, but that is what he did.

Mr C.J. Barnett: He would fly in on Monday and fly out on Friday.

Dr M.D. NAHAN: That is right; he would fly in on Monday, be picked up at the airport by a Western Power limousine and taken to the office, and then get in a limousine on Wednesday and go back to New South Wales. In fact, Labor perfected the use of FIFO for senior executives and directors in the electricity industry. Now members opposite have trouble with it. I do not know what the trouble is, but I know why the previous Labor government employed David Hunt as a director. It was because he was bloody good. He is very good. He is a very competent man. He is making $65 000 a year. If he flies here, he will be reimbursed and put up in a hotel, but at least half the time he stays in New Zealand and does it via the computer.

The SPEAKER: Member, I want to remind you about your language in the chamber in future.

SYNERGY BOARD — COSTS

822. Mr W.J. JOHNSTON to the Minister for Energy:

I have a supplementary question. Is the fact that the minister will not answer about how much this is all costing because the costs of the board have gone up and not down?

Dr M.D. NAHAN replied:

Again, the standard director's fee —

Mr W.J. Johnston interjected.

Dr M.D. NAHAN: Just let me answer it.

The SPEAKER: Member for Cannington, I call you to order for the first time.

Several members interjected.

The SPEAKER: Member for Joondalup, I call you to order for the first time.

Dr M.D. NAHAN: The standard director's fee has stayed; the number of board members, of course —

Point of Order

Mr W.J. JOHNSTON: I did not ask about individual costs; I asked about the total cost of the board, which includes the $550 000 paid to the chairman, the increased fee paid to this director, and all the travel and accommodation costs. If the minister is too scared to answer the question, we should all know what the answer is.

The SPEAKER: Minister, the total cost for the board, please.

Questions without Notice Resumed

Dr M.D. NAHAN: The total cost of the board, for the directors other than the chairman, remains —

Mr W.J. Johnston: Other than the chairman!

Dr M.D. NAHAN: Just let me finish.

The costs remain the same. I might add that the total cost of the board has reduced over the past year, because the number of board members has been halved. The merger led to halving the number of board members. The total cost of the board has not changed, except for the chairman.

Mr W.J. Johnston interjected.

Dr M.D. NAHAN: I know the member thinks he is on a winner, and he made a goof-up of it. He complains about a FIFO person whom the previous Labor government put in the position for five years.

Several members interjected.

The SPEAKER: Member for Churchlands, I call you to order for the first time. Minister, we do not need to prolong this. Can you just bring this to a conclusion, please?

Dr M.D. NAHAN: There are four members of the board, three of whom earn $65 000 each—the member can add that up—and the chairman gets $550 000 a year, the same as he got at the Economic Regulation Authority. We save money from the last chairman of that. There is an increase. However, I must emphasise that putting these things together, and halving the board, produces savings overall.

WA POLICE — WEST METROPOLITAN DISTRICT ACCOMMODATION UPGRADE

823. Mr I.M. BRITZA to the Acting Minister for Police:

Last week, the Speaker and I were given a tour of the Morley Police Station upgrade. Based on this, can the acting minister update the house on the current status of the Western Australia Police west metropolitan district accommodation upgrade project?

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale, I call you to order for the first time.

Mr J.H.D. DAY replied:

The government recognises the importance of appropriate and functional facilities for our police to operate from across Western Australia. Providing adequate police stations that are well fitted out and suitable for the purpose is an important part of the provision of facilities. In that context, the government has allocated $14.719 million for the west metropolitan district accommodation upgrade project. This project involves specifically the police stations at Warwick, Scarborough, Mirrabooka and Morley. The first stage of the project was undertaken at the Warwick Police Station and was completed in October 2012. In January this year, the tender for the contract for Scarborough, Mirrabooka and Morley Police Stations was awarded to Badge Constructions (WA) Pty Ltd. The Scarborough Police Station was vacated on 19 January this year so that construction works could be undertaken. The operational police contingent is temporarily housed at Warwick Police Station until works are completed. This is a refurbishment. I will not go through all the details, but it provides for future growth.

Mrs M.H. Roberts: How many officers are you going to have at Morley?

Mr J.H.D. DAY: Let us talk about Scarborough at the moment, which is important. This refurbishment provides accommodation for up to 80 personnel. The works are currently on schedule and the station is expected to be ready for reoccupation in the middle of November.

Mrs M.H. Roberts: Is that Scarborough or Morley?

Mr J.H.D. DAY: That is Scarborough. Extensive alteration work commenced in January this year and is currently underway at Mirrabooka Police Station. That refurbishment will also provide for future growth and accommodate up to 230 personnel. Mirrabooka Police Station is currently open, although construction works are underway. To complete the project, the station will need to be vacated in December this year, and it is expected that the works will be completed in July 2015.

Mr Speaker, as the member for Mount Lawley, and the member for Morley also, will be interested in Morley Police Station. Morley Police Station was vacated on 3 February this year so that construction could get underway. The operational police contingent from Morley was temporarily housed in the Mirrabooka police complex. Construction work achieved practical completion on 18 September this year. These works included enlargements to the general office, toilets, change rooms and locker area, and also a new shift supervisor's office and amenities room. I am pleased to advise that the reoccupation and commissioning of the station took place on Monday, 13 October, just at the beginning of last week, and that, as of today, the newly upgraded station is open for business.

Mrs M.H. Roberts: How many officers are there? You still haven't said.

Mr J.H.D. DAY: Funnily enough, I have not been provided with specific information for Morley, but I am sure —

Mrs M.H. Roberts: You obviously haven't met your commitment from the election; otherwise, it would be in there.

The SPEAKER: Member for Midland!

Mr J.H.D. DAY: If the member wants a debate about election commitments, I can advise, based on what I know, that the commitment to provide 550 additional police officers and staff across the state is underway, and no doubt the Morley district, as well as all other districts in the state, will benefit from that additional recruitment program.

LOCAL GOVERNMENT REFORM — CITY OF PERTH

824. Mr M. McGOWAN to the Premier:

I am pleased that the Premier is here. I refer to the Premier's proposal, announced on Friday, to introduce legislation for a new expanded City of Perth.

(1) Why is the Premier already moving away from the recommendations of his own hand-picked advisory board?

Mr C.J. Barnett: It was not hand-picked; what an insult.

Mr M. McGOWAN: I would not talk about insults if I were the Premier!

(2) Will the Premier rule out introducing any form of vote weighting, which would make residents of Perth and Vincent second-class citizens?

Mr C.J. BARNETT replied:

(1)–(2) The Minister for Local Government and I will release the recommendations of the Local Government Advisory Board tomorrow. Along with that, we will release the maps for metropolitan Perth. We will go through them one by one, explaining what the government position is. That will happen tomorrow.

LOCAL GOVERNMENT REFORM — CITY OF PERTH

825. Mr M. McGOWAN to the Premier:

I have a supplementary question. Question time is today! Will the Premier rule out legislating for a new City of Perth; and, if he will not, has he not wasted five years of people's efforts in the amalgamations for the City of Perth and the City of Vincent?

Mr C.J. BARNETT replied:

My firm understanding is that the City of Vincent wants to be part of the City of Perth, and we think that is probably appropriate. We said from the outset, when this process started, that we wanted to see a capital city that truly reflected the central business district and the major institutions of government and the community. As I said before, we will release full details tomorrow morning.

PEDESTRIAN TRAFFIC SIGNAL SYSTEM — PERTH CBD TRIAL

826. Ms E. EVANGEL to the Minister for Transport:

I understand that the trial of a new pedestrian traffic signal system commenced yesterday at a busy intersection in the Perth CBD.

Several members interjected.

The SPEAKER: Member for Girrawheen, I call you to order for the first time. Member for Joondalup!

Ms E. EVANGEL: Can the minister please advise the house what this trial entails?

Mr D.C. NALDER replied:

As part of the government's traffic congestion management program, we are trialling a pedestrian countdown traffic signal on the corner of Murray and William Streets. Feedback so far has been exceptional. For those members who do not understand what happens —

Mr D.J. Kelly: This is visionary, like a new train line!

The SPEAKER: Member for Bassendean, I call you to order for the first time. I want to hear about the new traffic signals, minister.

Mr D.C. NALDER: This is another initiative by which this government is getting things done.

Mr D.J. Kelly interjected.

The SPEAKER: Member for Bassendean, I call you to order for the second time.

Mr D.C. NALDER: I am really quite pleased that we are showing some initiative. A lot of people are giving us feedback on what a great initiative this is to increase pedestrian safety and improve efficiency at our intersections. This is all about keeping people moving.

For those members who do not understand, when people cross these lights, they get the little green man for six seconds and then a countdown timer lets them know how long they have to safely cross the road. A lot of people have dared to cross with the flashing red man, so we are taking steps to make it safer for a lot of pedestrians.

Several members interjected.

Mr D.C. NALDER: I am not sure what members opposite are doing over there!

This is a great initiative that will keep people moving. I look forward to bringing more of these initiatives to the chamber.

PELAGO APARTMENT COMPLEX — DEPARTMENT OF HOUSING

827. Mr F.M. LOGAN to the Minister for Housing:

I refer to the apartments in Pelago West that the Department of Housing rents from private owners at significantly high rates while government-owned apartments stay empty.

(1) When was the minister first made aware that the 11 units were owned by large Liberal Party donors?

(2) Has anything been done to renegotiate the lease contracts for apartments owned by large Liberal Party donors so that the tenants can move into apartments owned by the state?

Mr W.R. MARMION replied:

(1)–(2) I thank the member for Cockburn for the question. I do not get involved in who owns property that the department leases. It is totally inappropriate for the Minister for Housing to —

Ms M.M. Quirk interjected.

Mr W.R. MARMION: Government Regional Officers' Housing leases probably thousands of houses throughout the state.

Several members interjected.

The SPEAKER: Members!

Mr W.R. MARMION: Mr Speaker, I am trying to speak.

One area that the minister is involved in is signing off on every sale or loan facility through Keystart, so I get to sign quite a lot of transactions already, but I do not get involved in leasing every single apartment.

Several members interjected.

The SPEAKER: Member for Cockburn!

Mr W.R. MARMION: Does the member for Cockburn want an answer to his question? The member asked a specific question. The member's first question was: when was I made aware? I was made aware of who the owners were when I read the paper. What was the member's second question?

Several members interjected.

The SPEAKER: Member for West Swan, I call you to order for the first time. Minister, through the Chair.

Mr W.R. MARMION: The member's second question was whether I was going to intervene in the leases that have been signed in a commercial transaction—no.

PELAGO APARTMENT COMPLEX — DEPARTMENT OF HOUSING

828. Mr F.M. LOGAN to the Minister for Housing:

I have a supplementary question. Is it not the case that the minister has not directed his department to work on this because he just does not want it to?

Mr W.R. MARMION replied:

I will not be involved in commercial transactions.

TELEHEALTH SERVICES

829. Mr R.S. LOVE to the Minister for Regional Development:

I am aware that the Liberal–National government has made a substantial investment into regional telehealth technology. Can the minister please provide examples of how this technology is improving the health care and quality of life of regional Western Australians?

Mr D.T. REDMAN replied:

I thank the member for Moore for the question and for his interest in strategies to get key services into regional Western Australia. With the challenge of a state as big as ours and its sparse population, it is important that where we can we employ some new strategies and use technology to deliver those services. We are in the digital age; we have digital communication services. The Liberal–National government is supporting the roll-out of many of those services into regional Western Australia. Part of the Southern Inland Health Initiative, the $560 million of royalties for regions funded, includes a program called the telehealth program. The amount of $36.5 million supports regional telehealth facilities. In many cases, people who live in regional Western Australia need to take a trip to Perth to access specialist services. To do that, people need to take a day off work and find accommodation in Perth. They also need to cover their transport costs.

Mr M.P. Murray interjected.

The SPEAKER: Member for Collie–Preston!

Mr D.T. REDMAN: Initiatives like this are foreign to the opposition and it has taken a Liberal–National government to deliver these services.

As the member asked the question, I want to give a couple of examples of when this initiative by the Liberal–National government has made a difference to people living in regional Western Australia. To protect privacy, I will use some false names. The first example is Toby.

Several members interjected.

The SPEAKER: Members!

Mr D.T. REDMAN: Toby is a young boilermaker from Kukerin who injured his hand and needed emergency surgery at Royal Perth Hospital. Following surgery, instead of taking a day off work to travel to Perth for a follow-up appointment, he was able to have a telehealth consultation during his lunch break with his specialist. Imagine the distance and travel time he saved.

Several members interjected.

The SPEAKER: Member for Collie–Preston, we want to hear about Toby.

Mr D.T. REDMAN: I have finished with Toby now, Mr Speaker. I am onto Elsie. The second example is Elsie —

Several members interjected.

The SPEAKER: Members!

Mr D.T. REDMAN: The opposition does not appreciate the challenges of getting access to fundamental medical services for people who live in regional Western Australia.

Mr F.M. Logan interjected.

The SPEAKER: Member for Cockburn, I call you to order for the first time. I want to hear about Elsie.

Mr D.T. REDMAN: Elsie is a skin cancer patient in Kununurra. Using telehealth facilities, she was able to have biopsies and photographs sent electronically to a specialist in Perth and consult with the specialist via video link. Previously, she would have needed to make multiple trips to Perth—a significant saving.

The last example is Peter, who had a heart attack whilst looking after his sheep on his farm in Tammin. The ambulance took him to the Cunderdin Hospital specifically because it had access to the SIHI telehealth facilities. The doctor in Perth was able to give directions to the nursing staff in Cunderdin, and that saved his life. It is a sure thing that if not for telehealth, Peter would not be alive today. I think this initiative under the Southern Inland Health Initiative is an outstanding contribution from the Liberal–National government to key services in regional Western Australia, using technology to access health services in areas in which it is very, very difficult to do so.

NURSE PARKING — INDUSTRIAL RELATIONS COMMISSION DETERMINATION

830. Ms R. SAFFIOTI to the Treasurer:

I refer to the recently announced Industrial Relations Commission determination limiting future parking fee costs for nurses at hospitals.

(1) Will the government now have to pay the difference between the $5.50 parking cap and the amount the private car park operators can charge?

(2) If so, what is the government's financial exposure in relation to this decision?

Dr M.D. NAHAN replied:

(1)–(2) I read that in the paper. I have not had a briefing on it from the Minister for Health, who is not here today.

Mr R.H. Cook: If we asked him, he would just refer us to you.

Dr M.D. NAHAN: Yes, that might happen. We would first verify the decision and then make a decision on it. When we make a decision on it, members opposite will hear in the fullness of time.

NURSE PARKING — INDUSTRIAL RELATIONS COMMISSION DETERMINATION

831. Ms R. SAFFIOTI to the Treasurer:

I have a supplementary question. Is the Treasurer telling the Parliament today that he read something in the paper that will cost taxpayers millions of dollars and he has not sought further information?

Dr M.D. NAHAN replied:

When the Industrial Relations Commission —

Ms R. Saffioti interjected.

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

Dr M.D. NAHAN: They are very aggressive today, are they not; what is wrong with them?

Ms R. Saffioti interjected.

The SPEAKER: Member for West Swan!

Dr M.D. NAHAN: When the Industrial Relations Commission makes a decision about an entitlement to nurses that affects the Department of Health's budget, the health department makes a recommendation to the minister and the minister goes to the Treasurer. That process has not been completed yet. When it has been, we will make a decision—probably in the mid-year review. That is a process of government that as a former adviser to Treasury, the member for West Swan knows.

Ms R. Saffioti interjected.

The SPEAKER: Member for West Swan!

Dr M.D. NAHAN: There is nothing untoward about what we are doing. The IRC made a decision and we will react to it in a timely and effective manner; and if there is additional cost, we will address that.

"ARE YOU BUSH FIRE READY" CAMPAIGN

832. MR N.W. MORTON to the Minister for Emergency Services:

Last weekend the minister helped launch this summer's "Are You Bush Fire Ready" campaign. Will the minister please outline to members why this message of shared responsibility is very important to our community?

Mr J.M. FRANCIS replied:

I thank the member for Forrestfield for his question. I should start by saying that for more than 40 000 years human beings in Australia have tried to control our natural environment, but not always successfully. Ever since Dorothea Mackellar penned her 1908 poem *My Country* about floods, fire and famine, we have realised that no matter what we do, we will never be able to rid ourselves of the risk of bushfire. Western Australia comprises over 2.5 million square kilometres. Short of bulldozing all of it, there will always be a risk of fire. Our job is to do everything we can to manage that risk, and that is why as a government, we have realised this. Members opposite will see that Western Power, through the Minister for Energy, is doing everything it can to reduce the risk around energy infrastructure. The Department of Parks and Wildlife has taken every opportunity in the periods between rain to undertake hazard reduction burns, and, of course, the Department of Fire and Emergency Services is doing more again this year than was done last year. Once again, more than has ever been done in the history of Western Australia is being done to prepare our response teams, to train and equip our firefighters and to give them all the protection we can to ensure there are as many helicopters and aerial firefighting aircraft available for this fire season.

At the end of the day, it is a shared responsibility. Private landowners need to understand that they have a responsibility to do what they can to reduce the fuel load and therefore the hazard on their properties. This last Sunday, the Minister for Environment, the Minister for Energy and I launched this year's "Are You Bushfire Ready" campaign. Unfortunately, Ben Roberts-Smith, VC, was unavailable due to the Centenary of Anzac commemorations, so Justin Langer, the cricketer, who knows a thing or two about preparation and teamwork, will spearhead the campaign this year as the "Are You Bushfire Ready" ambassador for Western Australia.

It is a very simple message. People who own the land own the responsibility; therefore, they need to do what they can to reduce it. It is about teamwork. People who live in a peri-urban fringe area with a large bush environment need to do their bit to reduce that fuel load. They should also talk to their neighbours and have a plan so that if a bushfire comes towards them, they do not leave it to the last minute to work out what they will do with their pets and their children and to protect their house and their belongings if they choose to stay and fight. We have kicked off this very simple message again this year because we know from last year's campaign that it was exceptionally successful. For under $1 million, we know that a lot of people got the message and started to reduce the fire risk on their property; they did not leave it until the last minute. We want to encourage every single person across the state of Western Australia in bushfire areas to once again do their bit.

457 VISA HOLDERS — PUBLIC SCHOOLS CHARGE

833. Ms M.M. QUIRK to the Premier:

I refer to the Premier's government's desperate budget measure to charge school fees for the children of 457 visa holders and his subsequent concession that there would be exemptions for hardship.

(1) Have those hardships been finalised to enable schools to assess those enrolling their children for next year's school year?

(2) Does the Premier now concede that the funds raised are more like $40 million than $140 million?

Mr C.J. BARNETT replied:

(1)–(2) We revisited that policy and we have reduced the fees so that fees for the children of 457 workers will apply only to the first child, not to the second, third, fourth or fifth child. I think that is fair and reasonable. It is of interest that the majority of 457 children, if you like, in metropolitan Perth live in the wealthiest parts of Perth—in my electorate, and the electorates of the member for Nedlands and the member for South Perth. Indeed, a significant number of the children of 457 workers go to private schools—again, many of those are in my electorate.

Mr P. Papalia: Have you got a list?

Mr C.J. BARNETT: Mr Speaker, I am answering the question.

That is the reality. Many well-paid employees, particularly in the resources industry, come here on 457 arrangements—they are very welcome—and I think it is quite reasonable that they make a modest contribution to education in a government school. The issue arose last year, particularly in the Treasurer's electorate, where a high proportion of children in a school were children of 457 workers. Indeed, I think the fee is $1 000 per term, which is a very small proportion—probably less than one-third—of the cost of educating a child. I think it is fair and reasonable.

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale, I call you to order for the second time.

Mr C.J. BARNETT: There will be some situations, particularly in agricultural areas, in which the salary or pay is not high, and there may be some hardship. We will deal with that in the criteria. I have not seen them; I do not know whether they have been concluded. That will be available and I think most people will accept it. I will give an example of a school in my electorate at which there are, from memory, about 45 457 children, which is a significant proportion of the school population. I asked the principal recently whether any parents had complained about the imposition of a fee for 457 students, and his answer was, "It has never been raised with me."

Dr A.D. Buti interjected.

Mr C.J. BARNETT: The member for Armadale does not listen. When there are cases of people on lower incomes, which there are, particularly in rural areas, hardship may well apply. But I do not think it is onerous, and in many cases the employer will pay that charge.

457 VISA HOLDERS — PUBLIC SCHOOLS CHARGE

834. Ms M.M. QUIRK to the Premier:

I ask a supplementary question. What is the hold-up in developing those hardship criteria? Surely this dawdling is causing some disruption in school enrolments for next year.

Mr C.J. BARNETT replied:

I am not aware of where that is at. It obviously lies with the Minister for Education. I am happy to provide the member with some information later of where that is at.

Ms M.M. Quirk: What is the hold-up?

Mr C.J. BARNETT: I am not the education minister. We have set the policy; the policy is there. It is up to the Department of Education to administer it.

By the way, Gough Whitlam did not get rid of White Australia—that was the Menzies–Holt government.

The SPEAKER: That concludes question time.

Ms R. Saffioti interjected.

The SPEAKER: I call the member for West Swan to order for the third time.

Several members interjected.

The SPEAKER: Members for Girrawheen and Bassendean, question time has finished.

Ms M.M. Quirk interjected.

The SPEAKER: Member for Girrawheen, I call you to order now for the second time. Question time is finished.

Ms R. Saffioti interjected.

The SPEAKER: Order, member for West Swan!

PUBLIC SCHOOLS — RESOURCES

Petition

MR C.J. TALLENTIRE (Gosnells) [4.22 pm]: I have a number of petitions to table. The first petition relates to staffing and funding cuts to education. It reads —

> To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.
>
> We the undersigned, say we are opposed to the funding and staff cuts occurring to public schools and are deeply concerned about the negative impact that these will have on the quality of education for children in Western Australia.
>
> Funding and staff cuts include at least 500 jobs abolished, 30% cut to School Support Program Resource Allocation (SSPRA), a levy on schools to meet the cost of long service leave, 1.5% cut in the procurement budget and a freeze on teacher numbers.
>
> Now we ask the Legislative Assembly to call on the Barnett Government to protect schools and students from these harsh budget cuts.

The petition has been certified to conform to the standing orders of the house and has been signed by 29 petitioners.

[See petition 179.]

THORNLIE RAIL LINE — EXTENSION

Petition

MR C.J. TALLENTIRE (Gosnells) [4.23 pm]: I have a further petition that concerns the traffic congestion problem and the need for public transport. It reads —

> **TO THE HONOURABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY OF THE PARLIAMENT OF WESTERN AUSTRALIA IN PARLIAMENT ASSEMBLED.**
>
> We, the undersigned, say
>
> - Traffic congestion on our local roads is becoming intolerable;
> - Good public transport and particularly safe, reliable and inexpensive train services will make the most difference;
> - The Barnett Government's Public Transport Plan does not consider extending the Thornlie Line until after the year 2031, which is far too late;
>
> Now we ask that the Legislative Assembly call upon the Barnett Government to embrace the extension of the Thornlie Line and fund urgent planning work without delay.

The petition, which has been certified to conform to the standing orders of the house, contains 51 signatures.

[See petition 180.]

SENIORS — BUDGET IMPACTS

Petition

MR C.J. TALLENTIRE (Gosnells) [4.24 pm]: This further petition concerns budget impacts on our seniors, and reads —

> To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.
>
> We, the undersigned, say that the cumulative effect on seniors of the cuts, price and tax hikes being rammed through by the Liberal State Government and Liberal Federal Government will be devastating on households in Gosnells and Thornlie.
>
> Now we ask the Legislative Assembly to press the State Government to step away from further attacks on senior concessions and rebates and to consider the impact of such cruel policy shifts on older people.

The petition, which has been certified to conform to the standing orders of the house, bears 32 signatures.

[See petition 181.]

URANIUM MINING — BAN REINSTATEMENT

Petition

MR C.J. TALLENTIRE (Gosnells) [4.25 pm]: Finally, I have a petition regarding the reinstatement of a ban on uranium mining in Western Australia. Again, this petition has been certified to conform to the standing orders of the house. It bears 535 signatures, and reads —

> To the Honourable the Speaker and Members of the **Legislative Assembly** of the Parliament of Western Australia in Parliament assembled.
>
> We, the undersigned residents of Western Australia are opposed to uranium mining.
>
> We ask the Legislative Assembly to recognise the unacceptable risk to the community and the environment posed by uranium mining and to immediately reinstate the ban on uranium mining in Western Australia.
>
> Your petitioners as in duty bound, will ever pray.

[See petition 182.]

CLIMATE CHANGE

Petition

MR W.J. JOHNSTON (Cannington) [4.26 pm]: I have a petition that has been signed by one petitioner. It has been certified as complying with the standing orders, and reads —

> To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.
>
> We, the undersigned, say to national, local, and international leaders: **Scientists clearly warn that risking runaway climate change threatens our very survival, and the future of everything we love.** Now we ask the Legislative Assembly to commit **to keep global temperature rise under the safe level of 2 degrees celsius, by rapidly shifting our societies and economies to be powered by 100% clean energy. We also call on you to urgently forge global, national and local agreements, and realistic plans, to achieve this end.**

A similar petition was presented by **Mr J.E. McGrath** (Three signatures).

[See petitions 183 and 184.]

INDIAN PALM SQUIRREL

Petition

MR J.E. McGRATH (South Perth — Parliamentary Secretary) [4.28 pm]: This petition has been signed by 36 petitioners, and reads —

> To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.
>
> We, the undersigned, respectfully call on the government to re address and change any legislature dealing with the eradication of the little Indian Palm Squirrel from the South Perth/Como area. We ask that concession be made to alter the legislature of total eradication of this animal which has been such

> a popular addition to this area and the Perth Zoo for over a century and ask that more leniency be exercised regarding its co existence here.
>
> We realise that this little creature is not a native species, but neither are we or many other animals which reside in harmony in this environment. We humans and many of the world's animals have migrated from one part of the world to another for millennia and will continue to do so, for whatever reason. This does not mean they all have to be eradicated. If reports by the experts are true, that they destroy so many crops and orchards, why is it that after 'over a century' of existence here they haven't been able to accomplish this.

That is a very good point, Mr Speaker! The petition continues —

> They do live in harmony and have their own natural predators such as birds and introduced predators such as cats and foxes.
>
> Your petitioners therefore respectfully request the Legislative Assembly to agree that total eradication is genocide and must stop and that the Indian Palm Squirrel is entitled to live in harmony as we and other animals do in this environment.

[See petition 185.]

[Applause.]

The SPEAKER: Member for South Perth, that is one of the nicest short stories I have heard in a long time!

BUS ROUTE 482 — DEVIATION

Petition

MR J.R. QUIGLEY (Butler) [4.30 pm]: I have a petition signed by 52 petitioners, which is duly certified by the Clerk of the Assembly as complying with standing orders, couched in the following terms —

> To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.
>
> We the undersigned, say
>
> *Due to the recently changed route of the 482 bus and the mostly, unused, frequency of this bus, through to Barquentine Av, Jindalee, on route to Butler Station, this street has become extremely unsafe and intolerably noisy.*
>
> Now we ask that the Legislative Assembly.
>
> Divert the route of the 482 bus from Barquentine Avenue to Jindalee Boulevard, as this is a main thoroughfare road, on route to Butler Station
>
> Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

[See petition 186.]

PAPERS TABLED

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

LOCAL GOVERNMENT — AMALGAMATIONS

Matter of Public Interest

THE SPEAKER (**Mr M.W. Sutherland**) informed the Assembly that he was in receipt within the prescribed time of a letter from the Leader of the Opposition seeking to debate a matter of public interest.

[In compliance with standing orders, at least five members rose in their places.]

MR M. McGOWAN (Rockingham — Leader of the Opposition) [4.32 pm]: I move —

> That this house calls on the Barnett government to guarantee there will be no forced council amalgamations in the metropolitan area or regional WA.

This is an opportunity for all members of this house to put on record where they stand on a pressing issue in Western Australia today. This issue will be at the forefront of public attention tomorrow when the government releases its new boundary maps for local governments in metropolitan Perth. Today, prior to that release, members of the house can say whether they support forced amalgamations of councils or whether they oppose them. It is very simple. If local communities are forced to amalgamate without the opportunity for the referendum procedures under the law, it is a forced amalgamation. If local communities are legislated to create a larger local authority, it is a forced amalgamation. It is quite clear and simple. This is an opportunity for

members to express their views on metropolitan Perth or regional WA. The government was elected on a platform. Indeed, while I am on the subject, the Whitlam government was elected on a platform and it set about implementing it. This government was elected on a platform and set about unravelling and unrolling the platform upon which it was elected. One of the promises the government made in the lead-up to the election was from the member for Darling Range, the Minister for Local Government. On 21 February 2013 he made a clear statement that I quote to the house —

> I recently made some remarks at a local forum that the Liberal Party supported forced council amalgamations. The Liberal Party does not support forced amalgamations, I got it wrong, it was my mistake. I apologise for the confusion this has created.

That was the Minister for Local Government two weeks before the state election when he said there would be no forced council amalgamations. The Premier in his *Residents' Newsletter* of the summer of 2013 wrote about local government amalgamations in his own electorate. I will quote to the house what he claimed in his own newsletter to his own constituents. He wrote —

> … claims that the State Government will use its powers to force such an amalgamation are simply not true.

If the government does not allow referendum procedures or if it legislates, it will be breaking these two solemn commitments it made to the people of Western Australia, and indeed, the Premier's own statement that he made two weeks from the election. He was asked whether the government would force amalgamations and not allow referendums and he ruled it out absolutely. Since then, in the last 18 months, we have had turmoil, uncertainty, chaos and dysfunction in local government as the government has rolled around with all sorts of ideas and plans because it was not clear about its intentions before the state election. If the government had gone to the state election and said it would legislate for a certain number of councils, it would have a mandate, as Gough Whitlam said, but it did not. The government deliberately and directly misled the people of Western Australia. That is what this government did in the lead-up to the state election.

Some people would say—the Premier says it—that we should get rid of councils because there are too many. What difference would it make to go from around 140 councils to 125 councils? What difference would it make to go from 30 councils to 16 councils in the metropolitan area? Is it a revolutionary reform? I do not think so. However, it breaks a promise and it flies in the face of the evidence about forced amalgamations. I want to quote the foremost academic specialising in local government, Professor Brian Dollery from the University of New England—the bloke they always get on the radio and who has devoted his life to examining these issues. On this government's plan he said —

> … any hope of economies of scale arising from the termination of 18 councils is largely illusory. Furthermore, only two of the ten main council functions hold any promise of pecuniary efficiencies derived from scale.

Then in an opinion piece he wrote —

> Anyone who still believes that compulsory council consolidation will somehow lead to financial sustainability in local government, with more efficient councils, lower costs and substantial scale economies, has not bothered to acquaint themselves with the vast empirical literature on amalgamation.

Brian Dollery is a professor of economics and director of the Centre for Local Government at the University of New England and the foremost expert always quoted in relation to these matters. University of Western Australia economists James Fogarty and Amin Mugera have examined the issue and have stated —

> … the evidence that is available does not generally support the view that amalgamations provide substantial cost savings.

The government cannot quote anyone who endorses what it is doing. It cannot point out a business case or cost savings or efficiencies. All it has and all it is acting on is prejudice based on the Premier's dislike of the fact that in his own turf he has six councils and they cause him some grief. He does not like them, so he is saying, "Oh, we're going to get rid of them all, now", which is his petulant way. He has never served in local government, has not seen what local governments do, does not understand the work involved and does not understand the fact that local communities sometimes like to have a say in the decisions that impact them. We have seen a ham-fisted attack on local councils across Western Australia. The opposition is saying to the house that local councils deserve the right to have a say, and that the people and the Parliament deserve a mandate and an election if the government is going to do these things, rather than a bare-faced denial in front of the cameras two weeks before a state election.

What else have we seen from the government on these issues? We have seen two things. Firstly, I will start with the regions. On a number of occasions the Premier has said that once the government has finished with the metropolitan area, it will do the same thing in the regions. On 10 September he came out with some interesting

ideas about the area north of Kalgoorlie; indeed, Madam Deputy Speaker, you are mentioned in his comments from the *Hansard* of 10 September when he stated —

> … I am not picking on my friend the member for Kalgoorlie, but look at the area to the north of Kalgoorlie. What is there? Menzies, Leonora and all those areas. Are they viable? No. Do they provide extensive services? No. They are totally dependent on the commonwealth and state governments. What would it mean, member for Kalgoorlie? Imagine if there was an outback council, heavily funded by the state government and heavily funded by the commonwealth government to create the outback shire of Western Australia—it would be fantastic!

It would be an area potentially the size of Queensland out there that the Premier said is not currently viable, but then he said it would have to be funded by the state and commonwealth governments. We have seen what the commonwealth government does. It just pulls money away, from remote Indigenous communities, no less. These are, frankly, the poorest people in the country, and they will lose support for their water and power because the so-called Indigenous Prime Minister, as he calls himself, and the commonwealth government have just ripped those services away from them. The Premier of this state is saying, "We're going to amalgamate your councils in the regions without an electoral mandate", and he somehow thinks that everything out there will be rosy because a few councils have been amalgamated. Well, I will give the Premier a tip: whether or not they are amalgamated, it is tough out there, and the areas are huge. People actually want a local say in their own affairs, and if the government creates councils the size of Victoria, New South Wales or Queensland, people will no longer have a local say in their affairs, they will not even be able to go to meetings and councillors will not even know each other because of the distances involved.

The second thing we have seen from this government concerns the metropolitan area and Friday's pronouncement from on high. We have gone through years of this Minister for Local Government, and perhaps the former one, saying that the government is going to examine the Local Government Advisory Board's recommendations and either accept or reject them. I have heard the minister say in this house, half a dozen times at least, "We're going to get them and we're going to accept or reject them." The original wording was "in total", then it went to individual recommendations that the government is going to accept or reject; and now the language has gone to, according to the Premier, looking at "specialised legislation" for the City of Perth.

Mr C.J. Barnett: I said that 18 months ago.

Mr M. McGOWAN: Oh, there you go. After the election, I am sure.

The Premier said that the government would look at specialised legislation for the City of Perth, and I have a quote of what he said about that on radio. He gets away with it because people generally do not understand the history involved. In an interview on 6PR on 17 October 2014, he said, in part —

> These boundaries in Perth haven't changed in a hundred years, it reflects a different era, a bygone era..."

I have the City of Perth Restructuring Act 1993 here. Hon Paul Omodei was Minister for Local Government at that time and the Premier was then the Deputy Leader of the Liberal Party who put in place the existing boundaries of the City of Perth in 1993! He sat in the cabinet when those boundaries were created, yet on Friday he said that they have not changed for 100 years! He would say anything.

Mr C.J. Barnett: I don't lie.

Several members interjected.

The DEPUTY SPEAKER: Order, members! Do not be tempted, members!

Mr C.J. Barnett interjected.

Mr M. McGOWAN: I am sorry, Premier; what was that? Is the Premier going to be ungracious again, attacking people who have died today? Is he going to do that again?

Point of Order

Mr C.J. BARNETT: To accuse me of attacking someone who has died today I presume refers to former Prime Minister Gough Whitlam. I ask that the Leader of the Opposition apologise and withdraw that.

Several members interjected.

The DEPUTY SPEAKER: Order, members! Silence, please, when I am standing! Member for Cannington.

Mr W.J. JOHNSTON: Whether or not criticising a dead man is "attacking" them, there was no breach of standing orders by saying that. Unless this man, who did attack someone this morning, can point out a standing order that the Leader of the Opposition is in breach of, then there is no point of order and all he is doing is grandstanding, again.

The DEPUTY SPEAKER: Order, members. There is no point of order. Leader of the Opposition, resume.

Debate Resumed

Mr M. McGOWAN: The Premier is having a bad day. We can see from that reaction that this is a bloke who cannot handle it.

Several members interjected.

The DEPUTY SPEAKER: Member for Albany, I call you to order.

Mr M. McGOWAN: We can see from his reaction that he is a bloke under pressure who cannot handle it and, frankly, his behaviour this morning was nothing short of disgraceful. Former Prime Ministers Howard and Fraser and Prime Minister Abbott were all gracious, but we had this bloke over here behaving in this manner, and that is unacceptable.

The DEPUTY SPEAKER: Order! Leader of the Opposition, will you return to the motion.

Mr M. McGOWAN: I return to the point.

Mr J. Norberger: Point of order!

The DEPUTY SPEAKER: No, member for Joondalup. Leader of the Opposition, return to the motion, please.

Mr M. McGOWAN: I will close on this point: on Friday the Premier said that the government was going to legislate on the central business district of Perth. If that is the case, it will be another broken promise that makes up the broken promise mosaic of this government. We have the regions and we have the city, and it is incumbent upon members opposite today to vote on this motion in accordance with what they believe. If this motion gets up and the government still wants to go ahead with forced amalgamations, it will need to call a referendum, and it should not legislate, because this house has told it not to.

MR D.A. TEMPLEMAN (Mandurah) [4.47 pm]: It is time for the Barnett government and the Minister for Local Government to come clean. It is time for the Premier and the Barnett government to stop the deviousness, the doublespeak, the broken promises and the deceptive approach that they have followed in their proposed local government reforms for Perth and their clear intentions for regional Western Australia. It is time for them to come clean. The motion we have moved this afternoon simply states —

> That this house calls on the Barnett government to guarantee that there will be no forced council amalgamations in the metropolitan area or regional WA.

In moving this motion, we are urging all members in this house to demonstrate their support for the need for a guarantee. Why is there a need for a guarantee? The reason is simple: the problem for the Premier and the Minister for Local Government is that this government has betrayed and lost the trust of the sector. Many in the sector are happy about and supportive of reform in the local government sector.

What has happened in the last five or so years, as outlined in this proposal—the so-called reform proposal for local government in the metropolitan area—is that at every post, when the government looks like it will not get its way or there is public opposition, the government has changed the goalposts along the way. Before the 2013 state election, as the Leader of the Opposition very clearly highlighted, there was a commitment not to force amalgamations and then, immediately after the March 2013 election, the government set out to do just that—to forcibly amalgamate councils. The government did so without any justification or substantiation with regard to an economic or business case. The government did not then, and still has not now, articulated that to the communities in the metropolitan area. That was followed up with the Minister for Local Government putting in reform proposals to the Local Government Advisory Board that very clearly sought to circumvent the Dadour provisions by proposing boundary changes rather than amalgamations as per the act. In the words of the government's own kind—its own side—and particularly by some members in the other place, the government led the people of many communities in the metropolitan area up the garden path. What comments were made in the other place? The comment, "To say that this process is not forced amalgamations is tripe", was not made by a member of the opposition or from a disgruntled community member in Canning, Fremantle, Cockburn or Serpentine–Jarrahdale; it was made in the other place by a member of the government's own side—a member of the Liberal Party. Members in the other place very clearly articulated the opposition that they have been getting from their communities about this. The government led people up the garden path. Other comments in the Legislative Council include, "They fibbed to us", "It is not what we were promised", and, "It is an act of trickery." These are comments from the Liberal Party's side, and that is why it is time for the government to come clean.

In August this year, the Minister for Local Government, in his presentation to the elected men and women from councils throughout Western Australia at the Western Australian Local Government Association annual general meeting, did not rule out proposed council amalgamations in regional areas. Did the minister unequivocally rule out regional amalgamations? No, he did not. He said, "Not at this stage." We know that that is a very clear code

for any community in regional Western Australia that it is the government's plan that they will be next. The National Party, in its wisdom, has wised up to this. The National Party recognises that the Premier's and Minister for Local Government's words are indeed hollow; they cannot be trusted. That is why a couple of weeks ago in this place, during debate on a private member's business motion, we saw a clear determination that the National Party members representing regional Western Australia did not support the amalgamation process. The same thing happened in the Legislative Council two weeks ago when the vote—because they knew it would be lost—was carried on the voices. It was the first time in a long time that the government lost a motion on the voices. But the Legislative Council did not divide, because government members knew that they would lose. This is the time for the government to bring to an end the chaotic, bungled handling of a process that has made many people in the community, particularly in the metropolitan area, absolutely angry. I want to mention a letter I received this afternoon from the City of South Perth Residents' Association. The letter states —

> … during this period that the State Government has farcically termed, "Local Government Reform". Without any business case or meaningful financial assistance, the Barnett Government has embarked on a programme of forced amalgamations. This is being carried out under the guise of boundary changes: nothing more than legal trickery under the Local Government Act to avoid the "Dadour" Poll provision of the Act. Local Governments have had to present reasons to the Local Government Advisory Board why they should or shouldn't accept the Minister's preferred Model: … This is scandalous and against all principles of the Westminster System. While the electorate has come to accept that, governments of all persuasions may at times step outside what may be called normal process, the action of the Barnett Government in these circumstances has gone beyond the acceptable limits of good governance.
>
> The merits of Local Government amalgamation, in the context of Local Government Reform, have yet to be debated in the public domain. Reform in Local Government has been in fact lost in the current process, as the government has had a fixation on only one aspect. The residents of our district would like a less costly exercise with clearly defined outcomes than that presently chosen by the government.

They ask members in this place to respect the democratic process. The motion before us is very clear, and I ask all members in this place to read it. It calls upon this government to guarantee that there will be no forced council amalgamations in the metropolitan area or in regional Western Australian.

MR A.J. SIMPSON (Darling Range — Minister for Local Government) [4.56 pm]: I thank the Deputy Speaker for the opportunity to put on the record my views about metropolitan reform in Western Australia. I think we need to understand the history of why we are looking at reform in the metropolitan area today. This issue has been on the plate for a number of years. I will read some of the reports that have been done over the years. In 1953, a departmental report on metropolitan council boundaries recommended that the number of councils be reduced to 11 or 19. In 1968 the local government assessment committee recommended a statewide reduction from 144 to 89 councils. In 1972 the local government boundaries commission's recommendation was a reduction from 26 to 18 metropolitan councils. In 1974 a royal commission on metropolitan municipal boundaries recommended a reduction from 26 to 18. In 1996 there was a report by the statewide Structural Reform Advisory Committee and in 2006 the Local Government Advisory Board undertook a sustainability report. Again and again there are reports that have looked at how best we can make our local governments more sustainable and prepared for the future.

It is interesting that the government is making a decision on an issue that, quite clearly, has been documented for years. As a result of government indecisiveness, the local government sector has asked the government to make a decision. There is just one more sleep until we can announce the reform that will be done. There are a couple of points that we are trying to achieve. Obviously, the most important thing is to provide councils with the economies of scale to build their capacity to deliver services without losing the community of interest. I think we have come a long way. When I first took on this job, I had the opportunity to look at the Queensland, South Australian and Victorian models. As I stand here today, I am sure some other work has been done in Queensland. It is interesting that Queensland went too far and too big and it is now trying to redress how best to build the economies of scale without losing the community of interest, which is the most important thing. I talked in this house about the City of Stirling, which has over 200 000 residents and the lowest rates, the lowest rate increases and the capacity to deliver services to its ratepayers. In comparison, the smaller local governments had the highest rate increases this year and have the highest rates. Clearly, that identifies that building economies of scale —

Mr M. McGowan: You have not looked across the metro area, my friend.

Mr A.J. SIMPSON: I can show the Leader of the Opposition a graph that clearly shows, from the smallest to the largest local governments, that the smallest local governments charge the highest rates and the largest local governments charge the lowest rates. We are trying to build the economies of scale to get what is called "equalisation" around the rates.

We talked about savings, which is important. Savings of between $5 million and $6 million a year could be found from the pay of chief executive officers, councillors, mayors and presidents. I do not know how anyone in this place can think that having 325 councillors in the metropolitan area is a good outcome for democracy. No way should the metropolitan area have 325 councillors—that is just incredible.

Primarily through the former Minister for Local Government John Castrilli, the member for Bunbury, we have brought in the integrated planning process. It has been very good for local governments to look at their assets and how they will replace them in the years to come. The integrated planning process looks at not only a council's bottom line, but also its assets and how it will replace them. That is important because councils tend to operate budget to budget and do not look at the forward estimates. The integrated planning process identifies those savings. The integrated planning process can be used by a bigger local government to deliver services.

It is important to realise that Western Australia will grow by half a million people in the next 10 years. In 2050, there will be 3.5 million people in WA, 75 per cent of whom will live in the metropolitan area. We need to take control and develop local governments for not only today, but also the future. Local government has to deliver housing, roads, transport, parks, social services and waste management. Waste management is a big issue in the wider community and one of the clear things identified in the Robson report is that we need a waste management framework.

As I have said many times, if someone drives along Stirling Highway from Perth to Fremantle, they will drive through seven local councils. If I ride my bike around the Swan and Canning Rivers, I will go through 17 local governments. I am sure the Minister for Environment is trying to do some work around the Swan and Canning Rivers, but to deal with 17 local governments would certainly take a long time. For a coastal protection plan from Wanneroo through to Rockingham, we would have to negotiate with 11 local governments. Quite clearly, we are trying to work on not only giving local governments the capacity to deliver their services, but also how we can best provide for future years.

The Robson report did a fair bit of work on identifying metropolitan growth for the next 50 years. It made recommendations to the government on how we can best move this forward. Keep in mind that while I have been minister, we have been through a 17-week public submission period. We have been to 50 meetings with local governments to come up with proposals for the Local Government Advisory Board. Members will see this tomorrow when the report is released; even though the board received 38 proposals and only 12 were from me as the minister representing the government, the proposals from others were pretty much in line with the government's proposals. It is interesting to see that process. Of the 12 state government proposals, only one of them was recommended yesterday. The rest of the proposals have come from the sector. The sector has got behind the process. Members are probably quick to forget this, but just prior to the election, a G20 that turned into a G19 looked at how best it could get the number of local governments to fewer than 20. A group worked on that.

To respond to the comments of the shadow Minister for Local Government, the sector is very keen. Everywhere I go, councils are asking me about how soon we will get this out. They want to get on with it. They have been working on their toolkits and local implementation committees and on this process to embrace bigger and more sustainable local governments so that we can get on with the process. The advisory board report I have is 750 pages of fantastic work. It goes through a lot of processes and a significant amount of work is on the table. It will be interesting to see that tomorrow. After one more sleep, we will release that to the wider community and the sector will get some certainty. The government is making decisions about this and trying to resolve this issue that has been on the table for a long time. We will be here to make a decision and to help and direct local government on how they will move forward. We are building the economies of scale and local government's capacity to deliver services. We are planning for future growth in the sector and making it more sustainable.

I have to restate that we have not in any way changed the Local Government Act. Since I became minister, we have not changed the legislation to make it easier to do this reform process. The Local Government Act was enacted in 1965 and has been through a number of reviews, such as in 1995. The act quite clearly provides for amalgamations and boundary adjustments and we are working through that process. We have not changed any part of the act to make it easier to do this reform process. As I said at the start of my speech, the sector is very much ready for this process. It has been involved in this from day one. It has been through it a number of times. When I started my speech today, I mentioned all those reports that have been done to get to where we are today. If any member wants a clear picture of why local government should be reformed, I refer them to the Systemic Sustainability Study. "In Your Hands: Shaping the future of Local Government in Western Australia: Final Report" quite clearly states the directives. It looked at local government's capacity to raise rates and gain grants and how local government can best go forward. The recommendations in that report are very, very succinct and the sector was very supportive of them.

The state government needs to make a decision. When we started this process when I became the minister, the Premier commented that we could walk away from this and do nothing, but the reality is that the sector needs

change and it has to happen. The only states in Australia that have not gone through this process are New South Wales and Western Australia. New South Wales started off its reform process the other month and our reform process is underway. Tomorrow the report will be released. We will implement the reform over the next two years; it will be a good plan for local government to make sure that we can sustain it —

Mr M. McGowan: Next two years?

Mr A.J. SIMPSON: Yes. I will explain it more for the Leader of the Opposition. There is this thing called the Local Government Act. Under the act, each employee is guaranteed a job for two years from the date on which a new local government is formed. That is why the budget included allocations for loans and grants over three years; the reform process does not simply happen overnight. We have to work through the process. We have to go through the workforce and the asset management base. The reality is that it will take a couple of years to settle down. However, now the sector will have certainty and a decision will be made. It will know how the process will unfold and it will have clear objectives. We have all been part of this process. We can add our report to the list of the ones I just read out; over the past 50 years many reports have tried to identify the best model for local government reform.

Just to reiterate, the report will be out after one more sleep. I will be very happy at 12 o'clock tomorrow when we finally release the report to the wider community. The sector is ready for it and keen to get on with the job. I acknowledge the member for Bunbury for the work he did to get to this point. He did a fantastic job in trying to bring this all together. I will be very happy and excited by tomorrow morning. I will be up early, ready to go to work, because I am excited about announcing a new report and starting the next stage of the process to create sustainable local government.

MRS G.J. GODFREY (Belmont) [5.07 pm]: I rise to speak on this matter of public interest to do with local government reform. European settlement of Western Australia was in 1829 and the Belmont council was formed in 1899. Belmont's boundaries have remained in place over 100 years and the boundary between Belmont and Canning is on an old railway spur line. It is frustrating that there has not been an ongoing process at a regular point in time whereby local government boundaries have been able to be changed. There are many local governments out there; there are 138 with 30 in the metropolitan area. In the postwar period, relatively few local governments have been established. The Town of Kwinana was established in 1953 and I lived there for some time in Born Road in Wellard. I was employed by the City of Perth when the Town of Cambridge, Town of Shepperton and City of Vincent were formed and later when Joondalup was split from Wanneroo in 1998. Very few local governments have been formed.

Kwinana has the highest social disadvantage on the scale, and Belmont is second. Therefore, Kwinana and Belmont have very similar demographics. As early as 1918, there were Public Works Department investigations into desirable amalgamation, the first of many state government initiatives that the minister has spoken about this afternoon. What has been done so far? We have had all these inquiries into the sustainability of local government. There have been 21 amalgamations in WA since 1949, but only three of these have been in the metropolitan area. These are North Fremantle, Midland and Guildford. Consequently, many historical local government boundaries remain, in the face of dramatic democratic, social and technological change and changes in the role of local government. Between 2004 and 2014, in my role as the Mayor of the City of Belmont and as an elected member of Parliament, I have been involved with the Western Australian Local Government Association. That group is made up of 12 elected representatives from the country and 12 from the metropolitan area. It produced the Systemic Sustainability Study that the minister has mentioned today. It was instigated by WALGA. It produced its final report, titled "In Your Hands: Shaping the future of Local Government in Western Australia". This report showed that 83 local governments were found to be financially unsustainable. The commentary even argued that local government is not viable without embedded subsidies or grants. I know, through discussion at WALGA, that country councils at that time were concerned that they could not get qualified staff, so they wanted a reduced level of qualification for staff in the country. This was not supported; it would have meant that health officers and building compliance officers would not have the same quality and qualifications as those in the metropolitan area, in which case two standards would be created.

The Leader of the Opposition has called this process turmoil, chaos and dysfunctional. It could also be called giving people a voice. Members are elected to local government, and I can only tell members of my experience with Belmont and Kalamunda, as well as South Perth and Victoria Park. When I was Mayor of Belmont, we were looking at amalgamation with South Perth and Victoria Park. We held meetings for 18 months, and it was decided that a better fit was Victoria Park and South Perth. Within the Eastern Metropolitan Regional Council, of which Belmont is one of six members, and which has been sharing waste facilities for 30 years, we talked to Kalamunda. I spoke to the previous president in Kalamunda, and I think everyone was of the same view. Firstly, they agreed that we needed reform but, secondly, their option was that they would rather stay the way they were. WALGA came up with its sustainability report, but local government, with the minister of the day, pointed out that there would be amalgamations and recommendations for reform. The member for Bunbury, as the then minister, came to Exmouth and spoke to Western Australia local government representatives. However, the

strong view of both metropolitan and country local governments was that the government should not do anything and that the local governments should be allowed to do it themselves. Ten years down the track, nothing has been done. There has been no outcome on any boundary adjustments or amalgamations.

The Metropolitan Local Government Review Panel then produced the Robson report, because local governments were telling the state government to go away and come up with suggestions of how many local governments there should be. They wanted some guidance. They wanted numbers and they wanted sizes. That is what the Robson report did.

Mr P. Papalia interjected.

Mrs G.J. GODFREY: The Robson report is there for the member to read.

The Metropolitan Local Government Review Panel was appointed to examine the current and anticipated regional, social, environmental and economic issues affecting the growth of metropolitan Perth for the next 50 years, to make a place for our growing community. After undertaking the review, the panel's view was that metropolitan local governments faced major challenges in planning for an increasing and changing population. This includes changing the community's perception on housing size and density, fulfilling the demand for a diversity of housing of suitable size and location, planning for increased road use and planning for sustainable urban forms that retain amenity, liveability and affordability. The panel also saw local government's role in managing accelerated growth, and the weaknesses with the current local government arrangements, including a significant level of duplication and waste of resources.

I would like to talk about some of this waste of resources. The minister mentioned that seven councils are involved with Stirling Highway. People in my community want to know what the benefit to Belmont is, and people in Kalamunda want to know what the benefit for them is, and who will be paying for it. Belmont has 1 500 public housing units, and some suburbs are well above the average for the state. I know that some local governments in the western suburbs have town planning schemes that are over 20 years old. The Swan River involves 21 local governments. Some of these local governments are doing excellent work in water quality, hydrozoning ovals, law and order, and Neighbourhood Watch closed-circuit television. Waste management is another area that has different schemes, and it is a bit of a dog's breakfast.

Just in closing, Victoria Park is in very strong communication with South Perth, but it held a public meeting a few weeks ago that voted 100 to one against doing anything. Where can we go, once we get to that point of view? I will close at that point.

MR R.S. LOVE (Moore) [5.16 pm]: I rise to speak on this matter of public interest which seeks to require the Barnett government to guarantee that there will be no forced council amalgamations in metropolitan or regional Western Australia. Local government is a great topical issue in Western Australia at the moment. Like the member for Belmont, who has just spoken, I have a history of involvement in local government and quite an understanding of the background issues in this debate. Like the member for Belmont, I was involved in local government when the Systemic Sustainability Study was released. Local government acknowledged the need to make changes. I do not decry that, and I agree with much of what the member for Belmont said about the need to increase capacity, reduce costs and improve service delivery from local governments. Each region of Western Australia is different from others, and each has different needs. I disagree with any notion that a forced process is the best way to serve the needs of those different regions. I do not think we should be going down the path of trying to force council amalgamations.

The National Party is deeply committed to the empowerment and support of local government. I remind the house that, as I have said before, the National Party has a number of objectives in its constitution, one of which is the devolution of power, wherever practicable, from the commonwealth to the state government, and from the state government to local governments. The National Party, at its very core, is deeply committed to meaningfully supporting and empowering local government. The issue of forced amalgamations has been considered by our party at its last two conventions. At the 2013 convention in York, the party decided that the Nationals WA would take a position of supporting voluntary local government reform, and reaffirmed its commitment to opposing compulsory amalgamations in regional Western Australia. That lies very much at the heart of this MPI today. The Nationals as a whole will not accept any measures that would amount to forced amalgamations of local governments. That would be contrary to the core values of our party.

As we have heard from other speakers today, no evidence has been presented that would convince me or the Parliamentary National Party of the need to force amalgamations of country local governments. As has been pointed out here today, that has been reaffirmed by the work of Professor Brian Dollery, who works at not only the University of New England, but also through the Australian Centre of Excellence for Local Government. It is also supported by another group of academics, who have not been able to find savings that will come about through forced amalgamations. We should not look at forced amalgamations as a panacea for the problems that local governments face. The correct question should be: how do we increase the ability of local governments to provide the services required by their communities at a reduced cost without losing the identity of those local

governments, local areas and small council towns? The answer to that is in using other measures that do not threaten that local identity. That is why I introduced into this house a private member's bill to ensure that local governments could form regional subsidiaries as a measure and a rather important mechanism to maintain that local identity while also building a position of economic sustainability and increasing capacity by allowing local governments to pool their resources and to share and introduce new expertise into their areas.

The Parliamentary National Party certainly supports reform of local government—voluntary reform. We understand that sometimes that might require the support and actions of the state government, but never in a way that forces local government down a path it does not wish to take. At the moment, the Western Australian Local Government Association is examining the best ways forward for country local governments through its country reform policy forums. The National Party stands ready to assist and support local government when it comes to introducing measures that might be identified through those forums that would result in cost-effective solutions for local government to, again, maintain their local identity, and increase their capacity to serve. The National Party is utterly opposed to forced amalgamations of local governments in the regions. We have no intention of opposing the call for a guarantee that there will be no forced council amalgamations because of our absolute determination as a party to oppose any such measures.

MR C.J. BARNETT (Cottesloe — Premier) [5.21 pm]: As has been said in this debate, Western Australia has 138 local authorities in a structure that evolved in a different era and is no longer relevant to a modern Western Australia. In the metropolitan area, several councils administer fewer than five square kilometres—most of them in my electorate. In country Western Australia a significant number of councils have fewer than 500 people living in them, and at least one has fewer than 250 people. Most primary schools in metropolitan Perth and major regional centres are bigger than that. Throughout the country areas, a number of councils cannot even find people to sit on their council; they have long-term vacancies. People are not interested. In the metropolitan area—the Minister for Local Government provided examples today—the number of local authorities and conflicting local laws go on and on. I do not think the case needs to be made. Every report in the last 50 years, including ones from the local government sector, have basically said that the system is broken and a large number of councils are not viable or sustainable—if members want to use the modern word—into the future.

I will give members an example in my electorate of Cottesloe. The seat of Cottesloe has six local authorities located either fully or partially in the electorate, with 48 elected councillors. If members take the broader western suburbs—by that I mean Subiaco and Cambridge—there are 70 elected local authorities. More people have been elected to run the western suburbs than the number in the Legislative Assembly for Western Australia, and members opposite reckon the system is not broken! The public have made up their minds; they want it tidied up. They want sensible boundaries that will give them, as the member behind me interjected, value for money, cost savings, infrastructure that is used in an effective way, and the ability for their local authority to partner with state and federal government to undertake big quality projects for their communities, whether it be sporting, arts or whatever. That is what the public wants. If members opposite come in here and say that this is a good model, it is not! This reform will ensure that local government is not only viable but relevant for this century, and can do a far better service for its communities. The government is the friend of local government. I know that cheap politics is to get on side with a whole lot of councillors who just want to keep their job.

Mr M. McGowan interjected.

The SPEAKER: Leader of the Opposition!

Mr C.J. BARNETT: Members opposite might tell me which council is about to have a forced amalgamation—which one? Does the member want to name them?

Mr W.J. Johnston: Canning! Canning!

The SPEAKER: Thank you, member for Cannington. We have heard that now; you have named it. Carry on, Premier.

Mr C.J. BARNETT: Tomorrow, the minister and I will table the maps. We will show the structure of Perth as it will be. There may be amalgamations, boundary changes and votes; and there may be legislation, or some mix of all of that, but that will be the structure of metropolitan Perth laid out for everyone to see tomorrow. It may not all happen overnight, but it will happen. I note the point: the Liberal Party is the only party in this Parliament that has a policy on local government. It is the only party that is willing to stand up on an important issue for Western Australia. It is the only party with some vision for local government and that is willing to reform, starting with the metropolitan area. The opposition has completely failed to present any position at all. They side with the grumpy old men out there who want to keep their little jobs. They have no vision for metropolitan Perth—not at all. Tomorrow, when we give our plan for Perth, I look forward to the Labor Party showing their plan for Perth.

MR W.J. JOHNSTON (Cannington) [5.26 pm]: I want to start exactly where the Premier finished: he is the one with the policy. That is why he went to the last election and did not tell the truth. That is why the Premier went to the people and said that there would be no forced amalgamations. Today the Premier proudly stands and

says that tomorrow there will be forced amalgamations. That is exactly what is happening here. The Premier says that 138 local governments are too many and that 120 is the right number. That is the big change! The Minister for Local Government says that he is making decisions. He says that, at the moment, on the coastal plain in the metropolitan area there are 11 councils and tomorrow there will be nine, and that is a massive change! What a massive change! I can advise the member for Belmont that I have read the sustainability report, which said that three councils in the metropolitan area are unsustainable—Canning is not one of them; Canning is sustainable.

Mr C.J. Barnett interjected.

The SPEAKER: Premier!

Mr W.J. JOHNSTON: Canning gets strong support from its local community because it is a low-cost council compared with other councils, with a $600 minimum rate. Tomorrow residents in the City of Canning will see a $200 instant rate rise when the Premier amalgamates Canning with the City of Gosnells. That is a one-third increase in the minimum rate instantly because of the Premier's decision. The City of Canning has been able to deliver services that the community wants at a lower cost than all the surrounding councils. It has nearly 100 000 residents. What is the Premier's plan? The Premier will take the waste transfer station off the City of Canning and the amalgamated cities of Gosnells and Canning will have no waste transfer station. That is the brilliant plan of the Premier. That is what the Premier is going to do. The residents of the City of Canning have had an uprising against the proposals of the Premier, and everybody knows it. No wonder Hon Simon O'Brien is so opposed to this plan of Colin Barnett, the Premier of Western Australia. Hon Simon O'Brien talks to his local residents, as do I. There is no way that this is a plan.

The government says it intends to abolish 80 unsustainable council that are all in non-metropolitan Western Australia, but it does not have the guts to name them. It does not have the guts to explain to the National Party that that is what it is saying, because the Premier keeps saying, "We've looked at the sustainability reports and 83 councils are not sustainable." He says they will be abolished. Of those 83 councils, 80 are in country regions. That is the Premier's real agenda. No wonder he did not want to table this report last week before the Vasse by-election; he wanted to hide it until after the Vasse by-election. One thing we know about the Premier is that he is so proud of his policies that he will not tell people about them before elections. He would not tell people about forced amalgamations before the election. In fact, he said the opposite. He complains that his electorate has too many local governments, so what was his policy at election time? He sucked up to the mayors and told them they were safe. That was his policy; that is what he did. Talk about guts; talk about bravery. He was so proud of his policy that he did not tell anyone about it until after they had voted. The same happened before the Vasse by-election. He was so proud of his policy that he waited for the by-election to finish before he admitted the truth. That is how brave this man is. That is the simple reason this guy is not to be trusted on these issues. He has no plan for reform of local government. All he will do is change boundaries. That is not genuine reform.

Mr C.J. Barnett interjected.

The SPEAKER: Premier!

Mr W.J. JOHNSTON: Genuine reform would be addressing the overlap between local and state government services, doing some deals and changing what happens to get rid of the overlap. We have heard not a single word after six and a half years in government. That man is not prepared to talk about any of those things. He is so proud of his policies that he does not tell people about them before an election. His only plan is about boundaries because some of his mates in a couple of councils need the money. That is what this is about.

Mr C.J. Barnett: What are you saying?

Mr W.J. JOHNSTON: I am saying the Premier is changing boundaries to help councils where he has friends who are mayors. I give the City of Melville as an example.

Several members interjected.

Mr W.J. JOHNSTON: Why else would he take part of the City of Canning and give it to the City of Melville? There is no logical reason for that other than he is happy with one council and unhappy with the other. Look at the way the Premier treated that great Australian Linton Reynolds. That was disgraceful behaviour of the Premier towards a great Australian—a man with a life history of service to be treated like that by that man opposite is a disgrace.

MR M. McGOWAN (Rockingham — Leader of the Opposition) [5.31 pm] — in reply: The principle here is that local communities get to have a say and the government does not legislate without a mandate. If this motion is passed by the Parliament, that should be the principle from this point forward on this issue.

Mr C.J. Barnett: No.

Mr M. McGOWAN: No, the Premier says.

Mr C.J. Barnett: That's right; read your motion.

Mr M. McGOWAN: That is right, the Premier says. That is the principle we are voting on here. If the government goes ahead with a plan that does not involve local say or legislation without mandate, it will be defying the will of this Parliament. I urge members opposite to consider that if this motion is successful, that is the point of view. If the Liberal Party decides not to vote on this issue, that means Parliament has decided on this issue and tomorrow that is what everyone should understand the position to be. The government has created turmoil across local government for the past five years—since 2009. Millions of dollars have been spent by the government and by councils on this process. It has been wasteful; it has defied an election result; it has been driven by a whim; and it will not create real efficiencies. If the government wants to create real efficiencies in local government, the key is the sharing of resources. Whether there are 30 or 16 councils in Perth, the key is the sharing of resources; it is not the removal of local say. The same goes for the regions. It is the sharing of resources between councils—the sensible use of technology. Whether the number of councillors is X or Y is not the point; it is the sharing of resources. If the government wants my vision, it is for democracy, for the sharing of resources and sensible laws in planning and building. That is my policy and has been our policy for many years. We are not the ones breaking our promise. This motion will be instructive to this government and it will be instructive to see what the government does tomorrow.

Question put and passed.

The SPEAKER: Orders of the day.

Mr C.J. Barnett interjected.

Mr M. McGowan: No guts; no guts.

Mr C.J. Barnett interjected.

The SPEAKER: Members! That is finished now. Orders of the day, Leader of the House.

Ms R. Saffioti interjected.

The SPEAKER: Member for West Swan!

Several members interjected.

The SPEAKER: Members! Orders of the day.

Mr C.J. Barnett interjected.

The SPEAKER: Premier, I call you to order for the first time.

Ms R. Saffioti interjected.

The SPEAKER: Member for West Swan!

Mr D.A. Templeman interjected.

The SPEAKER: Member for Mandurah! If you want to be ejected, member for West Swan, keep shouting out. Member for Mandurah, I call you to order now for the first time. It is over. I call the Premier for the first time and the member for Mandurah for the first time. Orders of the day.

Mr P.B. Watson interjected.

The SPEAKER: Thank you, member for Albany. I call you to order for the second time.

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale, I call you to order for the third time.

Ms R. Saffioti interjected.

The SPEAKER: Member for West Swan!

Point of Order

Mrs M.H. ROBERTS: You called the Premier to order for the first time. I thought you had already called him to order today. Is it the second time or the first time?

The SPEAKER: I have got it for the first time. Maybe someone else called him, but not me.

Mr M. McGOWAN: Further to that point of order, Mr Speaker, surely there must be consistency between yourself, your Deputy and Acting Speakers as to who has been called to order before, or is it dependent on who is in the chair as to how many times we can be called to order?

The SPEAKER: We have a list, Leader of the Opposition. He has been called once. We have checked the list.

ROAD TRAFFIC AMENDMENT (ALCOHOL INTERLOCKS AND OTHER MATTERS) BILL 2014

Consideration in Detail

Resumed from 15 October.

Clause 6: Section 63 amended —

Debate was adjourned after the clause had been partly considered.

Mrs M.H. ROBERTS: Mr Acting Speaker —

Mr D.A. Templeman interjected.

The ACTING SPEAKER (Mr P. Abetz): Member for Mandurah, I call you to order for the second time.

Mrs M.H. ROBERTS: Before we finished on this bill last Wednesday, I raised the fact that the same matters are repeated in proposed section 63(1)(a), (b) and (c).

The ACTING SPEAKER: Can members please hold their conversations outside the chamber; it is getting very difficult to hear down here.

Mrs M.H. ROBERTS: I was inquiring of the minister specifically why this needed the amendment at clause 6 and what the principal offence was in the Road Traffic Act.

Mr J.H.D. DAY: Clause 63 of the principal act, the Road Traffic Act —

The ACTING SPEAKER: Members, there are too many conversations in the chamber. Please take them outside.

Mr J.H.D. DAY: — refers to driving under the influence of alcohol et cetera. It does not prescribe a specific alcohol content. Sorry, it does include being above .15 grams of alcohol per 100 millilitres, but it may also include other circumstances in which people are regarded as not being fit to be in control of a motor vehicle. As I said, the section is headed "Driving under the influence of alcohol etc".

Clause put and passed.

Clauses 7 and 8 put and passed.

Clause 9: Section 97 amended —

Mrs M.H. ROBERTS: Will the minister explain what is happening with clause 9? I note that the bill is deleting a section of the Road Traffic Act and inserting in its place —

(a) while disqualified from obtaining a driver's licence apply for or obtain such a licence, except that a person may apply for such a licence during the last 6 weeks of the period of disqualification;

(ba) while disqualified from obtaining any particular licence other than a driver's licence apply for or obtain such a licence;

Based on the explanatory memorandum, clearly new permissions will be given so that people can potentially resume driving with an alcohol interlock before their period of disqualification is complete. Can the minister put on the record what the intention is and how people will go about the process of obtaining their driver's licence in the last six-week period of their disqualification?

Mr J.H.D. DAY: The effect of this amendment is to allow people whose licence has been disqualified to apply for the reissuing of their licence during the last six weeks of the period of disqualification. The purpose of that is not to allow them to drive within that period—they are not allowed to resume driving until the end of their disqualification period—but to apply for their licence in anticipation of getting their licence back and to ensure that the requirement to have an alcohol interlock device has been dealt with so that they are able to get one fitted and so on prior to the end of the period of disqualification. It does not have any effect until the period of disqualification ends. To summarise, I am advised that the chief executive officer of the department is not permitted to grant a licence until the end of the disqualification period. Clearly it is desirable for the process to be underway so that the alcohol interlock device can be fitted.

Mrs M.H. Roberts: Will they sit the written test and do the other components ahead of time so that when the disqualification is over, they can immediately start driving? Is that the intention?

Mr J.H.D. DAY: Yes, they can undergo all the tests and get a medical assessment if that is what is necessary prior to end of that period, but they are not allowed to resume driving any earlier than they otherwise would have been allowed.

Mrs M.H. ROBERTS: I gather this applies only to people who have been disqualified from driving because of an alcohol offence. Can the minister clarify that; and, does it relate to being disqualified for any alcohol offence or for specific alcohol offences?

Mr J.H.D. DAY: The effect of the amendment will not be restricted to people who have had an alcohol-related offence; it could apply to other situations, such as a driving under the influence of drugs. That is the obvious other example.

Mrs M.H. Roberts: What about a points offence, such as speeding?

Mr J.H.D. DAY: Yes, or in situations in which they have lost their licence for some other reason, such as an accumulation of points, reckless driving et cetera. It is regarded as appropriate to allow people to apply for a licence within the six-week period so that any assessments that need to be undertaken can be completed. It is not simply restricted to people who have incurred an alcohol offence. It is brought about by the introduction of the alcohol interlock system, but it is appropriate to change the system more broadly.

Just to clarify, I was incorrect in saying this might apply to situations in which people have lost their licence due to an accumulation of demerit points. In that case, their licence is suspended and automatically becomes valid again after the period of suspension.

Mrs M.H. Roberts: But in any other circumstance in which the court has taken the licence from someone, rather than suspend the licence, would this apply?

Mr J.H.D. DAY: That is correct. I refer the member to the explanation provided, particularly the third and fourth paragraphs of the explanatory memorandum.

Clause put and passed.

Clause 10 put and passed.

Clause 11: Section 49 amended —

Mrs M.H. ROBERTS: Proposed subsection (3)(da) reads —

> who is a member of a class of persons prescribed for the purposes of this paragraph …

What category or classes of persons does the bill refer to?

Mr J.H.D. DAY: The best advice I can provide is to quote from the explanatory memorandum, which reads —

> Proposed new section 49(3)(da) will provide that regulations made under the proposed new *Road Traffic (Authorisation to Drive) Act 2008* section 5A may prescribe a class of person for the purposes of section 49(3)(da).
>
> The class of person prescribed will be a person who is, pursuant to regulations made under section 5A, an "interlock-restricted offender", that is, a person whose authorisation to drive has been granted by the CEO subject to the alcohol interlock restriction.

I think that explains to whom it applies.

Clause put and passed.

Clause 12: Section 64A amended —

Mrs M.H. ROBERTS: I think this deals with an offence of .02, so I inquire whether this is to deal with novice drivers who are perhaps in excess of the alcohol limit prescribed to them. Who is covered under clause 12?

Mr J.H.D. DAY: In part it deals with novice drivers, but it applies to more than those. It also applies to people who are driving in specific vehicles such as heavy vehicles, passenger transport vehicles and so on, as listed in section 64A(5) of the act. It also would apply to taxidrivers and so on, and also to people who hold an extraordinary licence or who are recently disqualified drivers. It has a wider effect than just novice drivers.

Mrs M.H. ROBERTS: I realise that, of course, for those categories of drivers the blood alcohol level is .02 rather than .05 as it is for other drivers. That is because they are either potentially vulnerable because they are novice drivers or they are drivers who we need to be sure have no alcohol at all in their blood because they are responsible for the carriage of other persons. That would be the case for the driver of a taxi or a bus. It may also apply to someone who drives a truck and carries a heavy load in their workplace. People in that category of driver need to have that lower blood alcohol. It is probably true to say though that people who commit that kind of offence are potentially less likely to have a problem with alcohol. Although the fact that someone is over .02 BAC on a couple of occasions would indicate some irresponsibility, I do not think it would demonstrate that they have the same kind of problem with alcohol that a repeat offender with blood alcohol readings over .05 or .08 would have. I wonder whether this provision is appropriate, whether it is just modelled on what has occurred in other states where it is in place, whether these categories of drivers are appropriately covered or not, or whether we would be better off just dealing with those people who have committed offences over .05 or .08. Whilst I am on my feet talking about these categories of drivers, is it intended that someone could continue to drive a taxi or a truck that had an interlock fitted? Is it intended that people with those kinds of responsibilities, either carrying a heavy load or taking responsibility for the carriage of passengers, could continue driving under those circumstances?

Mr J.H.D. DAY: In response to the question, I think the member was essentially asking whether an alcohol interlock device might be in operation in one of these other vehicles, such as a taxi, heavy vehicle or bus. That is possible under this legislation. I guess they would need to consider whether it is really practical from the driver's point of view, and I could not see too many people doing it. In fact, that would be my initial observation. But yes, it is technically and legally possible under what is provided for here. It is regarded that people who are driving these vehicles represent a higher risk, of course, and if they are committing offences over .02, it is appropriate for them to be captured by the general provisions of this change.

Mrs M.H. ROBERTS: Further on that point, I realise it is probably the responsibility of another minister or body to make a determination, but presumably the Minister for Transport or the Taxi Council or someone would have to determine whether they thought it was appropriate for somebody to conduct themselves as a taxidriver while having an interlock in place. Am I to assume that is just up to private industry, such as a trucking company or a bus company, to determine whether they will allow an interlock to be fitted on a vehicle and whether they will employ someone to drive a truck or a bus in those circumstances? The clarification I seek is whether, effectively, from a road safety or Road Traffic Act point of view there would be no prohibition on that and whether it will just be up to a private individual, if they are an owner–operator, or employers, be that a truck, bus or taxi company, to determine whether someone can drive a vehicle in their fleet. I am trying think of the right way of wording this, because, clearly, the taxi company does not own all the taxis and the drivers have some form of arrangement to drive under that company's flag. The clarification I am seeking is whether it is just up to people in private enterprise to determine whether they will let people work for them or be part of an arrangement, like that in place for taxis, to continue to use an alcohol interlock in order to get back into the workplace. Is there any restriction on drivers in terms of the laws proposed here as part of this bill?

Mr J.H.D. DAY: As was suggested, in this case the regulatory authority for taxidrivers is ultimately the CEO of the Department of Transport, so it is the same person. The criteria for registration as a taxidriver are separate from this process, but driving records and any convictions are currently taken into account when a decision is made about whether it is appropriate for people to be given a licence or be registered as a taxidriver. Those criteria are not changing—at least not as a result of this legislation. In relation to trucking companies and that sort of thing, it would be up to the companies to make a decision about whether they wish to have such a device installed or allow one to be installed. It would also be their decision whether or not they employ the drivers. As I said, it is probably not necessarily practical for heavy vehicles, but it is theoretically possible.

Mrs M.H. ROBERTS: The minister did not answer the question in respect of a bus company. The question there is really, whether, for example, Swan Transit employs a bus driver who has lost their licence for an alcohol offence and that person reapplies for their licence in that six-week period. Could Swan Transit say it is happy for an interlock to be fitted on the bus and for the person in question to be allowed to drive? Would anything stop a private bus company from coming to that decision and allowing someone to do that?

Mr J.H.D. Day: The short answer is no.

Mrs M.H. ROBERTS: The second part to my question really is whether that is appropriate. I think a lot of parents would probably be a bit disconcerted if their children were coming home on a school bus and the driver needed to blow into an interlock! Most parents would be concerned about that.

Sitting suspended from 6.00 to 7.00 pm

Debate interrupted until a later stage of the sitting, on motion by **Mr D.C. Nalder (Minister for Transport)**.

[Continued on page 7624.]

RAIL SAFETY NATIONAL LAW (WA) BILL 2014

Second Reading

Resumed from 17 September.

MS S.F. McGURK (Fremantle) [7.01 pm]: I thank the Acting Speaker for the opportunity to speak on the Rail Safety National Law (WA) Bill 2014. The Minister for Transport in his second reading speech outlined the history of the bill. In 2006, the National Transport Commission developed the model rail safety law with the aim of ensuring a consistent co-regulatory approach to rail regulation across Australia. Apart from the Australian Capital Territory, all Australian jurisdictions at the time made laws based, to some extent, on the model law. Western Australia's legislation, the Rail Safety Act 2010, was, as the minister said, amongst the more consistent of the state legislation; however, it was acknowledged at the time that more could be done. As a result, in June 2009, the Council of Australian Governments voted to establish a single national regulator for rail safety.

I should at this stage go over an issue that other speakers on this side of the house have already pointed out—that is, the rather skewed chronology. The WA Rail Safety Act 2010 was enacted, as the name implies, in 2010, but in 2009, the year before, COAG had voted to establish a national regulator for rail safety. Now, in 2014, the Parliament is considering a replacement bill to provide for harmonised rail safety. It seems that that is the wrong

way around. I would be interested to hear what the minister has to say about the government's handling of that chronology and why the 2010 bill was allowed to proceed when an agreement had clearly already been made that superseded what was contained in the 2010 bill.

The bill before us today is part of the Council of Australian Governments' National Partnership Agreement to Deliver a Seamless National Economy. The explanatory memorandum for this bill states the following about the agreement —

> The reform aims to decrease compliance costs to business by reducing the level of unnecessary regulation and inconsistent regulation across jurisdictions.

In 2011, the Council of Australian Governments signed the Intergovernmental Agreement on Rail Safety Regulation and Investigation Reform to establish a national system of rail safety regulation. At the time, however, the Western Australian state government noted upfront that WA would adopt a different approach to implementation with the aim of ensuring that the Western Australian Parliament could consider any amendments to the national rail safety law—that is, on the question of rail safety, the Western Australian government was upfront in saying, "We'll have a bit of an opt-out clause if we decide there are any items that we don't want to pick up in the national law." It seems to me that that approach is essentially having two bob each way in respect of harmonised safety laws.

Chief among the objectives that I quoted earlier is to decrease compliance costs to business by reducing the level of unnecessary and inconsistent regulation across jurisdictions. However, when we are harmonising laws and the state government turns around and outlines the elements of the WA legislation that will be at variance with the national laws, it seems to me, as I said, that the government is having two bob each way. Certainly, if there were characteristics of this state that differed from other jurisdictions, it would make sense for there to be variations from the national law, but I am not sure that that is the case with the exceptions that we are talking about in this legislation, through which Western Australia has opted to not adopt the national law.

It seems to me that one of the key goals of harmonisation is primarily not to reduce important safety laws to the lowest common denominator, but that is the challenge for federal, state and territory governments in getting together. It is a complex exercise but it is a challenge that needs to be met, and it is one that governments signed up for when they commenced the harmonisation exercise. As I said, unless there is good reason—perhaps a characteristic or operation in this state that is peculiar to us—I cannot see why Western Australia needs to have legislation that is at variance with that in other states and the national standard.

Chief amongst the reasons for a harmonised law would be, it would seem to me, that it makes it easier for employers who increasingly operate across jurisdictional boundaries. A very commonplace example is one in which individual companies have to deal with different laws and regulations for the same matter across state boundaries—that is a very good example of a regulatory burden that the government should address, given the coalition's rhetoric about assisting employers and reducing red tape. Any exceptions to the national harmonised law should therefore be the exception rather than the rule. I think the exceptions are difficult to justify.

Another significant concern I have about this bill is the exclusion under clause 8 of the Freedom of Information Act 1992. Clause 8(1) reads —

> Except as provided in subsection (2), the following Acts of this jurisdiction do not apply to the *Rail Safety National Law (WA)* or to the instruments made under that Law —
>
> (a) the *Freedom of Information Act 1992*;
>
> (b) the *Interpretation Act 1984*.

I was surprised that the minister did not make reference in his second reading speech to the exclusion of the Freedom of Information Act from the Western Australian legislation. The minister is looking at me with a quizzical expression on his face. I would be interested to know if I have this wrong. I had a look at his second reading speech, and there is no reference to the Freedom of Information Act not applying to this legislation. The explanatory memorandum in respect of clause 8 states, in part —

> Subclause (1) will provide that the *Freedom of Information Act 1992* —

That is, the state act —

> and the *Interpretation Act 1984* do not apply to the Rail Safety National Law (WA) or to instruments made under that Law. As to the *Freedom of Information Act 1992*, it is considered enough that the South Australian equivalent applies.

That is what the explanatory memorandum reads. However, when I go to section 263 of the Rail Safety National Law (South Australia) Act it reads —

263—Application of certain South Australian Acts to this Law

(1) The following Acts (as in force from time to time) apply as laws of a participating jurisdiction for the purposes of this Law:

(a) the *Freedom of Information Act 1991* of South Australia;

Subsection 2 reads —

> However, subject to subsection (4), the Acts referred to in subsection (1) do not apply for the purposes of this Law to the extent that functions are being exercised under this Law by a State or Territory entity, other than a South Australian entity.

I may have that point wrong, but my reading of that is that it is explicit that the Freedom of Information Act applies only to South Australia; therefore, the wording of the Western Australian bill before us this evening is exempt from freedom of information provisions. I do not know whether there is any justification for that. I will be interested to hear what the minister has to say on that.

It is important that the new Office of the National Rail Safety Regulator—the body that will be set up under the Rail Safety National Law (WA) Bill 2014—is seen as open and transparent. That is especially so given that the objects of the harmonised laws are to promote public confidence in the safety of transport of persons or freight by rail; to promote the provision of advice, information, education and training for safe railway operations; and, to promote the effective involvement of relevant stakeholders through consultation and cooperation in the provision of safe railway operations. However, if freedom of information provisions will be ousted by way of this bill, that would clearly detract from the objects of the bill and create an unaccountable regulator in what is a dangerous industry. I would like to know from the minister why this exemption is justified and whether he can tell us the other states that seek to exempt the regulator from any FOI scrutiny. Why was this issue not brought to the attention of Parliament, being a variance to the national law, in the minister's second reading speech?

The Australian Rail, Tram and Bus Industry Union, which represents workers in the industry, is certainly concerned about and opposed to this development. It says it is very unfortunate, but there is a clear intent to undermine rail safety transparency, and that it is dangerous legislation for an already dangerous industry. It also says that there will be no accountability when it comes to rail safety investigations, which will place the public and employees at risk. The union stated that to me in email correspondence. That is one area for which it would be good to understand how we can justify WA not having the same sort of scrutiny for the National Rail Safety Regulator as applies in any other state, and, as pointed out by the union, operating in such a dangerous industry.

The second question highlighted by the minister where we are at variance to the national law, although in company with New South Wales, is again an area in which Western Australia has no different circumstances from anywhere else; that is, where the harmonised or model legislation allows for drug and alcohol testing. The Western Australian bill will allow for drug and alcohol testing using urine sampling. As I said, only the New South Wales and WA legislation have allowed for this, and it is clear that the national model law does not. The provisions are added to this bill by way of clauses 5(2), 5(3) and 20. In my view, no modifications should be made to sections 127 and 129 of the national harmonised laws, or model legislation, to allow for urine analysis. Significant authority has the view that oral fluid testing should be the primary means of testing for impairment after a prescribed notifiable occurrence as defined under the act. It seems to me that the independent industrial umpire's view on this issue is relevant. Earlier this year, Fair Work Australia upheld an earlier determination to allow for drug and alcohol testing, but only to use the saliva method; that is, the decision of Fair Work Australia on the drug and alcohol testing practices of Endeavour Energy in New South Wales was specifically against urine testing. The original decision was appealed earlier this year, and the appeal was not upheld. It is amazing to me that the view of the independent umpire—that is, Fair Work Australia—on urine sampling for drug and alcohol testing has not been taken into account by the Barnett government; in fact, the government has taken the opportunity in the rail safety bill to move away from the national harmonised model to circumvent Fair Work Australia's view on the matter and allow urine testing.

There are arguments for and against whether urine testing is beneficial, particularly for drug and alcohol testing in the workplace. Of course, the most obvious point to make is that it is not used in road safety matters, but it is considered and promoted by a number of employers. One of the criticisms of urine testing is that it is not a good method for testing for impairment. A number of employers are on the record as saying they prefer urine testing because it tests for a broader range of drugs than saliva tests for, and that the testing can detect drugs taken a number of weeks prior. If you like, it tests for risk rather than impairment. In response, urine testing detractors say that it is not an improvement on other methods when it comes to impairment. They say that urine testing is intrusive. Usually, samples are taken with an observer present; for women, this is particularly offensive and problematic in the industries in which it applies. Oral fluid testing provided in the national harmonised model should be the primary means of testing for impairment after a prescribed notifiable occurrence. As I said, that occurrence will be defined under the act. I have concerns about urine testing being specifically provided for. As

I said, I think the matter has been clearly tested by Fair Work Australia; nevertheless, this government has opted to move away from the national model.

[Member's time extended.]

Ms S.F. McGURK: I do not think there is good reason for that; I do not think there are any circumstances in Western Australia to justify that.

Another issue that has been raised about this bill—I raise it on behalf of the RTBU; the union that covers workers in this industry—is to clause 28. The union makes what seems to me to be a good point: there should be an exemption from the obligation of a rail worker to give blood on the grounds of religious or health reasons. When a blood sample is being sought for alcohol impairment, for instance, other methods can be used. Again, I would like to know whether the minister considered that in this bill. I would not have thought people asking to be exempt from blood sampling would be a common occurrence, but provision should be made. I think that would have some merit.

I could not present in a discussion about the Rail Safety bill without speaking about some matters that relate to Fremantle, particularly the Fremantle rail bridge early warning system. The early warning system for the rail bridge, which most members would know abuts the Perth metropolitan area's main, in fact only, container terminal, is a real concern. How the regulations were laid into that rail bridge is a matter of real concern. The Fremantle Port Authority's annual report states that last year 700 000 units went through the port, reaching a peak. As we know, there is significant traffic in and out of that port. Despite numerous calls for the implementation of an early warning system—that is, a series of movement and laser sensors that would alert train operators if the bridge moved or was hit—is long overdue and a critical issue for rail safety. Members might remember the recent history of this issue. The early warning system was only tendered in April, despite an incident in 2011 in which the barge *The Parmelia* struck the bridge closing it to traffic for, I think, a week. Just in August this year—not that long ago—the section of rail between Fremantle and North Fremantle stations was closed for two weeks when the container ship *AAL Fremantle* hit the bridge.

The government has known since at least 2011 of the real danger of that bridge being struck by a large ship moving in and out of the port; however, the tender for the early warning system was put in place only in April this year. There was no action between 2011 and 2014. Although the tender has now been put in place, it has not yet been awarded and is still out in the marketplace. I wonder how the minister can justify that sort of vulnerability applying to the rail bridge that abuts our main container terminal. Hundreds and thousands of containers on huge ships go in and out of the port. The incident in August just gone was due to a series of circumstances that we were told would never happen. We were told that boats would not be able to get over the naturally occurring shoal, but there was such a large movement of water that the *AAL Fremantle*, a significant ship, was pushed over and hit the bridge. We know, too, that despite severe weather warnings issued that evening for the metropolitan area for Sunday, the tugs at Fremantle port were not on standby that night and not available to deal with any emergency. Two ships broke away—one went west and was not a problem for the bridge system, but the other headed upriver east towards the rail bridge and hit the bridge. We were lucky that it was not more serious, and a train was not going across the bridge at the time. This is such an obvious question of primary safety and one that this government has failed to address on infrastructure for freight transport.

Other members, particularly the member for Cockburn, addressed the question of dangerous goods being transported in and out of the port. I am very conscious of the extent to which dangerous goods are transported by rail in and out of our port and the need for very stringent safety systems. A number of dangerous materials are transported, not the least of which is lead. I have had a number of meetings with the company that manages that contract. I still have concerns about it. I am not aware of anything that has occurred since I have been a member of Parliament. There have been a couple of small instances, but I do not think that they were significant—there was some material found outside one of the containers—and I am not aware of any significant leakages. There may have been lead leakages, but I am not aware of them. I do not think that I would be representing my electorate if I said that I did not think that most people around Fremantle are still concerned about the transportation of dangerous goods. After the experience in Esperance, people are concerned about what would happen if there was ever an accident of some kind. That it is an area in which vigilance and the highest possible safety standards need to be applied.

Finally, a number of members on this side of the house spoke about the impact of freight rail on neighbouring communities. I notice the member for Butler is —

Mr J.R. Quigley: Champing at the bit.

Ms S.F. McGURK: He is champing at the bit to get up and speak. I wonder whether he will speak about the impact of the new rail line on the nearby community.

I have concerns about some of the developments happening just south of Fremantle. The developments at North Coogee are the preserve of the Cockburn council, but the Emplacement and Robb Jetty developments are going

ahead at, I think, the Watsonia site, and are very close to the rail line. These are new developments; they are not long-established houses the owners of which perhaps were not be aware of the amount freight to be transported along those lines. We now know how much freight will and we want to go along those lines; it is good infrastructure and we should make full use of it. Certainly, it has been raised with me by industry that there is real concern that particularly the residential development is too close to those freight lines. It might be that there can be other development just near the lines; there might be some development that is appropriate. There could be some commercial activity, perhaps not retail, that is appropriate knowing the extent of the freight going through. I do not think that the plans that I have seen for the developments in or just south of my Fremantle electorate have good or proper setbacks. I raised this question with the Landgate staff I met recently to go through the South Fremantle power station plans, and they said there are mandatory setbacks and it is all okay. But that is not what industry has said to me. Industry has concerns that if residents are too close to the freight line, pressure will be applied on how the freight line is used. I carefully looked at the plans for some of these developments—Robb Jetty and the Emplacement, the two North Coogee developments near Cockburn council—and they have noise testing and regulations and state that people will need double glazing. However, on the cover pages of the development brochures, the amount freight on the rail lines is not really captured. In fact, on one of the cover pages of, I think, the Emplacement or Robb Jetty there was a nice, sort of, Subi Centro–type image of people swanning around a beautiful development. In the middle of it are two little parallel lines that people were wandering along. That is the freight line. It is really absurd. That image of the development that people are buying into is still the image that is being used to sell properties in that area. The council has a responsibility. The developers will do whatever developers do and try to use as much land as they can but it is the responsibility of the state government to ensure that there are proper setbacks so that we can make full use of the freight infrastructure that we have. We might not agree on everything relating to the port of Fremantle and its future but I think we agree that we want to make good use of the infrastructure that is there one way or the other. That issue needs to be addressed. Harmonised health and safety laws seem like a good idea but the devil is sometimes in the detail. I look forward to hearing the minister's response to some of the issues that I have raised.

MR J.R. QUIGLEY (Butler) [7.31 pm]: I know that the Premier called me the member for Quigley the other day. I did not like to be rude and interrupt him but I like to be synonymous with my electorate. We all like that recognition.

Mr R.H. Cook: They could name it after you.

Mr J.R. QUIGLEY: There is a problem with naming it after me because the convention is that the member dies first, and I do not have an ambition to qualify in that regard. It was nice of the Premier to at least —

Mr T.K. Waldron: We have a Quigley Street in Narrogin.

Mr J.R. QUIGLEY: I would like to get into that. I know that my father went down there to stay with his relatives as a young lad. I never followed that up—he has passed from this world—to find out the Narrogin connection, but there is one. There is also a connection with my wife because there is Histrionics Street in Katanning, and she is histrionic!

Coming back to the Rail Safety National Law (WA) Bill 2014, I wish to raise a few things by way of concern. One of them, picking up on a point raised by the member for Fremantle, is the drug and alcohol testing, and also the national harmonisation laws and the New South Wales and Western Australian predilection for urine testing. I question the efficacy of that. I have been a defence counsel at law for many years, and I am aware in detail of the laws of prohibition against driving with alcohol or drugs in one's system above a certain level, and I will come to that in a moment. This bill proposes to provide for breath, bodily fluids, saliva and urine testing. Urine testing has been very problematic and is not used in road safety law at all. No motorist is asked to have a whiz in a bottle, which is then taken away for sampling. A blood test is a far more accurate reading of a person's ingestion of alcohol or drugs. The road traffic regulations prescribe the levels of alcohol in breath testing above which a person is deemed to have offended. I noticed from reading this legislation that there will be provisions for regulations stating how much alcohol a person can have in their body, above which limit an offence is committed, but I do not see the levels in this legislation. Perhaps the minister could explain that during consideration in detail. I will just pick that up, if members could bear with me for a moment. Similarly, I do not see in the bill any prescribed level of drugs, although I may have missed it.

Under schedule 1, "National regulations", the bill refers to, amongst other things for which regulations can be made, the allowable concentration of alcohol, although it does not state what the allowable concentration of alcohol is. I would hate to think that any of the train drivers whizzing by the back fences of house along the Clarkson–Butler line at 100 to 110 kilometres an hour would have in their blood any alcohol or any drugs other than prescribed drugs, and I would be worried even about those. There is provision in this bill to make those regulations and during consideration in detail I will seek from the minister further clarification on the matter.

Another concern, as the member for Fremantle also mentioned, is urine testing. Urine testing for drugs has always caused me a problem, especially since I have been a member of Parliament and not a defence lawyer. My

electorate has a large population of fly in, fly out workers who are routinely subjected to urine testing on mine sites, which is the preferred method of testing by the companies. From interviews with constituents, it seemed to me that this pushed the workforce towards drugs that had a short half-life of 12 or 15 hours. I have read some papers on this—I might be out by some days—saying that the cannabinoid half-life can be 21 days or 28 days, or some such thing. A worker who had ingested a cannabinoid, who was no longer at the start of his week or 10 days off and who was in no way impaired by the drug that he had ingested 10 days before, would nonetheless return a positive urine sample to cannabinoid by the time he was due to return to work, even though he was not impaired. This would see him banned from the mine site. From the discussions I had—I realise it is anecdotal evidence—this tended to push workers towards drugs that had a much shorter half-life. As I said, this was 10 or 15 hours for amphetamines. So a person would have a clear urine sample the day after they had taken amphetamines. Whether they are in the right frame of mind or psychological headspace, if I can call it that, to be operating heavy equipment or, indeed, six-car trains travelling at 110 kilometres an hour through the suburbs, is another thing altogether.

We support the notion of train drivers being required to provide bodily fluids and breath for testing. It is interesting to note that clause 19(1) states —

> An authorised person may require a rail safety worker to submit to a drug screening test or oral fluid analysis (or any combination of these) —
>
> (a) on a random basis—without suspecting a prohibited drug is present in the worker's body; or
>
> (b) on a non-random basis—in either or both of the following circumstances —
>
> (i) a prescribed notifiable occurrence happens involving the worker;
>
> (ii) the authorised person suspects, on reasonable grounds, that a prohibited drug is present in the worker's body.

I can see where the government is coming from with that. We just see that as somewhat superfluous. I cannot imagine the circumstances under which clause 19(1)(b) would be active in any proceedings brought against a rail worker, because if the defence counsel or the worker appearing for himself challenged that there had not been one of the precipitating occurrences for a drug test under paragraph (b), the prosecution would just revert to paragraph (a) and say that it was a random test. It will have the authority to test people randomly. The bill even goes so far as to say "without suspecting a prohibited drug is present in the worker's body". I would have thought that that covered all bases and I cannot completely understand the necessity for clause 19(1)(b). There are very detailed protocols for the provision of blood samples, which we will go through in some detail during the consideration in detail stage.

One of the interesting points in the legislation is clause 32, "Calculating BAC at relevant time". Of course, this is a highly contentious issue in the Road Traffic Act. It found its way into the Road Traffic Act as long ago as when breathalysers were introduced. It was predicated on the science that alcohol takes a while to metabolise, unlike heroin, which is taken up and metabolised instantaneously once it is injected into the bloodstream, as I understand from my readings—I have never put a needle in my arm. It is like pethidine and others that I was injected with in hospital during my cancer ordeal; the drug hits the person immediately the plunger goes in and they can feel the effect of the drug immediately. Alcohol takes a while to metabolise. It has been said that upon taking a sample of a person's breath, that is not the end of it, because the breath sample might have been taken a couple of hours after the driver was last in charge of the car or, in this case, the train; therefore, he or she has to be given a discount in the blood alcohol content. When I say "discount", it is a retrospective calculation. Clause 32 provides that the blood alcohol content increases at the rate of 0.016 grams of alcohol per 100 millilitres of blood per hour for two hours and, after that period, decreases at the rate of 0.016 grams per hour. This is a legislative fiction. I have cross-examined pathologists in the Supreme Court who say that it is a legislative fiction that there is a line that rises straight from the time of the ingestion of alcohol and the blood alcohol content increases by 0.016 grams per hour for two hours and then once that two-hour mark is hit, it starts going down again, and that even if the test is taken three hours later, the content at the time that the person was driving can be calculated. As I say, this is largely fictional. It is worrying in this sort of legislation when we are dealing with train drivers. A lot of commentators have criticised the breath testing of motor vehicle drivers; they say that if a driver blows over at the time they are tested, they should be prosecuted. However, this is a national scheme that is being introduced and we do not want to deviate too far from the national scheme.

One of the areas that I found particularly interesting is clause 155, which deals with the rail safety authority's power to compel answers from rail workers and repeats the language that has caused difficulties in other areas. Clause 154, "Power to require the production of documents and answers to questions", really covers that area. It provides —

> (1) A rail safety officer who enters a place under this Division may —
>
> …
>
> (c) require a person at the place to answer any questions put by the officer.

I think the capture there might be a little wide. I would have thought that that should be directed at rail safety workers and that there be a caveat that it apply only to rail workers, not to other citizens who might be on rail premises when a rail safety authority officer arrives. They should be able to compel only their employees and not require any person to be the subject of what is the equivalent of the powers of a royal commission—that is, to answer anything.

Having said that, I will now confine the next part of my comments to the use to which those answers can be put. Clause 155(1) states that a person is not excused from answering a question or providing information under this part on the ground that the answer might tend to incriminate him, but any answer given—this is an important part for the minister and his advisers—cannot be used in criminal or civil proceedings. That puts it on the equivalent footing to answers given before a royal commission or the Corruption and Crime Commission; that is, the person is compelled to answer a question, but the answer given cannot be used in a civil or criminal proceeding instigated against them.

[Member's time extended.]

Mr J.R. QUIGLEY: That raises the question, which clause 155 does not directly address: can it be used in a disciplinary proceeding? Can a rail worker be compelled to provide an answer that is to be used against him in a disciplinary proceeding? It cannot be used in a criminal or civil proceeding. There have been some cases on this, but the law is not clear on whether a disciplinary proceeding can be captured under the umbrella of civil proceeding. Although the civil standard of proof prevails in a disciplinary proceeding, I do not think that it excludes in this context the use of the answer in a disciplinary proceeding. I do not want to disappoint the chamber by failing to live up to expectation by not taking my comments back to the Clarkson to Butler rail line that runs through my electorate. Other members spoke about the impact of freight rail in their electorates, but here we have a brand spanking new rail line opened by the honourable minister a month ago that is causing not just inconvenience but also devastation to the lives of a number of my constituents. It is a very serious problem—that is, the vibration.

In the remaining few minutes I have this evening I want to once again refer to what has happened here. We have had a close look at the problem. The vibration coming from that rail line is not a problem that exists elsewhere in the metropolitan area, as far as I can see; I have never been aware of the problem before the Clarkson to Butler extension opened. There is no problem when my constituents are standing in the backyard of their house near the back fence. If they then walk further away from the railway line, enter their back door and go inside their house, there is a big problem, as Geof Parry from Channel Seven nightly news discovered to his dismay. The big problem is the reflection of the vibration off the limestone, or capstone, that is just beneath the surface. During my university days I lived in fairly close proximity to the Fremantle line, and there was not a great problem there. I had never heard of the complaint in the northern suburbs when the line went through to Joondalup. There are probably a couple of reasons for that. Those reasons are, I think, that when the line went through to Joondalup, it went in large part straight along the middle of the freeway, so there were obviously no residents abutting it; and the second reason is the geology. Perth is built on a sand plain, as we all know. The literature I have read since this problem was brought to my attention and the literature coming out of the United States of America going back 20 or 30 years—this is not a new problem nor a new solution—states that when the track is largely sitting on a sand base, the vibrations dissipate and the energy is expended through the soil. In the area north of Clarkson, the line tracks in a little bit west. In the area from Clarkson through to Butler—I suspect also beyond on the rail reserve north to Yanchep, although I have not seen any report yet—there are coastal sand dunes, not primary dunes but second and third–system dunes, set back two and a half kilometres from the coast. These rolling sand hills are covered in coastal heath, which was sheep-grazing country, and have patches of limestone not far below the surface. I call it capstone. It is not like the limestone we see at the front of Parliament House; it is a bit smoother, a bit harder and comes up in nodules from beneath the surface.

When the vibrations hit the limestone, they reflect back in different directions depending on the shaping of the rock underneath the surface. As the rail line approached Butler station, a cutting into the sand had to be made because of the grades. The sand was cut into to make the embankments, as the minister knows, but in so doing of course it dropped the proposed rail bed lower and lower until it was between five and seven metres below the natural levels. Of course, that took the vibrations down very close to that underlying limestone, which reflects it back into people's homes and into their backyards. Officers from the Department of Transport might go over there in the following few weeks, because the minister said that they would do some research and conduct some inspections of the site that we have identified for the government. They might inspect the backyards of the people about whom the minister said, "What are these people worried about? They knew that they were buying land adjacent to a railway line and that they would hear the train." That is not what people are complaining about. They are complaining about the vibrations inside their house that come up through the floor from the concrete pad. The house acts like a bass drum. It amplifies that vibration in the same way that hitting the pedal on a bass drum and banging the hammer onto the rear of the drum causes the air inside the drum to vibrate, from which of course the sound emanates. Here we have vibrations being reflected off the limestone, up into people's

homes and it is not until people are inside the house that they feel the vibrations coming up through their feet. The media visited the residents out there two Sundays ago, and one of the reporters was standing in Mr Richard Wells' bedroom asking, "How do you sleep?" That is because when a train went by, Geof Parry could feel it coming up through his feet and up through his bones. This is exceptional. This does not happen all over the metropolitan area.

What is the cure? A 2006 report was prepared. This goes back to the previous Labor government when the plan was that once it got the line to Clarkson, it would just keep going. In 2008 some preliminary works were commenced at Nowergup rail yards—not great works but they were starting—to facilitate the track going north. The Liberal government was elected and the Premier came out and said that he was going to pause for a moment and call for a report on transport and rail needs for the next 20 years. He said he would pause until he had that report. The report came out in 2011. In the interim, however, members of the community out there, who had bought their homes on the promise that the rail was going to be there, arced up. The government then reassessed what was happening, although I do not think it was because people were arcing up.

I will tell members about my electorate. I was looking at the electoral figures the other day. The Premier has in his electorate between 24 000 and 25 000 people. At the last election I had about between 23 500 and 24 000 people in my electorate and I am currently sitting on just under 33 000 people. It is the biggest electorate in the metropolitan area because people are flooding in. The government had all this land stock out there that it had to sell in a joint venture with various developers from Satterley Property Group to Peet Ltd to LWP Property Group. It was the government's asset and, as Mr Satterley explained at the time, unless the rail went out there, the land would become less desirable and less valuable. The government therefore announced that although it would continue with the report, it would in the meantime proceed with the seven kilometres of rail to Butler. We are very grateful and very pleased about that. We were at the opening where the minister and the Premier were that day and of course it was a happy day when rail got to Butler. However, the 2006 report—this is what the Labor government was going to do—recommended that anti-vibration matting be put under the rail all the way through to Butler. However, another report was done in 2010, but it did not come up with the same recommendation. The 2010 report missed out mention of the matting that was required just south of the Butler station; so that matting did go in further south of Butler near the Nowergup rail yards.

Because the second report did not mention the matting that would be required further north, when the tender was let, that did not happen. However, the earlier report of 2006, in which the geography of that area had been studied, said that anti-vibration matting would be required. So, the government did the right thing in that it changed its mind and recanted on its earlier decision not to proceed with the line. But, unfortunately, it ignored the earlier report and picked up a new report that did not mention the requirement for matting. That has left these people with the dreadful legacy that their houses are being shaken to bits.

We note that in Western Australia there is no capacity for people to take class actions, although there is a recommendation from the Law Reform Commission to introduce representative actions in Western Australia. Without the capacity to take a class action, the hundreds of people in Butler who have been affected by this rail line have no recourse for damages against the government, because they cannot afford to launch individual actions against what has happened. That is a very big concern for my constituents.

To get back to the bill, we will address the other areas in the bill during consideration in detail.

MR P.C. TINLEY (Willagee) [8.01 pm]: I thank members for the opportunity to contribute to the Rail Safety National Law (WA) Bill 2014. This bill is a voluminous document and it took some reading to get through. But it is reasonably straightforward in its intent. The overview of the bill, as outlined in the explanatory memorandum, and, more importantly, the minister's second reading speech, is quite clear. This is quite a process-driven bill. But it also speaks to the idea of having a single nation. At the core of the bill is the intent to unify, wherever possible, those things that will enable this nation to operate as a single economic entity and in so doing ensure that we are a more efficient and economically agile country.

This bill deals discretely with rail safety and the management of rail. However, the value of a second reading debate is that it allows us to range around to see what the second and third order impacts of any proposed legislation may be on the other activities of the state. I am a member of the Economics and Industry Standing Committee and we were fortunate to receive a significant amount of evidence during our recent inquiry into the management of Western Australia's freight rail network. That inquiry certainly took longer than we anticipated, and it was quite an eye-opener for me to see how our rail network operates. If we are metropolitan focused, we could easily end up thinking only about metropolitan rail lines, or local freight lines within the metropolitan area. But when we see the implications of the rail network on the whole state and the whole economy, as we did through this committee, we get a sense of why we need to approach this as a total freight system rather than look discretely at rail, because rail is only one aspect of it.

A lot of the evidence which was received by the Economics and Industry Standing Committee, but which did not make it into the report, related to the concerns of local communities about the safety of dangerous goods coming

into the metropolitan area, in close proximity to built-up areas, and, more generally, the impact on the total rail network. After the grain freight network review, the grain freight network was divided into various tiers for the purpose of categorisation. The closure of the tier 3 lines has had a consequent impact on the capacity of the total freight network to be efficient, in this case, for the movement of grain. But it is not confined to the grain freight network. It is, therefore, important to look at the impacts as we move from one mode of transport to another.

The member for Cockburn has outlined a particular impact for the constituents in his area who live in new housing estates that have been built close to the existing rail line. The member for Butler has talked about the reverse situation—namely, the impacts for the constituents in his area who live in houses that were built before the rail line was put in. That is a very interesting insight.

Members may not be aware, but there is a historic reason—I stand to be corrected, but I have heard this from a lot of people who take their trains seriously—for the rail reserves that currently exist. For example, the Perth to Fremantle line rail reserve is of a certain width for a particular reason. In the days when those rail lines were built, the rail safety aspect revolved around fire risk. There was a risk that the combustible materials that were used in steam engines, such as coking coal, could be ejected from the exhaust of a train and reach the adjacent housing stock. Therefore, the width of the rail reserve was determined by the need to have a safety envelope. I do not think the principles of the original safety dimensions for rail, whether freight or passenger, should be any different now. I am not talking about that particular measurement. I am talking about the impact of rail lines on the quiet enjoyment that people are entitled to have in their homes. No one piece of legislation ever sits in isolation. In relation to trains and rail planning, the safety risk matrix is an obvious aspect that must be taken into account. However, it seems to me that there has been a gap between what the Public Transport Authority undertakes, and what is done by all the other relevant authorities, certainly the government of the day and the Department of Planning. There was obviously no consultation between the planning department and local government about the proximity of new housing estates, or the expansion of existing housing estates, so close to rail lines, as we have seen in the member for Cockburn's electorate, where there is minimal distance between people's houses and the rail line, and that is causing significant health issues over time because of the vibrations caused by the trains.

Another thing that needs to be contemplated in any rail planning arrangement is future flexibility in the weight, frequency and duration of any particular train set. It is important that we understand that any legislation and any planning arrangement must try as best as possible to contemplate any future flexibility requirements. That is a significant problem, because the city of Perth is not growing any smaller. My understanding is that the city of Perth is now about 175 kilometres long from south to north. We are bigger in land area than the city of Los Angeles in the United States. Each government has had an ambition, through Network City, and through Directions 2031 in recent times, to the idea of a denser inner urban and urban area. As we intensify accommodation and other usages of inner suburbs around rail lines, we are asking for significant trouble. The particular issue that concerns me in my area is mooted increases to the capacity of the port of Fremantle. As it moves closer towards one million twenty-foot equivalent units, how much of that will and will not go on rail, and how much of that will and will not go on road? The particular interest is dangerous goods. We cannot keep using the Fremantle port in isolation without understanding its impacts on the total metropolitan area, principally around the use of road and rail.

I circle back to the fact that the evidence before the committee about the safety of the grain freight network was the second-order effects of modifying the uses of a particular piece of rail infrastructure. Safety was one of the major issues raised throughout the inquiry, so much so that the committee had to make a deliberative decision about what should and should not be used. A large amount of it was being used. In this example, as tier 3 rail lines closed, there was a concomitant impact on road transport. As a result, the projections in some areas for more trucks to move grain were also added. Although rail safety is discretely dealt with in the Rail Safety National Law (WA) Bill, that has a significant impact when we start modifying it.

I quote from the Economics and Industry Standing Committee's third report on page 27 —

> First, the closure of Tier 3 lines will result in greatly increased numbers of truck movements on the roads. Second, the roads and the measures being taken to upgrade them are not adequate to handle the increased truck traffic; that is, they are not fit for purpose.
>
> The Wheatbelt already experiences a high road toll. The Wheatbelt Railway Retention Alliance —

A localised group that is focused on this issue —

> … advised that for the period 2001–2010, '740 people have been killed or seriously injured in wheatbelt south …. A rate of 312.6 fatalities or seriously injured per 100 000'. This rate is 'the highest rate in Western Australia, way beyond any other region and also wheatbelt north has similar fatality rates'.

We took the wheatbelt region and broke it down. As members can see, the impacts on road safety cannot go unnoticed.

We had to look at this idea of a total system or a system of systems. Road, rail and any other method of movement need consideration. When we consider this type of bill, we have to look at the impacts and why we have a port of Fremantle that has 10 per cent growth capacity that does not take into account the enabling capacity of the supporting road and rail infrastructure. What is the future capacity of the enabling network to the Fremantle port? It is no good just talking about how many TEUs can be moved off the port without talking about how the goods are being moved in and out of the port.

The contemplation of spending an estimated $1.6 billion—I might add that has not been determined in detail—to increase the single road component of the supporting infrastructure for a port such as Fremantle without consideration of the impacts on rail modification, or inclusive of rail, is short-sighted. I might be speaking before time, but I hope that the detailed business case and the studies that the Minister for Transport might provide the house in due course related to the freight network will in fact allay fears that we will not have in-built failure in the total system. The Office of Road Safety identifies the impacts if we do not get it right.

I quote again from the committee's report —

> Statistics from the Office of Road Safety also demonstrate the very high rates of fatalities or serious injuries resulting from road crashes. Statistics for the Wheatbelt North, Wheatbelt South, Great Southern and Metropolitan regions are provided …

The statistics were provided in a table in the report. The important point is —

> Office of Road Safety data for 2013 also show that the Wheatbelt had a fatality rate of 28.8 people per 100,000 persons, with 15 fatalities on Wheatbelt roads during that year.
>
> …
>
> The WRRA —

Wheatbelt Railway Retention Alliance —

> estimate that the closure of Tier 3 lines will result in between 57,000 and 85,000 additional truck movements on the roads …

This is on top of a road system that already has the highest number of road fatalities in WA. The report continues —

> Mr Graeme Fardon, CEO of the Shire of Quairading, advised that there are 'an extra 9 000 road train movements leaving Quairading wheat bin and the associated smaller bins', which equates to 250,000 tonnes. While 30,000 tonnes of this is for the domestic market and will travel mostly into Perth, the balance is for the export market.

The point is made that in previous years up to 95 per cent of this would have been transported by rail. Continuing —

> Now, however, there is no rail option available. According to Mr Fardon, this will lead to extra 'burdens upon both the state and the local road system'.

When we talk about the freight system, it is important for members to understand that the road system of course is broken into local, state and national roads. It is up to local councils to levy funds for local roads and seek any additional or specific grants to maintain and/or improve capacity. When tier 3 rail lines in the wheatbelt closed, it created a safety issue, not as this legislation identifies in requirements for rail, but a safety implication in the whole system. When the committee looked at the remedial action, particularly on local roads—the state roads that received additional funding—it discovered that their upgrades were suboptimal, to say the least. It simply meant that on a standard road on which both vehicles headed towards each other, one or both would have to move off to the shoulder. That is unacceptable when pushing a B-double grain truck and/or potentially another truck is going the other way. It makes it very tight at any speed, even a slower speed. The remedial fix was to lay licorice strips, which is an additional belt of bitumen, on each shoulder at the various choke points where these things were seen as higher priority. It was not down the whole road; road widening was not undertaken. It identified pinch points in the road network and they were patched. There is a mixed result in the quality of that work, depending on which shire we spoke to and which piece of evidence one chooses to look at. Suffice to say, it is a patch-up rather than a comprehensive solution to how the Western Australian economy will deal with a seemingly ever-increasing yield in grain crops, notwithstanding the obvious routine droughts or low years.

I might dwell on that point. Members who have more experience than me might like to interject. The evidence the committee received during its trip to the wheatbelt was that grain growing and grain-growing technology is increasing at such a rate that in the last 10 years the yield from one millimetre of rain has doubled. It is instructive that we must understand that we do not operate any one piece of legislation in isolation; it has to operate inside a system of systems and seeing that there are these consequential impacts across the whole system when it comes to it.

[Member's time extended.]

Mr P.C. TINLEY: More specifically, going back to the Fremantle example, it is long past due that we consider the strategic position of the Fremantle port as a container port and for all of the functions it undertakes. I understand that when Captain Stirling pulled up —

Mr P. Papalia: Pulled up?

Mr P.C. TINLEY: Or threw an anchor or a rope—whatever navy people do.

Mr R.H. Cook: I thought they dropped anchors.

Mr P.C. TINLEY: When he dropped an anchor and C.Y. O'Connor blew open the port of Fremantle, the land use around the port, including the accommodation, was completely consistent with a mercantile town supporting a port, and it has remained like that for 100-plus years. The land use and densification of the greater Fremantle area is increasingly less focussed on the port. When I grew up around Fremantle and went to John Curtin Senior High School, the vast majority of my classmates' fathers and mothers were involved either directly or indirectly in the supporting industries around Fremantle port, including fishing, which was a significant component, and the other maritime workers around the port, both on board and alongside. In fact, of the fathers of the friends I knocked around with, the vast majority worked on as wharf lumpers. That is no longer the case due to not only the increase of container traffic and the advances in freight movements, but also a lot of workers have moved out of Fremantle to places further out, such as Kardinya and Samson. Of course, the rationalisation of industries, including the fishing industry, also took its toll. The changing demographic of Fremantle now has a residential component that is less focussed on the activities of the port and more focussed on other economic areas in Western Australia. We are looking at a change in the way that the port is used and will go about its business. When making projections, we focus on not only the port, but also the enabling infrastructure—the rail and road freight networks—which I have mentioned previously. Prior to losing office in 2008, the Labor Party's ambition was to get as much as 30 per cent of container traffic onto rail. I think we are at 11 per cent, unfortunately —

Mr D.C. Nalder: Thirteen.

Mr P.C. TINLEY: Thank you, minister. Imagine what would happen if we got to the stated ambition of 30 per cent? I am not sure what impact that would have had on the residential components around the wharf and the rail line. When we consider legislation, particularly this legislation, it is important to talk about it in the wider context, because this bill in particular is very mechanical. It talks about very linear processes and how they will come together.

The specific areas of the bill that I am particularly interested to hear from the minister about concern the participating jurisdiction arrangements for regulations. The minister's second reading speech states —

> Other jurisdictions have a majority disallowance clause whereby a regulation made under the legislation may be disallowed only if a majority of jurisdictions subsequently vote against it.

That is Federation played out in a total sense and I completely understand that. The second reading continues —

> The view that has been taken in this state has been that such a provision may compromise the sovereignty of the state. In contrast, therefore, the bill provides that national regulations are to be tabled in the Western Australian Parliament and provides Parliament with the power to allow, disallow or amend the national regulations in line with the Interpretation Act 1984.

I will be particularly keen to hear during the consideration in detail stage how the Interpretation Act will be applied to this legislation. What does the minister anticipate will be the parameters for which the minister might outright disallow a particular recommendation that is adopted by the rest of the country, and what is the rationale by which the minister might modify it? What are the circumstances that the minister will or will not undertake to do that? Also, as a result, over time how will that erode the spirit, or harmonisation, of this legislation with the national framework? The arrangements can be bent to our sovereign wish, but how far can that be done before it becomes redundant and they no longer meet the requirements of the Council of Australian Governments' rail safety national law arrangements?

The bill goes into a reasonable amount of detail on qualifications. I would like the minister to explain what recourse a rail operator such as Brookfield Rail will have to seek from the state some relief from the regulations if the regulator gives directions to the rail operator. This is an important arrangement, because the rail operator Brookfield has gone into significant discussions, negotiations and contracts with a range of providers such as Karara, for example, and may seek assistance from the government because of an instruction from the regulator. I am very keen to understand that. As I have said, I am keen also to understand what will be the qualifications. Has the minister talked to the appropriate agencies about the training, workforce planning and training adjustments that might be required as a transitional arrangement when this legislation comes into effect to ensure that this national law—the harmonising of these arrangements—will work in the favour of jobs and job seekers in Western Australia? I am keen to hear from the minister about the effects of this legislation on workforce planning, training and, of course, any requirements needed in education. One of the stated aims and objectives of

the legislation is to establish the Western Australian component of a national scheme for the regulation of rail safety and also allow a greater portability for workers and management between rail jurisdictions. Will someone who is trained in Western Australia to operate or drive rail in Western Australia be able to, without any retraining or need to requalify, achieve employment in another jurisdiction, and what will be the inhibitors and circumstances around that?

That is my potted tour around some of the issues that I am concerned about. The particular concern I want to circle back on is that we do not talk about these things in isolation. We should be looking at the second or third-order effects on the network of freight and transport systems in Western Australia. This legislation has serious implications that we need to get to the bottom of and we must understand what we are undertaking before amending legislation comes back to this place to fix up something that we could have foreseen.

Debate adjourned, on motion by **Mr J.H.D. Day (Leader of the House)**.

ROAD TRAFFIC AMENDMENT (ALCOHOL INTERLOCKS AND OTHER MATTERS) BILL 2014

Consideration in Detail

Resumed from an earlier stage of the sitting.

Clause 12: Section 64A amended —

Debate was interrupted after the clause had been partly considered.

Mr J.H.D. DAY: I will just make a brief comment about clause 12, which we were dealing with prior to the break. The member for Midland raised the issue of the use of interlock devices on heavy vehicles, and at that stage I thought it was somewhat unlikely that they would be used, at least on any widespread basis, on such vehicles, but I have been advised that they are quite widely used in the transportation industry in Europe. In Sweden in particular, alcohol interlocks are used on school transport vehicles as a routine matter.

Mrs M.H. Roberts: Whereabouts? In Sweden?

Mr J.H.D. DAY: In Sweden they are used on school buses, apparently on a routine basis. That presumably either follows some issues or at least is designed to give parents and children confidence that they are being driven by somebody who is not alcohol affected. There has also been discussion, I understand, in Sweden about the possibility of having the devices in all new vehicles. That debate is underway.

Mrs M.H. ROBERTS: I appreciate that explanation. I have to say that at first blush I find it a little disconcerting that somebody with a history of alcohol offences would be driving a school bus. I assume, though, that the alcohol interlock device would give parents confidence that the driver was not under the influence of alcohol while they were driving a vehicle if an interlock was fitted. I do not want to dwell on the point and I will move on to the next clause.

Mr J.H.D. Day: If I can just interject and say that the fact that they are in use doesn't indicate that the driver has a history; they are used on a routine basis in school transportation vehicles apparently. All drivers are required to use them regardless of their history.

Mrs M.H. ROBERTS: That is entirely different. I thought that these were people who were required by law to use an interlock device because they had committed alcohol offences while driving. I was going to say that I found that a little disconcerting, especially when there are issues to do with poly-drug use. As we highlighted in earlier discussion on the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014, some people have multiple issues with drug abuse and alcohol abuse and so forth. Presumably, if someone is minded towards that kind of abuse and the alcohol interlock picks up alcohol, potentially they might use some other drug. But I do not see much point in dwelling on that too much further in this clause. I suppose in answering the question the minister has kind of answered a different one than the one I was really asking. It is interesting information that an alcohol interlock device could be used on school buses or other heavy vehicles routinely at the instigation of the transport or bus company or whatever. If that were put in place as an additional safety measure, it sounds like that would be a good thing. Although if I go back to the minister's earlier answer, it would seem that we are leaving the decision on whether somebody is able to drive only with an alcohol interlock device up to the actual company or employer, rather than making a decision in law. The information provided by the minister prior to the dinner break was that there was nothing in this legislation to prevent a bus, taxi or heavy transport company allowing a driver, required by law to have an alcohol interlock device fitted to a vehicle, to drive. I am wondering whether that is really appropriate, and whether we should be saying that until someone has had the alcohol interlock device in a personal or some other vehicle, rather than one in which they are responsible for the carriage of other passengers or heavy loads, they should not be allowed to drive without one. Could the minister provide some response to that? If that is the case, is that a matter that can be given consideration in the regulations? Would it be possible, based on the legislation before us, to actually have regulations that enable the Department of Transport or the director general of Transport to be able to make that kind of decision across the board, rather than leaving it up to individual employers or companies?

Mr J.H.D. DAY: The situation is that this legislation will enable people who meet the criteria outlined to be required to have an alcohol interlock device, whatever vehicle they are driving. If they happen to be a truck driver or bus driver or whatever, whether they are employed to do that is a decision of the particular employer. Clearly, if they have a record that requires them to have the interlock device, then they have to have it in whatever vehicle they are driving, as I said. It is an employment decision and we are not really seeking to take over that process through this legislation. I would imagine that if somebody has a serious drink-driving record, that probably most bus transportation companies would not be employing them, for example. That is really a separate issue. This aspect is one of the reasons for the quite extensive lead time for putting the legislation into effect. There needs to be an adequate education campaign so that employers and potential offenders will be aware of the impact of this legislation on them. The lead time will give employers an opportunity to put appropriate risk-management strategies in place. That is really the situation as it is.

Mrs M.H. ROBERTS: Minister, before the dinner break I inquired as to whether this mirrored the situation in other states. In other states can people required by law to have an interlock device fitted to their vehicle drive those categories of vehicle that I referred to, such as taxis, buses and trucks?

Mr J.H.D. DAY: My understanding, to the best of the information currently available, is that in other states they are able to drive those vehicles if interlock devices have been fitted; that is generally the case, I understand. I am advised that Tasmania had a problem because the legislation had retrospective effects that applied to previous offences, and that was quite a problem for some employees and employers in relation to continued employment. Tasmania has made a change to its legislation to overcome that problem. To clarify what I just said, in Tasmania an exemption from the use of the device is available if it is a work-related vehicle and as long as the person has a contract to use the device in their personal vehicle. That is the situation in Tasmania, apparently.

Mrs M.H. ROBERTS: I have expressed some concern about people with a history of drink-driving, particularly since retrospectivity is not proposed in this legislation. Therefore, the line will be drawn from the time this legislation becomes law and it will apply only to offences that happen after that point in time. The minister does not think that employers would employ someone to drive a bus or a taxi or a truck if that person had what was deemed as a serious drink-driving record. Clearly, if someone has been engaged in an offence such as driving causing death or something of that nature under the influence of alcohol and meets that .15 offence, as we talked about earlier, I concur with the minister that they would be highly unlikely to be engaged by an employer, but a blood alcohol content of .05 triggers the requirement to have an immobiliser regardless of whether people generally or an employer or a company see that as a serious drink-driving record. I see it as serious, but it is clearly different from someone who has a couple of .15 offences or has been involved in a crash causing grievous bodily harm while under the influence of a high level of alcohol. Those offences are clearly in a different order from someone who has an offence of over .05 but under .08. Maybe an employer—it depends on perspective—would not see that as a serious drink-driving record and they may wish to engage them. I want to put on record my concern. I would be in favour of a person in that circumstance not being permitted to drive a bus. I would not want them driving my children on a bus. Therefore, I would not want them driving anyone else's children on a bus. The earlier question that I posed was: if we were to find a circumstance in which the outcome was not acceptable to the community and potentially employers or companies were engaging people in those circumstances, could that be changed by way of regulation or would it require amending the act?

Mr J.H.D. DAY: This bill does not change the situation regarding the circumstances to which the member for Midland has referred; I think she understands that. I understand her point that maybe we should have more stringent criteria for determining who is allowed to drive school buses, for example. This bill does not change that situation. I imagine that employers in transportation companies, whether they are school buses or heavy vehicles, would very much take into account someone's driving record and whether they have had offences when deciding whether to employ them to do that sort of job. I understand the member's point, which is essentially about whether we should toughen the criteria for people to be allowed to drive those sorts of vehicles. The best advice I can obtain, given that this is on the run, is that it would most likely require changes to acts rather than being able to be done through only regulations, and it would involve amending more than just the Road Traffic Act. For example, driving dangerous goods is covered by the Dangerous Goods Safety Act. I think the situation that the member for Midland is suggesting that we should consider for the future would need legislation to go through Parliament rather than simply regulation changes.

Mrs M.H. ROBERTS: The Taxi Industry Board sets in place regulations and some criteria about who can drive a taxi and in what circumstances. It is not as though Swan Taxis or Black & White Cabs or London cabs or whatever taxi company can simply make all the rules about what they expect of their drivers. Companies probably have some selection criteria when they engage their drivers, but separate from that, sitting over to one side, is the Taxi Industry Board, which makes some overall judgements about the qualifications a taxidriver must have. I am relatively confident that a whole regime is in place for taxidrivers. To the best of my knowledge, bus drivers are regulated through the director general of the Department of Transport. Potentially, the director general could set some criteria for the contracts government has with the public transport companies it engages,

including the bus companies contracted to government. Presumably some specifications could be set in that regard, but no doubt other private contractors and the like are not dealt with by an equivalent of the Taxi Control Board. I do not expect that the director general has a great ability to control them, although, presumably, some form of licensing regime has been put in place. People generally expect a higher standard for those people who are engaged to drive other people than they do for someone who drives only themselves, family or friends. Someone driving as a professional driver is expected to meet higher level criteria. However, I appreciate what the minister has said in that this does not change the existing circumstances.

Clause put and passed.

Clause 13: Section 78A amended —

Mrs M.H. ROBERTS: This clause deals with the definitions of the two different impounding offences with a deletion and an insertion. I wonder whether the minister could explain the difference between "impounding offence (driver's licence)" and "impounding offence (driving)".

Mr J.H.D. DAY: "Impounding offence (driving)" refers to reckless driving, I am advised—more commonly known as hoon driving offences. That is what that definition covers, in short. "Impounding offence (driver's licence)" refers to a higher level offence in some respects.

Mrs M.H. Roberts: Would that be someone driving without a licence?

Mr J.H.D. DAY: Yes, that is correct. It is when they are driving without authorisation or when they have a suspended or cancelled licence, otherwise known as aggravated no authority to drive offences. That is what comes from the police.

Mrs M.H. ROBERTS: On page 14, the explanatory memorandum states —

> The class of person prescribed will be a person who is, pursuant to regulations made under section 5A, an "interlock restricted offender", that is, a person whose authorisation to drive has been granted by the CEO subject to the alcohol interlock restriction.

Who is the CEO?

Mr J.H.D. Day It is the CEO of the Department of Transport.

Mrs M.H. ROBERTS: So that is the director general, is it?

Mr J.H.D. Day: Yes.

Mrs M.H. ROBERTS: At the top of page 15, the explanatory memorandum states —

> Under this proposal, if a person whose driver's licence is subject to the alcohol interlock restriction drives a motor vehicle that is not fitted with an approved alcohol interlock device, the person will commit an impounding offence (driver's licence) and, if detected, the vehicle used in the commission of the offence will be impounded.

I am assuming that somebody might fit those circumstances if they have an alcohol interlock requirement, and they have an identified vehicle, presumably their own vehicle or one they regularly drive. That vehicle is fitted with the alcohol interlock device, and is effectively the only vehicle that person is entitled to drive. However, if they drive someone else's vehicle, or one that they may own but has not been fitted with an alcohol interlock device, that vehicle can be impounded. For example, a man might have the device on his vehicle, and his wife might have no interlock on her vehicle. For whatever reason—he may have a flat battery on his car, or he might have been drinking; who knows what has happened—he jumps into the wife's car, which does not have a device fitted. Does this clause mean that the vehicle without the interlock device that the person has been driving is therefore automatically impounded? Are there circumstances in which the person to whom the vehicle belongs, who is not the offender, can get that vehicle back? Can they get it back without cost to them?

Mr J.H.D. DAY: In those circumstances, the car would be impounded regardless of the ownership. The circumstances in which the vehicle can be released are outlined in section 79D of the Road Traffic Act. There is no intention to change that section. It is quite a long section, so it is a little complex. It is possible, say, if a spouse's car has been impounded, that the owner of the car, not the driver subject to the interlock device, could apply for a substitution, so the offender can provide a car that substitutes for the impounded vehicle. That is the situation as it is at the moment. That would apply only if there are grounds for the vehicle to be released under section 79D.

Ms M.M. QUIRK: In the scenario that the member for Midland talked about, there is the issue that the police might not readily know that the person driving the other vehicle is subject to driving only with an interlock device. I mentioned in my second reading contribution that the National Road Safety Council did a review of interlock legislation and recommended that it be refined in all jurisdictions so that there was some notation on the driver's licence. I was wondering whether, in that scenario, that would be an aid for law enforcement to detect the commission of an offence under this clause.

Mr J.H.D. DAY: When someone is subject to the use of one of these devices, that would be indicated in the police tasking and data information system—the driver licensing system that police have ready access to. Given the technology now in use, all police vehicles on the road have immediate access to that system, which would bring up the details on an individual. It would be the same situation for someone who is a suspended driver or has some other issue, such as an outstanding warrant for arrest. That is more practical than requiring annotation on the person's driver's licence, given the technology that is available these days.

Clause put and passed.

Clause 14: Act amended —

Mrs M.H. ROBERTS: Division 2 amends the Road Traffic (Administration) Act 2008. I touched upon this issue when we debated an earlier clause last week. We were advised then that these four acts were supposed to be seen as some kind of suite of legislation that had to come into effect together—that is, the Road Traffic (Administration) Act 2008, the Road Traffic (Authorisation to Drive) Act 2008, the Road Traffic (Vehicles) Act 2012 and the Road Traffic Legislation Amendment Act 2012. The explanatory memorandum states that the acts were drafted to operate simultaneously. It really begs the question, which I find a bit surprising: when the Road Traffic (Authorisation to Drive) Act 2008 and the Road Traffic (Administration) Act 2008 were being drafted, had the two 2012 acts that I have just referred to already been drafted or were they drafted at the same time? I wonder whether those two 2012 acts were even contemplated when the two 2008 acts that I have referred to were being drafted or whether the fact of the matter is that those two acts were drafted and could have come into operation at an earlier stage and those two 2012 acts were drafted to fit in with the 2008 acts, which the government has not got around to proclaiming. I wonder whether the acting minister can provide some clarification on that.

I might just continue while the acting minister contemplates his answer. I suppose the alternative scenario is that, at an earlier time, be it 2006 or 2007, all this legislation was contemplated as a suite and the government just delayed for six years before it brought to Parliament in 2012 all the legislation that was subsequently passed. Either way, it seems to me to be a pretty puzzling explanation, and I think part of the answer may lie in the fact that the government has not presented a concerted drink-driving package in a uniform or timely way.

Mr J.H.D. DAY: As the member will recall, four bills were introduced as a package in 2007 or thereabouts. I am advised that two of those bills passed without amendment through both houses in around 2007 or 2008. The other two bills were amended in the Legislative Council but were not further dealt with prior to the election in 2008; therefore, they were not agreed to by Parliament and, after the change of government, there was a need to reintroduce them. In the meantime, there was a request by industry for some amendments to be made to the provisions relating to vehicles, and there was another amendment bill in 2012, which I think the member has referred to. I agree that it appears to have taken longer than ideal, but these issues are quite complex. Now that this interlock legislation has been drafted, we can obviously move forward with the whole package of legislation essentially. As I explained last week, this has been quite a complex bill to draft to determine exactly how the system will work in Western Australia.

Ms M.M. QUIRK: The explanatory memorandum states on this clause that it is expected that the suite of legislation will commence operation during the second half of 2014. I presume that the government will want to revise that date. I also make the point that, given the acting minister's previous answer about the reliance on computers by police, there will need to be the inevitable upgrade of computers, which seems to take a very long time after legislation has been passed.

Mr J.H.D. DAY: As the member has pointed out, the explanatory memorandum states that the commencement of operation of the suite of legislation, apart from the interlock devices legislation, will be in the second half of 2014. That was correct when it was written, but, as I explained last week, it is now expected that those acts will come into effect in April next year.

In relation to any changes needed within the police tasking and data information system for drivers' licences and conditions, I am advised that it will be a fairly straightforward process to make the modification to incorporate this as another condition; it is not particularly complicated, apparently.

Thirdly, I have been advised that the physical licences that these drivers will be issued with after they have served their period of disqualification will include the letter "I" to indicate that they are required to use an interlock device.

Ms M.M. Quirk: So the acting minister's previous answer was not correct in the sense that they will have some form of licence that will have an annotation.

Mr J.H.D. DAY: I have certainly given fuller information, based on what I have just been advised, than I was able to give earlier.

Clause put and passed.

Clause 15: Section 36 amended —

Mrs M.H. ROBERTS: Clause 15 deals with people who are disqualified from obtaining a driver's licence applying for a licence. The explanatory memorandum refers to creating an offence for obtaining a driver's licence or a vehicle licence while being disqualified from holding or obtaining such a licence. I thought that that was already an offence, so perhaps the acting minister can clarify whether that is an existing offence; I did not think it was a new offence. There is also a reference in the explanatory memorandum that previously, when the computer systems were not so good, somebody who had been disqualified could have applied for a licence and might have made their way through the system. I would like to think that that would not be the case now and that computer systems are so sophisticated that someone who had been disqualified or had lost their licence would not be able to do that. Finally, what penalty is proposed for that offence?

Mr J.H.D. DAY: I am advised that this is an offence under section 97 of the Road Traffic Act. That is where it is currently located, and the effect of this clause is to move the offence to section 36 of the Road Traffic (Administration) Act 2008. It is therefore essentially the same offence but it will be located in a different act.

Ms M.M. QUIRK: On that same section, it is noted in the explanatory memorandum —

> As part of the application process, an applicant may be required to undergo a theory test or a practical driving assessment or to submit to a medical assessment, or to do all of the above.

It then makes specific reference to the test being likely to involve a liver function test. My medical knowledge in this context is not great; therefore, can the minister confirm for me that a liver function test is usually done by way of a blood test?

Mr J.H.D. Day: Yes.

Clause put and passed.

Clause 16: Act amended —

Mrs M.H. ROBERTS: This clause reiterates some of the issues I already raised at clause 14, which is that a suite of legislation is coming into effect. It has been made very clear this evening that all these bills were contemplated back in 2006–07 as part of a complementary suite to deal with these matters. Although I appreciate that only two of them passed the Parliament prior to the 2008 election, the government has had a full term in office—in fact a four-and-a-half-year term in office—prior to commencing this term and it never got its act together to actually contemplate this suite. Of course, all governments are entitled to make changes and the upper house is entitled to make changes, but this has taken an extraordinarily long time. I make the point that the impetus for this package back in 2006–07 was to save lives and prevent serious injury on our roads. When government does not prioritise a suite of bills such as this, it means that lives are unnecessarily lost and people are unnecessarily injured who may not have been injured. If that were not the case, there would be no point in creating this legislation. I have made that point today, but I do feel very strongly about it and I do know that other members of the house have not been impressed with the length of time it has taken, no matter how complicated these bills are, to get this before the house.

Clause put and passed.

Clause 17: Section 5A inserted —

Mrs M.H. ROBERTS: This clause to insert a new section 5A into the Road Traffic (Authorisation to Drive) Act deals with the alcohol interlock scheme. There is a definition of "alcohol interlock" in the proposed new section. We are told that it is —

> … a device which, when installed in a motor vehicle, prevents the vehicle from being operated unless a breath sample analysed by the device contains either no measurable concentration of alcohol or not more than a particular concentration of alcohol.

By way of clarification, I understand that effectively there will be a further regulation so that the only alcohol interlocks permitted to be used will be approved alcohol interlocks. I also understand that the concentration required is .00. Perhaps the minister could clarify those couple of points with respect to alcohol interlocks.

There is also a definition of "alcohol offence", which states that it —

> … means an offence under the Road Traffic Act …
>
> (a) being under the influence of alcohol; or
>
> (b) having a blood alcohol content of or above a stated level; or
>
> (c) failing to provide a sample of blood, breath or urine or to allow such a sample to be taken.

I am sure that over the years many people under the influence of alcohol have taken the step of refusing a breath test and have then attempted to refuse a blood test as well. Indeed, a case was publicised about a Liberal

member. The former member for Swan at that point and now member for Canning, Don Randall, famously refused to provide police with a breath test and preferred to pay the applicable fine for refusing the breath test. Rather than being potentially found guilty of a drink-driving offence, he accepted a charge of not supplying a breath test. The clarification I am seeking here, therefore, is about the alcohol offence in paragraph (c), which is failing to provide a sample of blood, breath or urine or to allow such a sample to be taken. That is deemed to be an alcohol offence, which is the heading it comes under. I am seeking clarification from the minister on how that will operate. Would a person in those circumstances effectively fall foul of this alcohol interlock legislation and, whether or not having provided a breath test, potentially find themselves in the circumstances of not just receiving a fine but also having an alcohol interlock fitted before they can regain their driver's licence?

Mr J.H.D. DAY: The answer to the first question about whether the device would need to be approved is yes. The second question essentially is whether there is a threshold before the device would inactivate a motor vehicle. The intention is that the device will be calibrated to prevent driving until .02 per cent blood alcohol content level is reached. Drivers are meant to have no blood alcohol content, of course, but unless there was some threshold above zero, there could be false positives registered as a result of causes other than alcohol; for example, medications and the possible content of food. The intention, therefore, is to have that quite low threshold. As I said, it is still a threshold of .02 per cent.

The other point raised about the offences of failing to comply with the requirement for a breath test and failing to provide a blood sample are covered under section 67 of the Road Traffic Act.

Mrs M.H. Roberts: But that is now deemed to be an alcohol interlock offence, so that has changed.

Mr J.H.D. DAY: That is correct, yes. I am also advised that the offence of failing to comply is punished at the same level as the offence of driving under the influence of alcohol, which is covered by section 63 of the Road Traffic Act. An alleged offender is also subject to immediate disqualification, so there is quite a strong disincentive there for people not to comply.

Mrs M.H. ROBERTS: I just want to clarify this: under this legislation, we know that if on two occasions somebody was over .05 and fell foul of this legislation, before regaining their driver's licence they would have to have an approved alcohol interlock device fitted. If someone were to commit a couple of offences, including failing to provide a breath test or a blood test, even though they were not technically proven to be under the influence of alcohol but it was demonstrated that they had failed to provide a breath or blood test on two occasions, would it be prescribed that they would have to have an alcohol interlock device fitted to their vehicle prior to being able to regain an unrestricted licence?

Mr J.H.D. DAY: Yes. The intention is that in fact only one offence of that nature will be sufficient to require interlock devices to be fitted.

Mrs M.H. Roberts: One refusal?

Mr J.H.D. DAY: Yes; that is correct.

Clause put and passed.

Clauses 18 to 25 put and passed.

Title put and passed.

Leave granted to proceed forthwith to third reading.

Third Reading

MR J.H.D. DAY (Kalamunda — Acting Minister for Police) [9.21 pm]: I move —

> That the bill be now read a third time.

MRS M.H. ROBERTS (Midland) [9.21 pm]: I am pleased that at long last we are able to put this legislation through the house. I understand that the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014 is complex and that it has taken a very long time. I would have liked to have seen this legislation go through years ago, not just last year or this year. The government has really been dragged and pushed along with this legislation. I asked the Minister for Police last year when we would see this much-promised legislation. The answer was that it would definitely appear before the end of last year. As the record has it, it did not appear before the end of last year. It did not even appear in the first or second sitting week of this year. It was not until May that this legislation was introduced. I note that on 3 April in this house I gave notice of a motion, which I was required to renew six months later, on 18 September. This notice of motion is still on the notice paper and states —

> That this house calls on the Barnett government to outline its full repeat drink-driver strategy and condemns the lack of urgency in addressing this serious issue.

Since the legislation has been brought before the house, the government has not been quick to put it on the agenda; it has had other legislative priorities. The opposition was very pleased to see it put on the agenda last week. We have been very pleased to cooperate in putting the legislation through the Legislative Assembly relatively quickly whilst making points on a number of issues and raising quite a few questions.

I am critical of the government's tardiness in putting this legislation through. As I said during an earlier stage of the debate, this legislation is about saving lives. Similar legislation has saved lives and prevented serious injury in other states. Last week, the Labor Party moved a matter of public interest on the issue of road safety. As an opposition, we are very concerned about this state's rising road toll. It has risen again in recent days in some very sad circumstances, with the death of a woman and her three children in Kambalda. When I look at the crash statistics between this year and last year, I note that 149 people have been killed on the roads so far this year. These figures were up to date on the WA Police website as of 11.59 pm on 20 October—that is last night, not tonight. One hundred and forty-nine people are dead as a result of road crashes. Compared with the same time in 2013, 126 people have died as a result of road crashes. That is 23 more than at the same time last year. The most disturbing figures are those for country road crashes. As at midnight on 20 October, 77 people had lost their lives on country roads. That compares with last year's figure of 59, which is a much lower figure. This year, the road toll in country Western Australia is up by 18 people compared with the same time last year. Year on year, the result is worse.

It is also very important, when looking at road crash statistics, to look at critical injuries. Looking at critical injuries for this year to date, there is that same marked increase. The number of critically injured people year to date in Western Australia is 198. That compares with 161 for the same time last year. Twenty-three more people have died already this year compared with last year. There had been 37 more people critically injured by midnight on 20 October this year than in the same period last year. To my way of thinking, that is disturbing.

I know that in earlier debates the government has pointed to the fact that, over a period, road deaths have decreased in Western Australia, but they have not decreased by anywhere near the same rate as they have in other states. The rate of fatalities and people being critically injured is diminishing in Australia and around the world for a range of reasons, including much safer vehicles, such as vehicles fitted with airbags and with much better star ratings. Ten years ago there was unlikely to be a four-cylinder car with a four or five-star rating. Now most four-cylinder cars have five-star ratings. Lots of them are regarded as very safe. Those star ratings relate to the likelihood of surviving a crash. Safer cars are one part of the equation; improvements in medical science are the other part. People who might have lost their lives previously are now being saved. The RAC rescue helicopter can get someone from a road crash in a country location and fly them to hospital. That really increases survivability, and no doubt people who are alive today may have been deceased if that had not been available.

The other critical factor is legislation such as that with which we are dealing. States such as Victoria have had a much greater rate of change because they passed legislation of this nature years ago. It has had alcohol interlock legislation for some time. It also has point-to-point cameras and a range of other measures. Legislation does make a difference. This legislation will make a difference and that is why I have been pressing for it for so long. Alcohol and drugs are becoming a bigger and bigger factor in our community and they are certainly a very big factor in road crashes. I note that the evidence would suggest that the involvement of alcohol in road crashes today is not as big a factor as it was 20 or 30 years ago, and I think community attitudes to drinking and driving have certainly changed. Most people these days appreciate that it is wrong to drink and drive and that if they choose to drink and drive, they are putting not only their own lives at risk, but also the lives of their family, friends and innocent road users. This alcohol interlock legislation tries to break the nexus between drinking and driving and is designed to ensure that people do not drink and then drive so that after having a few drinks or too much to drink, they cannot pick up their car keys and drive their vehicle. That is because if they do, they will try to start the car and be advised that they have to give a breath sample and if they are under the influence of alcohol, they will not be able to start their vehicle, which is a very good thing.

I do not want to go into the science of it, but there are considerable checks and balances in the legislation. I know that the other states that introduced similar legislation earlier found a few little pitfalls and either have needed to make some amendments to the legislation or are contemplating introducing some. This legislation is very important and I sincerely hope that the government gives it priority in the Legislative Council so that the bill can pass before the end of the year and the government can get on with putting the regime in place to start saving lives. I point out that although people may not have empathy or sympathy for those people who choose to drink and drive, the danger with drinking and driving is that other innocent parties' lives are put at risk. There have been many examples of that over the years. I remember one very sad case in which a young couple in the Rockingham area were crashed into by a repeat drink-driver and both of them were killed. What really affects people the most is when they see innocent road users such as that couple have their lives snuffed out and the ripple effect that has on their families and friends. The lives of their parents, brothers and sisters are never the same again because of the tragic choice of one individual.

As I said in the second reading debate, no system is a fail-safe. Someone who is drunk and determined to get into a vehicle, perhaps not the vehicle with the interlock, will do so in any event. However, I think time will show that this legislation will have a very positive effect. It will save lives and prevent serious injury, and hopefully it will drive down our road toll. In and of itself it is not enough; the government should contemplate bringing into this house more than legislative changes. Another thing the government needs to focus on a lot more is a police presence on our roads, because one of the key factors in whether people choose to drink and drive or speed is whether they believe they will get away with it. The fear of apprehension is certainly a factor for people. Sadly, I think there is a lesser police presence on country roads and that people therefore think that they can get away with driving home and are highly unlikely to be stopped by police. Some figures on this are available, but I think people's apprehension at getting stopped for a breath test in the metropolitan area is much, much higher. I will cut my comments short at this point. I commend the acting minister for progressing this legislation as quickly as he has been able to since he has been in the role of acting minister.

MS M.M. QUIRK (Girrawheen) [9.35 pm]: I want to make a couple of points on the third reading of the Road Traffic Amendment (Alcohol Interlocks and Other Matters) Bill 2014 and to reiterate what I said in the second reading debate. Firstly, as the member for Midland has said, the time it has taken to get this legislation into the house is unacceptable. In fact, technology has almost caught up with the interlock so that we are effectively enacting legislation that is pretty much obsolete. Certainly within the next few years there will be motor vehicles that will automatically be able to detect the presence of alcohol and refuse to start.

Secondly, this legislation was supposed to be part of a package to address repeat drink-driving but I am not quite sure what else is in the package. It seems as though we are putting all our eggs into one basket. We are dealing with a small number of very, very hardcore people who put at risk not only their own lives, but also, more significantly, the lives of other road users. It seems to me that if other measures have been recommended to government, we need to see them as well.

Thirdly, earlier in the debate we raised the point that this scheme will not be able to operate throughout all of Western Australia. Effectively, the cost may be a deterrent for some people being able to participate in the scheme. For example, those who are the poorest and most need to earn a living may not have the wherewithal to get the means to participate in the scheme and therefore retain their licences.

There are two final things I want to say. The first is that we need to properly evaluate all our road safety laws and not just go by the vibe, "We think this will help." I have heard the Minister for Police assert that the number of drink-driving incidents is down when in fact it could equally be interpreted that the number of drink-driving incidents is not down, but the times and location of testing were less likely to disclose the fact that people had been drinking and driving. In this context we really need to think seriously. We have seen a lot in the media lately about methamphetamine and we have to be able to take similar action for drug-driving. Not been enough evaluation or research has been done on that and not enough data has been collected for us to distinguish whether dangerous driving on the road is caused by alcohol or other drugs.

In this regard I will finish by saying that a very senior trauma surgeon at Royal Perth Hospital has been lobbying for some time to make blood tests compulsory for people involved in car crashes. Under the current situation that is not the case. A lot of doctors will refuse to take blood if it is not for clinical purposes. If we did that, we could get good data to refine our laws to ensure they protect the community. I think this opportunity is being wasted.

This interlock scheme is not available to people in remote communities and a disproportionate number of Aboriginal offenders will continue to face a prison sentence because they do not have the opportunity to have temptation removed from them. However, like the member for Midland, I certainly commend the bill to the house and I look forward to seeing the rest of the repeat drink-driving strategy promised by government.

Question put and passed.

Bill read a third time and transmitted to the Council.

INDIAN PALM SQUIRREL — PETITION

Statement by Deputy Speaker

THE DEPUTY SPEAKER (Ms W.M. Duncan): I advise members that the member for South Perth presented a petition today on the Indian palm squirrel that actually comprised two petitions with the same request. One petition contained four signatures and complied with the standing orders; the other petition, which contained 32 signatures, did not comply with standing order 64(2) or (3) in that it was addressed to the President of the Legislative Council and requested action by the Legislative Council. Therefore, I direct that the number of signatories to the petition be amended to four, and that the second petition be returned to the member for South Perth.

ADJOURNMENT OF THE HOUSE

MR J.H.D. DAY (Kalamunda — Leader of the House) [9.40 pm]: I move —

That the house do now adjourn.

The member for South Perth obviously needs to train his squirrels better!

Question put and passed.

House adjourned at 9.40 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

DEPUTY PREMIER'S PORTFOLIOS — PROMOTIONAL ITEMS

2799. Mr M. McGowan to the Deputy Premier; Minister for Health; Training and Workforce Development:

For each agency, department or government trading enterprise within the Deputy Premier's portfolio of responsibilities, since 1 July 2013, has the agency, department or government trading enterprise paid for the production of any promotional paraphernalia, apparel or items promoting or advertising the Department, and if so:

(a) what specific items have been produced;

(b) what has been the cost of each item produced;

(c) where specifically have the promotional items been circulated or distributed; and

(d) what is the name of the company that produced each item outlined above?

Dr K.D. Hames replied:

Between 1 July 2013 and 9 September 2014:

Department of Health

Yes

(a)–(d) [See tabled paper no 2316.]

Healthway

No

(a)–(d) Healthway has not incurred any specific costs to promote the Agency. Healthway does purchase promotional paraphernalia, apparel and other items, however these are for the delivery of health promotion messages.

Health and Disability Services Complaints Office

Yes

(a)–(b)

300 royal blue showbags	$1 356.30
1 000 pens	$1 408.00
250 clear bookmarks/rulers	$508.75
250 highlighters	$642.25
100 USBs	$741.00

(c) To a range of stakeholders and events including during Mental Health Week, Carers Week, Rural Health West Annual Conference and Trade Exhibition, Aboriginal Health Conference, Mental Health Conference, HaDSCO Mental Health Consumer Forum, Regional Visits and Youth Health Conference.

(d) Graphic Elements (woven bags)
Wholesale Promotions Warehouse (pens, bookmarks/rulers and highlighters)
Flashbay Pty Ltd (USBs)

Department of Training and Workforce Development

Yes

(a)–(d) [See tabled paper no 2316.]

Department of Education Services

Yes

(a)–(b) The logo of the Western Australian Aboriginal Education and Training Council $31.50 (excluding GST)

An advertisement for the Japanese Studies Scholarships 2015 $932.34 (excluding GST)

(c) The logo was recreated for the purpose of being incorporated into a banner for a national conference on Aboriginal education and the advertisement was in the West Australian newspaper.

(d) NSW Aboriginal Education Consultative Group Incorporated (logo) and Adcorp Australia Limited (advertisement).

Building Construction Industry Training Fund

Yes

(a)–(d) [See tabled paper no 2316.]

EDUCATION — COMMUNITY DETENTION PROGRAM STUDENTS

2940. Mr P.C. Tinley to the Minister representing the Minister for Education:

I refer to the Federal Government's Community Detention Program which allows asylum seekers to live in the community while seeking to resolve their immigration status and ask:

(a) how many children under community detention are currently attending Western Australian public schools;

(b) how many public schools have one or more students who are under community detention; and

(c) for each of the following school years, how many students under community detention were enrolled in a Western Australian Public School:

(i) 2011;

(ii) 2012;

(iii) 2013; and

(iv) 2014 to 30 August?

Mr J.H.D. Day replied:

(a) 0

(b) 0

(c) (i) 30

(ii) 1

(iii) 0

(iv) 0

A Memorandum of Understanding (MOU) between the State Government and the Commonwealth for the provision of an education program for children of asylum seekers in public schools ceased in December 2010.

In August 2014, the State Government was informed by the Commonwealth that it would not seek a further MOU for the provision of education in public schools for asylum-seeker children living in the community on either bridging visas or in community detention. The Commonwealth Government considers that existing arrangements in non-government schools are currently providing adequate access.

TAFE — APPRENTICES AND TRAINEES

2941. Ms J.M. Freeman to the Minister for Training and Workforce Development:

I refer to the need to provide apprenticeship and traineeship opportunities to young Western Australians in order to ensure the State retains a skilled workforce and ask:

(a) are there any plans to increase the number and/or type of apprentice courses provided to apprentices/pre-apprentices who attend the Balga Campus of Polytechnic West;

(b) what additional apprenticeship courses are proposed to be provided and when will such courses commence;

(c) are there any plans to reduce the number of apprenticeship courses provided to apprentices/pre-apprentices who attend the Balga Campus of Polytechnic West;

(d) what courses are proposed to be reduced and when will the reduction occur;

(e) are there any plans to increase the number and/or type of traineeship courses provided to trainees and students seeking traineeships who attend the Balga Campus of Polytechnic West;

(f) what additional traineeship courses are proposed to be provided and when will such courses commence;

(g) are there any plans to reduce the number of traineeship courses provided to trainees and students seeking traineeships who attend the Balga Campus of Polytechnic West;

(h) what traineeship courses are proposed to be reduced and when will the reduction occur;

(i) are there any plans to convert any courses presently delivered to students who attend the Balga Campus of Polytechnic West to online or distant type education/training courses and if so, what changes are proposed and from what date/s will the changes be implemented; and

(j) at the Balga Campus of Polytechnic West:

(i) is there a need to provide any additional classrooms/training facilities to effectively deliver the courses it presently provides or it intends to provide;

(ii) will additional classrooms/training facilities be provided and if so, when;

(iii) is there a need to provide additional equipment/training materials or the like to deliver the courses it presently provides or intends to provide;

(iv) are all the facilities, equipment, machinery and the like maintained to high standard, and if not, why not;

(v) what facilities, equipment, machinery and the like needs to be upgraded or replaced; and

(vi) what facilities, equipment, machinery and the like is proposed to be replaced and/or upgraded in the:

(A) 2014–2015 financial year; and

(B) 2015–2016 financial year?

Dr K.D. Hames replied:

(a) Yes

(b) Electrical and Painting & Decorating from the commencement of 2015.

(c) Yes

(d) Depending on alternative training providers for these trades being identified by the Department of Training and Workforce Development reductions may occur in Upholstery, Vehicle Trimming, Polishing, Wood Machining and Floor Covering.

A timeframe for reduction has not yet been set.

(e) Yes

(f) Hairdressing, Construction and Civil Construction from the commencement of 2015

(g) No

(h) Not applicable

(i) No

(j) (i) No

(ii) Not applicable

(iii) No — equipment and training materials are adequate for the level and type of delivery at this time.

(iv) Yes

(v) Not applicable

(vi) No specific items have been identified for upgrade or replacement at this time. Items are generally upgraded and/or replaced on a needs basis.

HARDSHIP UTILITY GRANT SCHEME — MIRRABOOKA ELECTORATE

2943. Ms J.M. Freeman to the Parliamentary Secretary representing the Minister for Child Protection:

I refer to the Hardship Utilities Grant Scheme (HUGS) and ask:

(a) between 1 January 2014 and 30 June 2014, how many people applied for the HUGS in:

(i) Alexander Heights;

(ii) Balga;

(iii) Koondoola;

(iv) Mirrabooka;

(v) Westminster; and

(vi) the part of Ballajura that falls within the State Electorate of Mirrabooka;

(b) between 1 January 2014 and 30 June 2014, how many people received payments under the HUGS in:

(i) Alexander Heights;

(ii) Balga;

(iii) Koondoola;

(iv) Mirrabooka;

(v) Westminster; and

(vi) the part of Ballajura that falls within the State Electorate of Mirrabooka;

(c) between 1 July 2013 and 31 December 2013, how many people applied for the HUGS in:

(i) Alexander Heights;

(ii) Balga;

(iii) Koondoola;

(iv) Mirrabooka;

(v) Westminster; and

(vi) the part of Ballajura that falls within the State Electorate of Mirrabooka;

(d) between 1 July 2013 and 31 December 2013, how many people received payments under the HUGS in:

(i) Alexander Heights;

(ii) Balga;

(iii) Koondoola;

(iv) Mirrabooka;

(v) Westminster; and

(vi) the part of Ballajura that falls within the State Electorate of Mirrabooka;

(e) between 1 January 2013 and 30 June 2013, how many people applied for the HUGS in:

(i) Alexander Heights;

(ii) Balga;

(iii) Koondoola;

(iv) Mirrabooka;

(v) Westminster; and

(vi) the part of Ballajura that falls within the State Electorate of Mirrabooka;

(f) for those applications made between 1 January 2013 and 30 June 2013, how many people received payments under the HUGS in:

(i) Alexander Heights;

(ii) Balga;

(iii) Koondoola;

(iv) Mirrabooka;

(v) Westminster; and

(vi) the part of Ballajura that falls within the State Electorate of Mirrabooka;

(g) for those applications made between 1 January 2014 and 30 June 2014, how many people received payments under the HUGS to assist in the payment of water bills in:

(i) Alexander Heights;

(ii) Balga;

(iii) Koondoola;

(iv) Mirrabooka;

(v) Westminster; and

(vi) the part of Ballajura that falls within the State Electorate of Mirrabooka;

(h) for those applications made between 1 January 2014 and 30 June 2014, how many people received payments under the HUGS to assist in the payment of electricity bills in:

(i) Alexander Heights;

(ii) Balga;

(iii) Koondoola;

(iv) Mirrabooka;

(v) Westminster; and

(vi) the part of Ballajura that falls within the State Electorate of Mirrabooka; and

(i) for those applications made between 1 January 2014 and 30 June 2014, how many people received payments under the HUGS to assist in the payment of gas bills in:

(i) Alexander Heights;

(ii) Balga;

(iii) Koondoola;

(iv) Mirrabooka;

(v) Westminster; and

(vi) the part of Ballajura that falls within the State Electorate of Mirrabooka?

Ms A.R. Mitchell replied:

(a) Applications processed between 1 January and 30 June 2014.

(i) Alexander Heights 35

(ii) Balga 151

(iii) Koondoola 44

(iv) Mirrabooka 94

(v) Westminster 62

(vi) Ballajura 158

*Please note that we collect data based on Suburb not on electorate. Therefore only data for the whole of Ballajura can be provided.

(b) Applications approved between 1 January and 30 June 2014.

(i) Alexander Heights 35

(ii) Balga 147

(iii) Koondoola 44

(iv) Mirrabooka 91

(v) Westminster 60

(vi) Ballajura 151

*Please note that we collect data based on Suburb not on electorate. Therefore only data for the whole of Ballajura can be provided.

(c) Applications processed between 1 July and 31 December 2013.

(i) Alexander Heights 24

(ii) Balga 162

(iii) Koondoola 46

(iv) Mirrabooka 66

(v) Westminster 32

(vi) Ballajura 91

*Please note that we collect data based on Suburb not on electorate. Therefore only data for the whole of Ballajura can be provided.

(d) Applications approved between 1 July and 31 December 2013.

(i) Alexander Heights 23

(ii) Balga 154

(iii) Koondoola 45

(iv) Mirrabooka 64

(v) Westminster 31

(vi) Ballajura 83

*Please note that we collect data based on Suburb not on electorate. Therefore only data for the whole of Ballajura can be provided.

(e) Applications processed between 1 January and 30 June 2013.

(i) Alexander Heights 44

(ii) Balga 164

(iii) Koondoola 44

(iv) Mirrabooka 80

(v) Westminster 50

(vi) Ballajura 116

*Please note that we collect data based on Suburb not on electorate. Therefore only data for the whole of Ballajura can be provided.

(f) Applications approved between 1 January and 30 June 2013.

(i) Alexander Heights 42

(ii) Balga 159

(iii) Koondoola 41

(iv) Mirrabooka 80

(v) Westminster 47

(vi) Ballajura 113

*Please note that we collect data based on Suburb not on electorate. Therefore only data for the whole of Ballajura can be provided.

(g) Applications approved between 1 January and 30 June 2014 for water bills.

(i) Alexander Heights 3

(ii) Balga 7

(iii) Koondoola 4

(iv) Mirrabooka 3

(v) Westminster 0

(vi) Ballajura 8

*Please note that we collect data based on Suburb not on electorate. Therefore only data for the whole of Ballajura can be provided.

(h) Applications approved between 1 January and 30 June 2014 for electricity bills.

(i) Alexander Heights 25

(ii) Balga 100

(iii) Koondoola 27

(iv) Mirrabooka 60

(v) Westminster 46

(vi) Ballajura 95

*Please note that we collect data based on Suburb not on electorate. Therefore only data for the whole of Ballajura can be provided.

(i) Applications approved between 1 January and 30 June 2014 for gas bills.

(i) Alexander Heights 7

(ii) Balga 40

(iii) Koondoola 13

(iv) Mirrabooka 28

(v) Westminster 14

(vi) Ballajura 48

*Please note that we collect data based on Suburb not on electorate. Therefore only data for the whole of Ballajura can be provided.

DEPARTMENT OF EDUCATION — PRIMARY SCHOOL MAINTENANCE — MIRRABOOKA ELECTORATE

2947. Ms J.M. Freeman to the Minister representing the Minister for Education:

With reference to the following schools:

(i) Alinjarra Primary School;

(ii) Balga Primary School;

(iii) Balga High School;

(iv) Boyare Primary School;

(v) Dryandra Primary School;

(vi) Illawarra Primary School;

(vii) Koondoola Primary School;

(viii) North Balga Primary School;

(ix) Waddington Primary School; and

(x) Westminster Primary School:

(a) what is the current estimated value of outstanding maintenance required at each school;

(b) what are the details of maintenance required at each school;

(c) what funds have been allocated for such maintenance at each school; and

(d) if no funding has been allocated, when will funds be allocated?

Mr J.H.D. Day replied:

A Building Condition Assessment (BCA) of each public school was undertaken in the second half of 2013. The BCA lists and prioritises all maintenance required at a site, including very minor non-urgent work.

(a) and (c) see below table:

School	**(a) Estimated value of maintenance required ($)**	**(c) Amount allocated on maintenance ($)** (since 30 June 2013)
(i) Alinjarra Primary School	169,292	91,691
(ii) Balga Primary School	134,022	113,973
(iii) Balga Senior High School	165,343	644,295
(iv) Boyare Primary School	77,942	100,005
(v) Dryandra Primary School	111,519	98,777
(vi) Illawarra Primary School	93,234	85,052
(vii) Koondoola Primary School	172,710	103,539
(viii) North Balga Primary School	1,412,870*	111,956
(ix) Waddington Primary School	178,707	60,953
(x) Westminster Primary School	178,666	62,037

*This figure included an estimate of $900,000 for roof replacement work which was completed in 2012 and should not have been included in the 2013 BCA report.

Note: Funds for maintenance are not allocated to individual schools. Routine maintenance and breakdown repairs in schools are undertaken on a needs basis.

(b) The list of maintenance requirements for each school is contained in its BCA report. A copy of the report for each of the listed schools is attached.

[See tabled paper no 2315.]

(d) Not applicable

PREMIER'S PORTFOLIOS — 2013 ABORIGINAL BUSINESS CONTRACTS

2949. Mr B.S. Wyatt to the Premier; Minister for State Development; Science:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the Open and Effective Competition policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Premier and for the period 9 November 2012 to 8 November 2013, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal business?

Mr C.J. Barnett replied:

(a)–(d) I refer the Hon Member to Legislative Assembly Questions on Notice 2345–2361 asked on 10 June 2014 and Legislative Assembly Questions on Notice 537–553 asked on 13 June 2013.

I am not prepared to divert government resources away from their normal duties, when similar questions have already been answered.

If the Honourable Member has a specific query, I will endeavour to provide a reply.

DEPUTY PREMIER'S PORTFOLIOS — 2013 ABORIGINAL BUSINESS CONTRACTS

2950. Mr B.S. Wyatt to the Deputy Premier; Minister for Health; Training and Workforce Development:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the Open and Effective Competition policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Deputy Premier and for the period 9 November 2012 to 8 November 2013, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal business?

Dr K.D. Hames replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2949.

MINISTER FOR REGIONAL DEVELOPMENT'S PORTFOLIOS — 2013 ABORIGINAL BUSINESS CONTRACTS

2951. Mr B.S. Wyatt to the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the Open and Effective Competition policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and for the period 9 November 2012 to 8 November 2013, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal business?

Mr D.T. Redman replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2949.

MINISTER FOR EDUCATION'S PORTFOLIOS — 2013 ABORIGINAL BUSINESS CONTRACTS

2952. Mr B.S. Wyatt to the Minister representing the Minister for Education; Aboriginal Affairs; Electoral Affairs:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the Open and Effective Competition policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and for the period 9 November 2012 to 8 November 2013, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal business?

Mr J.H.D. Day replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2949.

TREASURER'S PORTFOLIOS — 2013 ABORIGINAL BUSINESS CONTRACTS

2953. Mr B.S. Wyatt to the Treasurer; Minister for Energy; Citizenship and Multicultural Interests:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the Open and Effective Competition policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Treasurer and for the period 9 November 2012 to 8 November 2013, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal business?

Dr M.D. Nahan replied:

(a)–(d) I refer the Hon Member to Legislative Assembly Questions on Notice 2949.

I am not prepared to divert government resources away from their normal duties, when similar questions have already been answered.

If the Honourable Member has a specific query, I will endeavour to provide a reply.

MINISTER FOR POLICE'S PORTFOLIOS — 2013 ABORIGINAL BUSINESS CONTRACTS

2955. Mr B.S. Wyatt to the Minister for Police; Tourism; Road Safety; Women's Interests:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the Open and Effective Competition policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and for the period 9 November 2012 to 8 November 2013, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal business?

Mr J.H.D. Day replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2949.

ATTORNEY GENERAL'S PORTFOLIOS — 2013 ABORIGINAL BUSINESS CONTRACTS

2957. Mr B.S. Wyatt to the Minister representing the Attorney General; Minister for Commerce:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the Open and Effective Competition policy, announced by the Minister for Aboriginal Affairs

and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and for the period 9 November 2012 to 8 November 2013, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal business?

Dr K.D. Hames replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2949.

MINISTER FOR MINES AND PETROLEUM'S PORTFOLIOS — 2013 ABORIGINAL BUSINESS CONTRACTS

2959. Mr B.S. Wyatt to the Minister for Mines and Petroleum; Housing:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the Open and Effective Competition policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and for the period 9 November 2012 to 8 November 2013, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal business?

Mr W.R. Marmion replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2949.

MINISTER FOR SPORT AND RECREATION'S PORTFOLIOS — 2013 ABORIGINAL BUSINESS CONTRACTS

2960. Mr B.S. Wyatt to the Minister for Sport and Recreation; Racing and Gaming:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the Open and Effective Competition policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and for the period 9 November 2012 to 8 November 2013, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal business?

Mr T.K. Waldron replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2949.

MINISTER FOR AGRICULTURE AND FOOD'S PORTFOLIOS — 2013 ABORIGINAL BUSINESS CONTRACTS

2961. Mr B.S. Wyatt to the Minister representing the Minister for Agriculture and Food; Fisheries:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the Open and Effective Competition policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and for the period 9 November 2012 to 8 November 2013, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal business?

Mr D.T. Redman replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2949.

MINISTER FOR LOCAL GOVERNMENT'S PORTFOLIOS — 2013 ABORIGINAL BUSINESS CONTRACTS

2962. Mr B.S. Wyatt to the Minister for Local Government; Community Services; Seniors and Volunteering; Youth:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the Open and Effective Competition policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and for the period 9 November 2012 to 8 November 2013, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal business?

Mr A.J. Simpson replied:

(a)–(d) Please refer to answer to Legislative Assembly Question on Notice No 2949.

MINISTER FOR ENVIRONMENT'S PORTFOLIOS — 2013 ABORIGINAL BUSINESS CONTRACTS

2963. Mr B.S. Wyatt to the Minister for Environment; Heritage:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the Open and Effective Competition policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and for the period 9 November 2012 to 8 November 2013, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal business?

Mr A.P. Jacob replied:

(a)–(d) I refer the Hon Member to Legislative Assembly Questions on Notice 2345–2361 asked on 10 June 2014 and Legislative Assembly Questions on Notice 537–553 asked on 13 June 2013.

I am not prepared to divert government resources away from their normal duties, when similar questions have already been answered.

If the Honourable Member has a specific query, I will endeavour to provide a reply.

MINISTER FOR EMERGENCY SERVICES' PORTFOLIOS — 2013 ABORIGINAL BUSINESS CONTRACTS

2964. Mr B.S. Wyatt to the Minister for Emergency Services; Corrective Services; Small Business; Veterans:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the Open and Effective Competition policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and for the period 9 November 2012 to 8 November 2013, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal business?

Mr J.M. Francis replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2949.

PREMIER'S PORTFOLIOS — 2014 ABORIGINAL BUSINESS CONTRACTS

2966. Mr B.S. Wyatt to the Premier; Minister for State Development; Science:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the *Open and Effective Competition* policy, announced by the Minister for Aboriginal Affairs

and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Premier and from 9 November 2013 up to 18 September 2014, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal Business?

Mr C.J. Barnett replied:

(a)–(d) I refer the Hon Member to Legislative Assembly Questions on Notice 2345–2361 asked on 10 June 2014 and Legislative Assembly Questions on Notice 537–553 asked on 13 June 2013.

I am not prepared to divert government resources away from their normal duties, when similar questions have already been answered.

If the Honourable Member has a specific query, I will endeavour to provide a reply.

DEPUTY PREMIER'S PORTFOLIOS — 2014 ABORIGINAL BUSINESS CONTRACTS

2967. Mr B.S. Wyatt to the Deputy Premier; Minister for Health; Training and Workforce Development:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the *Open and Effective Competition* policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Deputy Premier and from 9 November 2013 up to 18 September 2014, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal Business?

Dr K.D. Hames replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2966.

MINISTER FOR REGIONAL DEVELOPMENT'S PORTFOLIOS — 2014 ABORIGINAL BUSINESS CONTRACTS

2968. Mr B.S. Wyatt to the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the *Open and Effective Competition* policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and from 9 November 2013 up to 18 September 2014, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal Business?

Mr D.T. Redman replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2966.

MINISTER FOR EDUCATION'S PORTFOLIOS — 2014 ABORIGINAL BUSINESS CONTRACTS

2969. Mr B.S. Wyatt to the Minister representing the Minister for Education; Aboriginal Affairs; Electoral Affairs:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the *Open and Effective Competition* policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and from 9 November 2013 up to 18 September 2014, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal Business?

Mr J.H.D. Day replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2966.

TREASURER'S PORTFOLIOS — 2014 ABORIGINAL BUSINESS CONTRACTS

2970. Mr B.S. Wyatt to the Treasurer; Minister for Energy; Citizenship and Multicultural Interests:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the *Open and Effective Competition* policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Treasurer and from 9 November 2013 up to 18 September 2014, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal Business?

Dr M.D. Nahan replied:

(a)–(d) I refer the Hon Member to Legislative Assembly Questions on Notice 2966.

I am not prepared to divert government resources away from their normal duties, when similar questions have already been answered.

If the Honourable Member has a specific query, I will endeavour to provide a reply.

MINISTER FOR POLICE'S PORTFOLIOS — 2014 ABORIGINAL BUSINESS CONTRACTS

2972. Mr B.S. Wyatt to the Minister for Police; Tourism; Road Safety; Women's Interests:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the *Open and Effective Competition* policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and from 9 November 2013 up to 18 September 2014, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal Business?

Mr J.H.D. Day replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2966.

ATTORNEY GENERAL'S PORTFOLIOS — 2014 ABORIGINAL BUSINESS CONTRACTS

2974. Mr B.S. Wyatt to the Minister representing the Attorney General; Minister for Commerce:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the *Open and Effective Competition* policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and from 9 November 2013 up to 18 September 2014, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal Business?

Dr K.D. Hames replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2966.

MINISTER FOR MINES AND PETROLEUM'S PORTFOLIOS — 2014 ABORIGINAL BUSINESS CONTRACTS

2976. Mr B.S. Wyatt to the Minister for Mines and Petroleum; Housing:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the *Open and Effective Competition* policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and from 9 November 2013 up to 18 September 2014, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal Business?

Mr W.R. Marmion replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2966.

MINISTER FOR SPORT AND RECREATION'S PORTFOLIOS — 2014 ABORIGINAL BUSINESS CONTRACTS

2977. Mr B.S. Wyatt to the Minister for Sport and Recreation; Racing and Gaming:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the *Open and Effective Competition* policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and from 9 November 2013 up to 18 September 2014, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal Business?

Mr T.K. Waldron replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2966.

MINISTER FOR AGRICULTURE AND FOOD'S PORTFOLIOS — 2014 ABORIGINAL BUSINESS CONTRACTS

2978. Mr B.S. Wyatt to the Minister representing the Minister for Agriculture and Food; Fisheries:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the *Open and Effective Competition* policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and from 9 November 2013 up to 18 September 2014, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal Business?

Mr D.T. Redman replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2966.

MINISTER FOR LOCAL GOVERNMENT'S PORTFOLIOS — 2014 ABORIGINAL BUSINESS CONTRACTS

2979. Mr B.S. Wyatt to the Minister for Local Government; Community Services; Seniors and Volunteering; Youth:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the *Open and Effective Competition* policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and from 9 November 2013 up to 18 September 2014, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal Business?

Mr A.J. Simpson replied:

(a)–(d) Please refer to answer to Legislative Assembly Question on Notice No 2966.

MINISTER FOR ENVIRONMENT'S PORTFOLIOS — 2014 ABORIGINAL BUSINESS CONTRACTS

2980. Mr B.S. Wyatt to the Minister for Environment; Heritage:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the *Open and Effective Competition* policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and from 9 November 2013 up to 18 September 2014, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal Business?

Mr A.P. Jacob replied:

(a)–(d) I refer the Hon Member to Legislative Assembly Questions on Notice 2345–2361 asked on 10 June 2014 and Legislative Assembly Questions on Notice 537–553 asked on 13 June 2013.

I am not prepared to divert government resources away from their normal duties, when similar questions have already been answered.

If the Honourable Member has a specific query, I will endeavour to provide a reply.

MINISTER FOR EMERGENCY SERVICES' PORTFOLIOS — 2014 ABORIGINAL BUSINESS CONTRACTS

2981. Mr B.S. Wyatt to the Minister for Emergency Services; Corrective Services; Small Business; Veterans:

I refer to the announced changes to the Government's procurement policies which exempt Aboriginal Enterprises from the *Open and Effective Competition* policy, announced by the Minister for Aboriginal Affairs and Minister for Finance on 9 November 2012 and in relation to these changes, for every agency under the jurisdiction of the Minister and from 9 November 2013 up to 18 September 2014, I ask:

(a) what was the name of each Aboriginal business contracted;

(b) what services did the business provide to the agency;

(c) what was the term of the contract; and

(d) what was the total value of the contract to the Aboriginal Business?

Mr J.M. Francis replied:

(a)–(d) Please refer to Legislative Assembly Question on Notice 2966.

PRISONS — TELEVISION ACCESS

2983. Mr P. Papalia to the Minister for Corrective Services:

I refer to the provision of television inside Western Australian prisons and ask:

(a) which prisons provide prisoners with free television access in their cells;

(b) which prisons charge a television rental fee to prisoners; and

(c) of those prisons that charge a fee:

(i) what is the current the daily rate charged to a prisoner, listed by prison;

(ii) what was the daily rate charged to a prisoner, listed by prison as at September 2008;

(iii) which prisons charge a daily rate at cost (e.g. which reflects the real cost of providing this service);

(iv) which prisons are making a profit from this service;

(v) what were the profits raised from television hire in the last financial year, listed by prison;

(vi) which of these prisons outsource television hire to private companies, listed by prison and the company providing the service;

(vii) how much money did each of these prisons receive from private companies to provide this service in the last financial year, listed by prison;

(viii) which prisons take a per cent of the profit of the television hire from the private companies providing these services, and what is the percentage each prison receives, listed by prison;

(ix) of those prisons making a profit out of television hire, where does the revenue generated from these proceeds go (e.g. does it go into general consolidated revenue or is it directly re-invested back into the prison where the TV rental is occurring); and

(x) do these prisons have free television access in communal areas which can be accessed by prisoners who cannot afford to pay for television hire (please list answer by prison)?

Mr J.M. Francis replied:

As part of its overall corporate reform program, the Department of Corrective Services (the Department) is currently undertaking to review and consolidate its policy and procedure framework with the main aim of improving consistency, clarity and efficacy. As part of this process, the procedures regarding the provision of televisions (TVs) to prisoners will be reviewed and standardised across the State.

TV rental is charged and accounted on a weekly basis, therefore it has been reported as a weekly rate rather than a daily rate.

The Department advises:

(a) The following prisons do not charge prisoners a rental fee for the use of a television:

Bandyup Women's Prison

Boronia Pre-Release Centre for Women

Bunbury Regional Prison

Broome Regional Prison

Casuarina Prison

Hakea Prison

Wandoo Re-Integration Facility

West Kimberley Regional Prison

(b) The following prisons do charge prisoners a rental fee for the use of a television:

Acacia Prison

Albany Regional Prison

Eastern Goldfields Regional Prison

Greenough Regional Prison

Roebourne Regional Prison

Karnet Prison Farm

Pardelup Prison Farm

Wooroloo Prison Farm

(c) <u>Acacia Prison</u>

(i) $1.00 per week.

(ii) Commenced only when digital TVs were introduced in June 2013.

(iii) Less than cost.

(iv) Nil profit.

(v) Not applicable as per (iv).

(vi) Does not outsource this service.

(vii) Not applicable as per (vi).

(viii) Not applicable as per (vi).

(ix) No profit is made. All proceeds from television rentals go towards recouping costs of initial capital expenditure by Serco and replacement costs.

(x) Yes, located in each individual residential blocks for communal use.

Albany Regional Prison:

(i) $2.50 per week.

(ii) $2.00 per week.

(iii) Less than cost.

(iv) Nil profit.

(v) Not applicable as per (iv).

(vi) Does not outsource this service.

(vii) Not applicable as per (vi).

(viii) Not applicable as per (vi).

(ix) No profit is made. The revenue generated from TV rental is accounted for as retained revenue by the Department of Corrective Services to offset the costs of TV supply and maintenance.

(x) A communal TV is provided in the earned supervision unit.

Eastern Goldfields Regional Prison:

(i) $1.00 per week.

(ii) No charge.

(iii) Less than cost.

(iv) Nil profit.

(v) Not applicable as per (iv).

(vi) Does not outsource this service.

(vii) Not applicable as per (vi).

(viii) Not applicable as per (vi).

(ix) No profit is made. The revenue generated from TV rental is accounted for as retained revenue by the Department of Corrective Services to offset the costs of TV supply and maintenance.

(x) Communal TVs are provided in all units except for the maximum management unit.

Greenough Regional Prison:

(i) $1.00 per week.

(ii) No charge.

(iii) Less than cost.

(iv) Nil profit.

(v) Not applicable as per (iv).

(vi) Does not outsource this service.

(vii) Not applicable as per (vi).

(viii) Not applicable as per (vi).

(ix) No profit is made. The revenue generated from TV rental is accounted for as retained revenue by the Department of Corrective Services to offset the costs of TV supply and maintenance.

(x) Communal TVs are provided in all the day rooms.

Roebourne Regional Prison:

(i) $1.00 per week.

(ii) No charge.

(iii) Less than cost.

(iv) Nil profit.

(v) Not applicable as per (iv).

(vi) Does not outsource this service.

(vii) Not applicable as per (vi).

(viii) Not applicable as per (vi).

(ix) No profit is made. The revenue generated from TV rental is accounted for as retained revenue by the Department of Corrective Services to offset the costs of TV supply and maintenance.

(x) Communal TVs are provided in the common areas.

Karnet Prison Farm:

(i) $3.00 per week.

(ii) $2.10 per week.

(iii) Less than cost.

(iv) Nil profit.

(v) Not applicable as per (iv).

(vi) Does not outsource this service.

(vii) Not applicable as per (vi).

(viii) Not applicable as per (vi).

(ix) No profit is made. The revenue generated from TV rental is accounted for as retained revenue by the Department of Corrective Services to offset the costs of TV supply and maintenance.

(x) Communal TVs are provided in the common areas.

Pardelup Prison Farm:

(i) $2.50 per week.

(ii) Pardelup was gazetted as a prison farm in 2010 and the TV rental has been $2.50 per week since then.

(iii) Less than cost.

(iv) Nil profit.

(v) Not applicable as per (iv).

(vi) Does not outsource this service.

(vii) Not applicable as per (vi).

(viii) Not applicable as per (vi).

(ix) No profit is made. The revenue generated from TV rental is accounted for as retained revenue by the Department of Corrective Services to offset the costs of TV supply and maintenance.

(x) Communal TVs available in the Recreation Hall and Dining Room.

Wooroloo Prison Farm:

(i) $1.05 per week.

(ii) $2.50 per week.

(iii) Less than cost.

(iv) Nil profit.

(v) Not applicable as per (iv).

(vi) Does not outsource this service.

(vii) Not applicable as per (vi).

(viii) Not applicable as per (vi).

(ix) No profit is made. The revenue generated from TV rental is accounted for as retained revenue by the Department of Corrective Services to offset the costs of TV supply and maintenance.

(x) Communal TVs are provided in the self-care areas.

ABORIGINAL LANDS TRUST — LAND INCREASE

2990. Mr B.S. Wyatt to the Minister representing the Minister for Aboriginal Affairs:

I refer to the Aboriginal Lands Trust's (ALT) *STRATEGIC FRAMEWORK 2012–2014* document, and I ask:

(a) what negotiations are under way to divest more lands;

(b) how long will it take to release the lands currently being negotiated (if any);

(c) how long have each of these lands been under negotiation;

(d) what is preventing each negotiation from coming to a conclusion;

(e) what is the timeline for the rest of the land, held by the ALT, which is not already being negotiated; and

(f) how long will it take for all of the land to be divested?

Dr K.D. Hames replied:

(a) Negotiations are underway with the Bardi and Jawi Niimidiman Aboriginal Corporation to undertake land tenure reform and the transfer of management and control of the Aboriginal Lands Trust estate within the Bardi Jawi native title determination area (Reserves 20927, 25106, 38931).

Negotiations are also underway with the Moorditj Koort Aboriginal Corporation to transfer two Aboriginal Lands Trust freehold properties in Medina (148–150 Gilmore Avenue and 13 Leasham Way).

(b) Timeline for negotiation with the Bardi and Jawi Niimidiman Aboriginal Corporation is currently unknown. Negotiations with the Moorditj Koort Aboriginal Corporation are expected to conclude by June 2015.

(c) Bardi Jawi — 18 months; Moorditj Koort Aboriginal Corporation — 2 years.

(d) There has been no delay in the Bardi Jawi negotiations. In December 2013, the Department of Aboriginal Affairs provided $109 000 in grant funding to the Kimberley Land Council to undertake the second stage of a Bardi Jawi Governance project, focusing on building a sustainable governance model for the Bardi Jawi people that enhances their ability to hold and manage land.

With regards to Moorditj Koort Aboriginal Corporation negotiations, negotiations have been delayed due to the requirement for the Moorditj Koort Aboriginal Corporation to reach agreement on the proposed transfer with the Aboriginal organisation that currently holds the lease over the Medina properties.

(e)–(f) The divestment of the Aboriginal Lands Trust estate is an ongoing process which involves preliminary work through the coordination of the Aboriginal Lands Trust, the Western Australian Planning Commission, the Departments of Aboriginal Affairs, the Premier and Cabinet, Housing, Lands and Regional Development.

The issues involved in the divestment of Aboriginal Lands Trust estate can be complex, with a variety of factors that impact upon the transfer process, including the variety of existing and potential tenure types, Native Title, reconciling competing interests over the land and the capacity of Aboriginal organisations to meet the responsibilities associated with owning and managing land. Transfer processes may require lengthy consultation, negotiation and mediation with occupants of the land (including persons holding historical interests), Native Title Representative Bodies, Local Government and other Government agencies.

ABORIGINAL LANDS TRUST — PASTORAL LEASE ENTERPRISE PROJECT

2995. Mr B.S. Wyatt to the Minister representing the Minister for Aboriginal Affairs:

I refer to the Aboriginal Lands Trust's (ALT) *STRATEGIC FRAMEWORK 2012–2014* document, and I ask:

(a) where is the ALT in terms of completing their "Pastoral Lease Enterprise" project;

(b) how many pieces of pastoral land have been transferred;

(c) which lands have been transferred (if any);

(d) which lands have been reformed (if any); and

(e) what infrastructure investments have been made?

Dr K.D. Hames replied:

(a) Renewals Working Group whose membership includes the Indigenous Land Corporation, Department of Agriculture and Food WA, Department of Lands and Department of Regional Development (Chair).

The group will oversee the preparation of management plans and development plans on Aboriginal pastoral leases to ensure compliance with lease renewal conditions prior to July 2015.

The Department of Aboriginal Affairs has seconded an officer to the Department of Agriculture and Food WA to assist in the Pastoral Lease Renewal process which involves direct engagement with local communities. The Aboriginal Lands Trust has also invested $77 500 in the Pastoral Lease Enterprise project.

(b) Nil. The current work priority is to ensure all six Aboriginal Lands Trust pastoral leases are renewed in June 2015.

(c)–(d) Not applicable

(e) The Aboriginal Lands Trust and the Department of Aboriginal Affairs continue to resource investments to resolve compliance, management, operational and maintenance issues on all six Aboriginal Lands Trust Pastoral Leases.

ABORIGINAL LANDS TRUST — MINING RENTS PROJECT

2996. Mr B.S. Wyatt to the Minister representing the Minister for Aboriginal Affairs:

I refer to the Aboriginal Lands Trust's (ALT) *STRATEGIC FRAMEWORK 2012–2014* document, and I ask:

(a) where is the ALT in terms of completing their "Mining Rents" project;

(b) how many pastoral lands have transferred ownership;

(c) what leases have been assessed and what was the change in these leases once assessed (if any);

(d) what land has been reformed for pastoral purposes;

(e) what infrastructure has been invested in:

(i) how much money has been invested;

(ii) what projects are underway with the invested money; and

(iii) how many projects have been completed with the completed infrastructure investment; and

(f) what employment and training opportunities have been created:

(i) how many people have been employed and trained; and

(ii) are there more employment and training opportunities soon to be available?

Dr K.D. Hames replied:

(a) The Aboriginal Lands Trust receives Mining Rents and Royalties monies annually from the Department of Mines and Petroleum based on a percentage of the revenue paid by mining companies which undertake mining activities on certain Aboriginal reserves.

The Department of Aboriginal Affairs is seeking to increase the apportionment of Mining Rents and Royalties allocation to the Aboriginal Lands Trust to 100 per cent through agreement with Department of Mines and Petroleum to enable more efficient management of the estate. This project is ongoing and involves continued discussions between the Departments of Aboriginal Affairs, Mines and Petroleum and Treasury.

(b) Nil

(c)–(d) Not applicable

(e) (i)–(iii) The Aboriginal Lands Trust and the Department of Aboriginal Affairs continue to resource investments to resolve compliance, management, operational and maintenance issues on all six Aboriginal Lands Trust Pastoral Leases.

The Department of Aboriginal Affairs has seconded an officer to the Department of Agriculture and Food WA to assist in the Pastoral Lease Renewal process which involves direct engagement with local communities. The Aboriginal Lands Trust has also invested $77 500 in the Pastoral Lease Enterprise project.

(f) (i)–(ii) Training and employment opportunities may be considered as part of the management plans that are being developed by the Department of Aboriginal Affairs and Aboriginal Lands Trust as part of the Pastoral lease renewal process.

ABORIGINAL LANDS TRUST — LAND TENURE FACILITATION PROJECT

2997. Mr B.S. Wyatt to the Minister representing the Minister for Aboriginal Affairs:

I refer to the Aboriginal Lands Trust's (ALT) *STRATEGIC FRAMEWORK 2012–2014* document, and I ask:

(a) where is the ALT in terms of completing their "Land Tenure Facilitation" project;

(b) what changes have been made to tenure of land holdings;

(c) how many changes to tenure have been made;

(d) are there more changes still to come;

(e) what are they (if any); and

(f) what benefit will the changes have in terms of the use of the land?

Dr K.D. Hames replied:

(a)–(f) Divestment and land tenure reform proposals are being pursued by the Department of Aboriginal Affairs through a number of ongoing initiatives, including:

Opportunities arising from the Department of Aboriginal Affairs facilitated Dampier Peninsular Planning Strategy undertaken by the Department of Planning, in particular with the Bardi Jawi Native Title holders of the Northern Dampier Peninsula;

Working to achieve Aboriginal Lands Trust divestment linked to the establishment of a new conservation estate under the State's Kimberley Science and Conservation Strategy;

The establishment of a "Tenure Improvements — Aboriginal Lands" interagency working group, which is led by the Department of the Premier and Cabinet. Membership includes the Departments of Aboriginal Affairs, Lands, Planning, Housing, Regional Development and the Aboriginal Lands Trust Chairperson on behalf of the Aboriginal Lands Trust; and

Continued consultation with other Native Title parties across the State.

Land tenure reforms will depend upon discussions with relevant native title holders and other parties specific to any particular divestment of the Aboriginal Lands Trust estate.

Potential benefits of land tenure reform include wealth generation through greater economic development opportunities, normalised State and Local Government service delivery leading to improved social well-being outcomes, and Aboriginal home ownership.

ABORIGINAL LANDS TRUST — CAPACITY BUILDING LAND HOLDING ENTITIES PROJECT

2999. Mr B.S. Wyatt to the Minister representing the Minister for Aboriginal Affairs:

I refer to the Aboriginal Lands Trust's (ALT) *STRATEGIC FRAMEWORK 2012–2014* document, and I ask:

(a) where is the ALT in terms of completing their "Capacity Building Land Holding Entities" project;

(b) have land holding entities been prepared to manage land;

(c) what governances have been built; and

(d) what economic developments and strategic capacities have been planned through delivery programs?

Dr K.D. Hames replied:

(a)–(d) The Department of Aboriginal Affairs has provided a range of funding and other assistance to build governance, planning, economic development and strategic capacity, including:

A grant of $109,000 for the Bardi Jawi Governance project to develop appropriate governance arrangements between the various Bardi land holding community organisations;

Halls Creek Land Housing and Heritage working with the Kimberley Lands Council to facilitate the establishment of a land holding body for native title groups with interests in the Halls Creek town-site;

Facilitating the development of Stage 2 of the Yagan Memorial Park through engagement with the Shire of Swan and South West Aboriginal Land and Sea Council; and

Provision of a grant to the Bunuba Prescribed Body Corporate to establish land holding entities and governance structures.

ABORIGINAL LANDS TRUST — LIVING ON OUR LANDS PROJECT

3000. Mr B.S. Wyatt to the Minister representing the Minister for Aboriginal Affairs:

I refer to the Aboriginal Lands Trust's (ALT) *STRATEGIC FRAMEWORK 2012–2014* document, and I ask:

(a) what is the "Living on Our Lands" project;

(b) who is in charge of this project;

(c) how old is this project;

(d) what has been accomplished by this project;

(e) what goals are planned for the future of the project; and

(f) what other projects like "Living Our Lands Project" are in existence:

(i) who is in charge of those projects;

(ii) how old are those projects; and

(iii) what goals are planned for the future of those projects?

Dr K.D. Hames replied:

(a)–(f) The 'Living on Our Lands' report was commissioned by the Aboriginal Lands Trust and the Department of Aboriginal Affairs. The project was completed in 2012 and the Final Report was provided to the Aboriginal Lands Trust and Department of Aboriginal Affairs.

The report was commissioned to assist in identifying and assessing the range of land tenure arrangements on the Aboriginal Lands Trust estate and to provide guidance as to how the estate can be best used to increase economic development, provide greater home ownership opportunities and improve asset management and service delivery.

The Final Report and case studies provided:

A detailed examination of land tenure arrangements on the Aboriginal Lands Trust estate; and

Comprehensive profiles and land tenure options for identified locations including portions of the Aboriginal Lands Trust estate in Broome, the Dampier Peninsula, Halls Creek and Kununurra.

The Aboriginal Lands Trust continues to drive divestment of the Aboriginal Lands Trust Estate with the support of policy developed by the Department of Aboriginal Affairs, the Interagency Land Holdings Taskforce, and the Aboriginal Affairs Coordinating Committee. The report will continue to be used to assist with this process.

ABORIGINAL LANDS TRUST — LANDHOLDINGS TASKFORCE

3001. Mr B.S. Wyatt to the Minister representing the Minister for Aboriginal Affairs:

I refer to the Aboriginal Lands Trust's (ALT) *STRATEGIC FRAMEWORK 2012–2014* document, and I ask:

(a) where is the ALT in terms of creating their Landholdings Taskforce;

(b) when was it created;

(c) how many members are on the taskforce;

(d) what are the names of the members of the taskforce;

(e) how often do these members meet;

(f) where do they meet;

(g) on what dates has the Taskforce met over the past two years;

(h) how are these members chosen or elected;

(i) how often do they change members;

(j) do members have terms; and

(k) if the members have terms, what is the length of each term?

Dr K.D. Hames replied:

(a) A "Tenure Improvements — Aboriginal Lands" interagency working group has been established, which is led by the Department of the Premier and Cabinet.

(b) January 2014

(c) Seven member agencies.

(d) Departments of the Premier and Cabinet, Aboriginal Affairs, Lands, Planning, Housing, Regional Development and the Aboriginal Lands Trust Chairperson on behalf of the Aboriginal Lands Trust.

(e) As required

(f) Department of the Premier and Cabinet.

(g) 25 September 2014; 20 June 2014; 4 April 2014.

(h) Member agencies were chosen based on expertise in the State's land administration and native title legislation and processes.

(i) Membership has not changed.

(j) No

(k) Not applicable

ABORIGINAL LANDS TRUST — LAND DEVELOPMENT JOINT VENTURES

3002. Mr B.S. Wyatt to the Minister representing the Minister for Aboriginal Affairs:

I refer to the Aboriginal Lands Trust's (ALT) *STRATEGIC FRAMEWORK 2012–2014* document, and I ask:

(a) where is the ALT in terms of completing their Land Development Joint ventures;

(b) what economic opportunities have been leveraged from existing land holdings;

(c) what land development opportunities have been facilitated with traditional owners;

(d) what land development opportunities have been facilitated with the Aboriginal Land Councils; and

(e) what land development opportunities have been developed with commercial developers?

Dr K.D. Hames replied:

(a) The Land Development project was completed in 2012.

(b)–(e) The Aboriginal Lands Trust facilitated a joint venture for the redevelopment of a light industrial precinct between commercial partners and the Noongar Charitable Trust through the transfer of three Aboriginal Lands Trust held Freehold lots on Sydney Road, Gnangara, to the Noongar Charitable Trust, on behalf of the Noongar Native Title claimants.

The successful transfer of the three Gnangara lots will allow for the profits from the development to be held in trust for the future benefit of the Noongar people. The joint venture and development process will provide employment and training opportunities for Noongar people as well as economic and social benefits for the broader Noongar community.

Additionally, the project will facilitate the formalisation of the existing Aboriginal cemetery, the retention of the Bush Forever area, the lease of one lot to the Nyoongah Community Aboriginal Corporation and the construction of two houses to relocate existing residents.

ABORIGINAL LANDS TRUST — STRATEGIC STATE ABORIGINAL LAND POLICY

3003. Mr B.S. Wyatt to the Minister representing the Minister for Aboriginal Affairs:

I refer to the Aboriginal Lands Trust's (ALT) *STRATEGIC FRAMEWORK 2012–2014* document, and I ask:

(a) where is the ALT in terms of implementing their "Strategic State Aboriginal Land Policy" (the policy);

(b) what is its purpose;

(c) what policies have been implemented;

(d) who is in charge of enforcement of these policies;

(e) who are the proponents of the policy;

(f) who do the proponents of the policy collaborate with;

(g) do these proponents collaborate regularly;

(h) do these proponents collaborate regularly:

  (i) if yes, how often and where;

  (ii) if no, when did they collaborate in the past; and

  (iii) what was accomplished;

(i) what asset registers have been shared and with whom; and

(j) what joint management options have been investigated:

  (i) what were the findings of this investigation; and

(ii) how did this investigation prove beneficial for the implementation of the policy?

Dr K.D. Hames replied:

(a) The Strategic State Aboriginal Land Policy project is currently under development.

(b) Strategic State Aboriginal Land Policy aims to maximise opportunities to utilise the Aboriginal Lands Trust estate to support the aspirations of Aboriginal people for greater economic benefit, home ownership options and the protection of land with cultural and historical significance.

(c) Please refer to (a).

(d) Responsibility for enforcement of the policy will be determined as part of the policy drafting process.

(e) The Aboriginal Lands Trust and the Department of Aboriginal Affairs.

(f) The Aboriginal Lands Trust and the Department of Aboriginal Affairs collaborate with other relevant Agencies including the Departments of the Premier and Cabinet, Lands, Planning, Housing and Regional Development.

(g)–(h) The proponents collaborate as required.

(i)–(j) The Sharing of Asset registers and joint management options are being investigated as part of the policy drafting process.

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