



Parliamentary Debates

(HANSARD)

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LEGISLATIVE ASSEMBLY

Thursday, 17 March 2016

Legislative Assembly

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THE SPEAKER (Mr M.W. Sutherland) took the chair at 9.00 am, and read prayers.

SCULPTURE BY THE SEA

Statement by Minister for Culture and the Arts

MR J.H.D. DAY (Kalamunda — Minister for Culture and the Arts) [9.01 am]: Each year Cottesloe Beach is transformed into a public sculpture park that attracts hundreds of thousands of visitors through the *Sculpture by the Sea* exhibition. It is one of the most exciting events on the state's diverse and exciting events calendar, which inspires people of all ages. The 2016 exhibition features 77 artists from 19 countries, including a strong contingent of local artists. One of the highlights has been the work of Chinese performance artist and photographer Li Wei, who has staged attention-grabbing aerial photographs above some of the world's most famous cities, such as Paris, Milan, Vienna, Amsterdam, and now Perth. Li Wei's participation was supported by Tourism WA, and I am pleased that the state government, through Tourism WA, Lotterywest and the Department of Culture and the Arts, has been a sponsor of *Sculpture by the Sea* since it began in 2005. Of course, private sector support and philanthropy are crucial for events such as this, and this year saw Rio Tinto come on board as a major sponsor, funding the \$50 000 Rio Tinto Sculpture Prize. This prize went to Dale Miles of New South Wales for his work *Parallel Thinking Space*, which is a beautiful piece made from Western red cedar. The \$10 000 Western Australian Sculptor Scholarship, which since 2013 has been donated by Gavin Bunning and Julianne Penny, went to Olga Cironis for her work *Mountain of Words*.

Now in its twelfth year, and with Cottesloe being one of only two locations in the world to host the event, *Sculpture by the Sea* is a fantastic way for the public to engage with the arts in a particularly picturesque environment. The event supports the government's goal of increasing the value of tourism in the state to \$12 billion by 2020, and provides yet another way for the community to come together and share unique and transformative experiences. The exhibition's final days are this weekend and I encourage all members to take their families and friends to enjoy *Sculpture by the Sea*.

COMMUNITY GARDENS GRANTS PROGRAM

Statement by Minister for Community Services

MR A.J. SIMPSON (Darling Range — Minister for Community Services) [9.03 am]: I rise to inform the house about the latest round of funding under the community gardens grants program. I am pleased to advise that I recently approved \$114 000 in funding towards 10 community gardens across Western Australia. Since the program's introduction by the Liberal-National government in 2013, it has provided more than \$350 000 in grants for 27 community gardens projects throughout Western Australia. Community gardens provide a vital hub for the local community. They are not just for the green fingered. They provide people of all generations with an area to come together to share a cuppa and a love of the great Western Australian outdoors. As well as enabling people to stay connected, community gardens give locals a chance to learn new skills and reap the physical, social and nutritional benefits of growing plants and produce. The latest round of funding will help with the purchasing and improvement of infrastructure, the creation of more sustainable gardens and the promotion of workshops and events. In total, 11 metropolitan and 16 regional projects are now underway thanks to the government's investment in this program.

Last week I visited the Withers Community Kitchen Garden in Bunbury, which received a grant of over \$9 000 to construct a gazebo and retaining wall to provide shelter and shade for the gardeners, visitors, schoolchildren and working groups who use the garden. I also visited the Busselton Community Garden, which received more than \$8 000 in funding to be used to expand shade cover, purchase banner signage and deliver gardening workshops for the community. During my visits I learned a lot about the different approaches by the various gardens to engage their local communities and to build that sense of community spirit and participation. Hilton, Cannington, Manjimup and Goomalling are just some of the other communities benefiting from the Liberal-National government's investment in this program. The investment into the community gardens grants program continues to provide enormous benefits, building stronger and safer communities across Western Australia.

BIKE WEEK 2016

Statement by Minister for Transport

MR D.C. NALDER (Alfred Cove — Minister for Transport) [9.05 am]: This year's Bike Week commenced on Saturday, 12 March 2016, and is coordinated by WestCycle with support from the Department of Transport. For more than 30 years, Bike Week has played an integral role in promoting bike riding across metropolitan and

regional WA. Over 90 events are scheduled to take place across metropolitan and regional Western Australia in celebration of all things bikes. An amount of \$30 000 in Bike Week grants has been awarded in 2016 for a range of events that support and encourage people of all ages to get on their bikes.

This year a number of projects will reach completion, which will expand the network of paths for bike riders and pedestrians alike. The goal is to give people the real option of leaving their car at home. Over the past seven years this Liberal government has invested \$112.8 million in cycling networks throughout WA, resulting in 246 kilometres of off-road shared paths and 74 kilometres of on-road bike lanes. We have also allocated \$75.1 million over the next four years to improve safety and bike network connectivity for all Western Australians, including \$34.4 million for major cycling projects associated with major road projects, \$37.7 million for local government grants and principal shared paths, and \$3 million in 2015–16 for the bike boulevards program. The most recent section of cycle and pedestrian path to be completed is the \$3.8 million, 1.3 kilometre section of path from Guildford railway station to the East Street crossing along the Perth to Midland train line. Work has also commenced on the extension of the principal shared path adjacent to the Perth to Midland line between East Street in Guildford and Morrison Road in Woodbridge. The \$4.4 million project will include an improved connection to the underpass at Woodbridge station. This 1.4 kilometre section of path will provide an important connection to the recently completed extension of the path from Johnson Street in Guildford to the East Street crossing outside Guildford Grammar School. Cycling is becoming a popular transport option for many workers. The government's commitment to expanding Perth's cycling network will enable safer journeys and help to encourage more workers to consider this transport option. I encourage all members to take part in Bike Week 2016.

BENNETT BROOK DISABILITY JUSTICE CENTRE

Statement by Parliamentary Secretary

MS A.R. MITCHELL (Kingsley — Parliamentary Secretary) [9.07 am]: I would like to update the house on the Bennett Brook Disability Justice Centre in Caversham. On Thursday, 31 December 2015, two residents of the centre absconded and the subsequent search activity led to anxiety on the part of some neighbours of the centre. WA Police returned one resident to the centre the following day and the second resident returned in the company of family on 3 January 2016. The Minister for Disability Services understands the concerns expressed by local community members and met with local residents on two occasions. The legal limitations regarding the release of personal information and respect for the privacy of the centre's residents may have contributed to community uncertainty and speculation around this incident.

The Disability Services Commission immediately implemented measures to increase the security of the centre. The minister commissioned an independent analysis of the individual plans, programs and services for residents of the centre, including whether they were applied in a way that promotes the protection and safety of the community. This analysis was undertaken by the Honourable Mr Justice Peter Blaxell, a retired Supreme Court judge, and Professor Colleen Hayward, AM, of Edith Cowan University, two people who are highly regarded in their fields. The minister also requested that Mr Blaxell and Professor Hayward advise whether due consideration was given by the minister in determining resident suitability for the Bennett Brook Disability Justice Centre. The analysis was completed on 22 January 2016 and contains five recommendations, including that the goals in each individual development plan be structured and expressed in a way that the resident will easily understand; the deadline for IDPs be extended from 20 days after residents arrive at the centre to three months; during the development of each IDP there should be a greater focus on finding activities that excite the interest of the particular resident; a standard recording procedure be created to document any breaches of conditions; and formal internal reviews of the effectiveness of the centre operations be conducted at least annually. Each of the recommendations has been accepted by the government.

Mr Blaxell and Professor Hayward included an addendum to their report highlighting the number of people with disability serving sentences in prisons because they had not received legal advice to seek custody orders under the Criminal Law (Mentally Impaired Accused) Act 1996. They recommended that the Disability Services Commission undertake an education program directed at the legal profession so that it is fully aware of the programs available at the centre. This recommendation has also been accepted.

Mr Blaxell and Professor Hayward commended the commission on its risk assessment and management processes while delivering appropriate services to the centre. DSC received advice to improve perimeter security and amend operational procedures to minimise the risk of future absconding. DSC and WA Police have finalised a memorandum of understanding that will be implemented in cases of unauthorised absences from the centre. The centre provides a real option for people who have been accused of a crime and deemed unfit to plead to charges because of their intellectual or cognitive disability.

I table the report, "Bennett Brook Disability Justice Centre: Independent Analysis by the Hon. Peter Blaxell and Professor Colleen Hayward, AM, of Individual Plans, Programmes, and Services for Residents" and the government response.

[See papers 3952 and 3953.]

GIRRAWHEEN ELECTORATE — TRANSPORT*Grievance*

MS M.M. QUIRK (Girrawheen) [9.12 am]: My grievance is to the Minister for Transport and concerns two issues in different parts of the redistributed Girrawheen electorate. The first concerns the failure to deliver on the promised extension on the 450 bus route to rapidly expanding East Landsdale. The second concerns the traffic situation on the western portion of Gnangara Road and the limited access in and out of the northern portion of the suburb of Madeley.

In last year's budget, the government announced an increase of 850 000 bus service kilometres across the network for 2015-16. Details of that were supplied in a response to questions asked by the shadow Minister for Transport during estimates and in a letter sent to me by the minister's chief of staff in August 2015, which advised of an extension to route 450 along Kingsway to an interim terminus at Pomodoro Avenue, Landsdale, noting that residents on the eastern side of Landsdale are not in close proximity to services with a connection to Warwick train station. It was noted that eventually the service would extend to Alexander Drive. By February this year, when it was clear that the budget had deteriorated considerably, and in a response to a question asked in the Legislative Council, all references to route 450 were absent. I am waiting for an answer to a question on notice that I put to the minister, but in the meantime in a letter I received from his office dated 26 February this year I was advised that although the extension is still a priority, no date has been set for its commencement. This backflip is not acceptable and indicates that the government's priorities are all wrong. It also shows a complete lack of understanding about suburbs like Landsdale and how poorly served they are by public transport. One of the conditions for establishing new services is that they are provided in developing urban areas that are not serviced by regular public transport. This is perplexing since this is exactly the case with the eastern side of Landsdale where there has been massive growth. The minister must appreciate that this is not establishing a new route but extending an existing one. By taking so-called decisive measures to reduce congestion while not providing public transport, the government only aggravates what is already a commuter's worse nightmare. In this context, I note that this year alone the state government is spending \$1 million on its Smart Transport media campaign to advise commuters of their options. Imagine how poorly those ads will go down with residents in Landsdale. Their immediate thoughts will be that a mere fraction of that advertising budget could have paid for the promised but now deferred bus route.

The second issue concerns the residents in the northern section of Madeley who are concerned about the traffic situation on the western portion of Gnangara Road and a lack of access in and out of that section of the suburb. The Gnangara Road–Buffalo Avenue intersection continues to be highly dangerous with a number of near-miss collisions, and with children and adults alike having great difficulty crossing Gnangara Road in this area. With modifications to the eastern section of Gnangara Road, the volume of trucks and heavy vehicles also compromises road safety and compounds congestion in the area. Over 12 690 vehicles use that road each day—11 per cent are commercial vehicles—and 85 per cent of those vehicles travel on the road at 72 kilometres or more an hour. Also of concern is the placement of bollards on local streets as a remedial measure, which has had the unintended consequence of restricting access to emergency vehicles, like ambulances and fire trucks, thereby further adversely impacting on residents' safety and wellbeing. Compounding the issue is the demarcation between Main Roads and the City of Wanneroo with differing responsibilities for sections of the road. The City of Wanneroo has received developer contributions to fund its portion of Gnangara Road. At a public meeting I attended late last year, officials from Main Roads told concerned residents outright that there was no money and that addressing the issue was not a priority. Originally it proposed an additional leg connection from the west to the current signalised intersection at Whitfords Avenue and Wanneroo Road. I am advised that this was initially resisted by Main Roads, but subsequent modelling indicated that the intersection could function adequately. However, the City of Wanneroo is now exploring other interim alternatives that will provide an immediate benefit while allowing future objectives for Wanneroo Road. The problem for progress is that Main Roads must expend a significant amount on land acquisition and construction costs that will involve major disruptions to existing traffic flow on Wanneroo Road and Whitfords Avenue. Building a flyover upfront will cause additional costs but it would be a better investment than staging works starting with an intersection and subsequently building a flyover.

This is all academic if there is no timetable for the project's commencement and no interim measures on the planning agenda. Can the minister at least consider making land acquisitions in the interim? It is nonsensical to not finish what has been started to the east of Gnangara Road, matching the improvements that have already been made. I note with interest that in this week's *Wanneroo Times* the federal member for Cowan and the state member for Wanneroo are described as lobbying for flyovers at the Wanneroo Road intersections with Gnangara Road and Ocean Reef Road. I also note that the member for Wanneroo will be grieving to the minister later this morning. Having undertaken a freedom of information request for all correspondence between the federal member and the minister, none of the correspondence received by the minister indicates any lobbying whatsoever. I also note that neither member attended the public meeting to which I referred earlier.

Minister, I am asking for a firm and definite commitment to the realignment timetable; a timetable for work to commence and land acquisition; the Road Safety Commission to conduct an immediate audit of safety and road design issues; and the 450 bus route to be extended to fulfil the promise made a year ago.

Finally, the previous grievance I made to the minister was about a lack of 40-kilometre flashing school signs. I am pleased to say that we have had a veritable forest of such signs spring up in recent weeks. I thank the minister and hope that this grievance gets as much serious consideration.

MR D.C. NALDER (Alfred Cove — Minister for Transport) [9.18 am]: I thank the member for Girrawheen for her grievance. It is a rare thing for me to receive grievances about bus services given what the Liberal–National government has done over the past eight years. This government has made the biggest investment in bus service kilometres ever seen in the state. Let me say at the outset, there is no greater friend to public transport in this state than the Liberal–National government. Our investment in public transport has progressively grown to the point at which 13.5 million additional kilometres, a measure of both frequency and network coverage, were provided in 2014–15, representing a growth of over 26 per cent when compared with the growth during 2008–09. Although the service that the member discussed remains a priority for Transperth, a commencement date has not been set. The government is making sure that it is balancing the demands within public transport, including addressing capacity issues on existing services, introducing services for developing urban areas not previously serviced, meeting demands on key strategic corridors and providing opportunities for cross-suburban travel. We are doing this within the constraints of a constrained budget at a time when demand for services is plateauing. It is well documented that public transport patronage has effectively plateaued over the last few years, with a modest increase of just 0.8 per cent in 2014–15. This stagnation has continued into 2015–16. Although this is forecast to recover in the longer term, it represents a significant departure from the long-term trend of sustained patronage growth that initially justified the additional bus service kilometres investment. In light of this, the government is obliged to review planned bus service enhancements for the remainder of the 2015–16 financial year and beyond. Given the significant subsidies taxpayers provide for public transport, it is important we deliver value for money for taxpayers across our public transport network. We will roll out appropriate routes in accordance with demand, bearing in mind the significant investment we have made in increasing bus service kilometres rolled out over recent years.

I should also note it is normal practice for any government department providing services to the community to align service provision to the demand for services. It would be economically irresponsible to continue to invest heavily in something that does not return an increased benefit to the community. Although the government has significantly expanded the bus network, it is important to note that under the previous Labor government the Transperth bus network remained largely dormant except for a relatively minor uplift in service kilometres to align the bus network to the commencement of Mandurah rail line. Given the softening in demand for public transport services, it is entirely reasonable that the government is careful in its planning of further bus network enhancements, with confidence that the residents of the Perth metropolitan area are appreciative of the massive expansion and enhancement of the bus network that has already been provided over the past seven years.

In addition to the 13.5 million-kilometre enhancement of the network services, there has also been a massive expansion in the renewal of our bus fleet. I am sure that all people who are utilising buses around Western Australia would identify some of the policies of the Liberal–National government in which we have seen a replacement of a large number of old buses. I would also like to pay credit to the Public Transport Authority for the policies that it has implemented to ensure that our buses remain clean and graffiti free. Its cleanskin policy of removing etching off windows so that our buses always look smart and inviting for the general population is a real credit to the Public Transport Authority.

Our intention is to complete the 450 service. As we say, there are a lot of things that we would like to do. We have seen a plateauing in demand. We have to rebalance that as we move forward; it means that we are under review. If I had a magic wand, there would be a lot of things I would like to do right at this point in time, particularly in the public transport space, but we have to be economically responsible, so it is a matter, member, of a timing issue. We do wish to proceed.

Ms M.M. Quirk interjected.

The SPEAKER: Member for Girrawheen!

Mr D.C. NALDER: I am really proud of the work that the Public Transport Authority has undertaken to expand the services in public transport, not just in buses but right across the network. We have seen many enhancements of projects. There are also things that we are undertaking in public transport that may be of interest to the member for Girrawheen.

Ms M.M. Quirk interjected.

The SPEAKER: Member for Girrawheen!

Mr D.C. NALDER: Other activities we are undertaking in public transport may be of interest, because we want to continue to explore ways of delivering better services for the whole community of Western Australia within the public transport network. We understand that people have certain preferences over public transport. Three issues we are identifying in the delivery of bus services are: they wind their way through the suburbs and take a long time to get to the end point of destination, they are caught up in the congestion of normal traffic, and people do not understand when the next bus is necessarily going to arrive. We are looking at trying to enhance these services.

Mrs M.H. Roberts: Are you going to respond on Gnangara Road or not?

Mr D.C. NALDER: I have —

Mrs M.H. Roberts: Because you have only got a minute.

Mr D.C. NALDER: I beg your pardon! If the member for Girrawheen wants to issue two grievances and make two grievances, she is entitled to do it. I am answering on bus services because there is a lot of activity occurring.

Several members interjected.

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

Mr D.C. NALDER: Thank you, Mr Speaker.

Mrs L.M. Harvey: Electoral courtesy.

Mr D.C. NALDER: I could not believe it!

What I am saying is that we are working through programs. We have introduced a new service and we want to roll this out statewide.

Ms M.M. Quirk: Then you will answer my other question, minister.

Mr D.C. NALDER: I will get to it.

Ms M.M. Quirk: You have got the paperwork, and you have got a minute.

Mr D.C. NALDER: The more you go on, the less time I have to talk to it.

Ms M.M. Quirk: Well, talk about it now!

Mr D.C. NALDER: I am finishing on the bus services, because I see that the delivery of public transport services is extremely important.

We are rolling out trial services to improve bus services for all people of Western Australia. I have talked about the 950 service and we want to expand those 900 services along major corridors for the benefit of the whole community. I will move over from the member for Girrawheen in the short time that I have left, but these are both very serious issues. I have received two grievances this morning on the second issue, so I do not want to repeat myself. I acknowledge the letter that the member for Girrawheen sent last year with regards to Gnangara Road, and whilst she has gone through freedom of information, I have had a number of meetings with the member for Wanneroo, where we met informally in Parliament to discuss this issue on a regular basis.

I acknowledge the concerns the member for Girrawheen has with regard to Gnangara Road. I will further raise the solutions when I respond to the grievance from the member for Wanneroo. The member can pick it up there.

DISABILITY SERVICES — FAMILY SUPPORT FUNDING

Grievance

MR S.K. L'ESTRANGE (Churchlands) [9.26 am]: My grievance is to the Minister for Disability Services and concerns the application of intensive family support funding to a family in my electorate for their autistic daughter.

My constituents' 14-year-old daughter has autism spectrum disorder, severe generalised anxiety disorder and depression. As a result, she has not been able to attend school for extended periods of time between 2005 and 2012. She is under the care of a psychiatrist, clinical psychologist, paediatrician and general practitioner. My constituents have received intensive family support funding from the Disability Services Commission since August 2012. They use this funding to pay for a support carer for their daughter. This DSC-funded carer currently accompanies my constituents' daughter at home, at school and in the community. Since taking on shared management of funding in March 2014, the family has been able to increase their support carer hours to 40 hours a week, from approximately 22 hours a week. These extra hours have enabled the support carer to help my constituents' daughter with constant support and mentoring at school, at home and in the community, with excellent results. As a result, she has been able to increase her school attendance to between three to five days a week at the Bold Park Community School. Her interaction with her peers has significantly improved and she shows eagerness to go back to school after holidays.

The Disability Services Commission has let the family know that this support needs to be scaled back, as the funding could not be used to fund in-school support. As my constituents' daughter attends a non-government school, DSC believes funding a carer at the school is the responsibility of the Department of Education and the Association of Independent Schools Western Australia. However, the DSC Individualised Funding Policy contradicts this by stating —

People with specialist disability funding are able to self-direct their supports and services, have flexibility in how their allocated funding is used and have genuine choice and control over the design, planning and delivery of services they require.

The key issue is that an education assistant is not what my constituents' daughter needs. She has had education assistants working with her in the past. However, successive EAs were not successful in supporting their daughter's unique needs. After withdrawing from school, with attempts at home schooling being unsuccessful, my constituents' daughter started year 3/4 at Bold Park Community School, this time not with the help of an EA, but with a support carer employed by my constituents using the DSC funding they receive. This has been very successful and she increased her school attendance from two to three mornings a week in 2012, to three to four days a week through 2014–15 and four to five days a week in 2015–16.

The treating psychiatrist, clinical psychologist and both the inclusive education coordinator and the middle school and college team leader at Bold Park Community School have emphasised the importance of the help my constituents' daughter receives from the DSC-funded support carer who assists her with transition points throughout the school day. The support carer provides her with essential social and emotional scaffolding, anticipates her emotional needs and monitors her anxiety levels. She models appropriate social interaction, employs strategies to increase cooperation and to minimise escalation of anxiety to avoid meltdowns.

The current situation is that if my constituents' daughter stays at home, the family can use the DSC support funding to fund their specialist carer to look after her all day. However, the minister's office is of the view that this carer should not go to school with her. It is developmentally inappropriate for her to miss school on an ongoing basis. The uncertainty in and around how my constituents' daughter will cope from one day to the next determines whether she goes to school or not. This makes it difficult for the family to plan her carer requirements. It is very hard, if not impossible, to employ a carer who might be required at the last minute for a full day, or at the last minute at 1.00 pm, on any given day, when her escalating anxiety levels unexpectedly force her to leave school early. The DSC-funded carer who can accompany my constituents' daughter at home and at school, as is currently the case, alleviates this problem and facilitates her successful school attendance.

The underlying problem with the way the funding is determined lies in the bureaucracy between departments. My constituents' situation was brought to the attention of both the Minister for Education and the Minister for Disability Services. The Minister for Disability Services has reiterated that help for my constituents' daughter at school should be funded through the state government's specific grants for students with disability available for non-government schools. The minister has stated that the Disability Services Commission would not fund in-school support for which the school and the education system are responsible. In a letter to me dated 3 December 2015, the Minister for Disability Services stated —

Individualised funding provided through the Commission cannot be used to fund services provided through other government departments.

I have highlighted to the minister that the support provided through the Department of Education and the Association of Independent Schools of Western Australia in the form of an education assistant is not appropriate to the issues that my constituents face on a daily basis and would not offer the level of support that their daughter's carer currently provides for her. I have also highlighted that the DSC individualised funding policy reads —

People with specialist disability funding are able to self-direct their supports and services, have flexibility in how their allocated funding is used and have genuine choice and control over the design, planning and delivery of services they require. This is intended to lead to better outcomes for people with disability, their families and carers.

It further states —

The person with disability and their future is central to the decision-making process.

...

Funding should increase opportunity to access valued roles and community inclusion of people with disability.

All my constituents ask is that their current arrangements remain in place so that what is written in the policy continues to be applied to their situation. They need to be able to use the funding they already receive in the best possible way for their daughter. Given the positive progress achieved by their daughter at school, both

academically and socially, and thanks to the presence of her DSC-funded support carer and in accordance with the individualised funding policy, it would be beneficial for the Disability Services Commission to re-think its expectation that the family scale back this support.

MS A.R. MITCHELL (Kingsley — Parliamentary Secretary) [9.32 am]: I thank the member for Churchlands for bringing this matter to our attention and for acting on behalf of his constituent. He has certainly brought the matter to the attention of both the Minister for Education and the Minister for Disability Services very succinctly and clearly. The member has been correctly advised by the Disability Services Commission that its funding does not support a young person with a disability at school, and that the responsibility for the education of a person out of the school falls under the Department of Education, and, in this case, because it is a non-government school, the Department of Education Services. It is marvellous to hear that the carer the family has involved in their life has been so successful. Bringing that young lady to school more often is absolutely essential to her development and very important at this point in time. What has been learnt through much research over time is that it is very important to have a carer who is very well received by the young person but, at the same time, it is essential to that young person's development that they learn to feel comfortable with other people. Unfortunately, a specific carer may not be available all the time or they may decide that they can no longer be the carer. Part of the development of a disabled person is to develop confidence in other people, which takes time and is just as important.

The Disability Services Commission recognised a problem because the funding that would have come through the Department of Education Services to that school came in during the year. The Disability Services Commission certainly helped out, and it was happy to help out. At this stage it recognises that it would be most inappropriate to suddenly cut the funding, but it also recognises that now there is an important reason to sit down with the school and the parents to work out a transition phase so that both parties can work out a way to transition out of the money coming totally from the Disability Services Commission, and to use more of the money that is currently available through the Department of Education Services. It is also very important to understand that each school receives funding for students. I will give a breakdown of the figures for an independent government school such as Bold Park Community School. Of its total funding, 25 per cent comes from the state government, 50 per cent comes from the commonwealth government and 25 per cent comes from the fees paid by the parents, as well as a disability grant from the state government and the commonwealth government. The Bold Park Community School comes under the Association of Independent Schools of Western Australia. In 2016, the state government recurrent funding rate for a lower secondary student at the Bold Park Community School is \$2 886 per annum. If a student is enrolled and assessed as having a severe disability, the school will receive an additional 360 per cent of this rate, which equates to \$10 389 per annum in a special education supplementary grant, making a total of \$13 275 per student in state government funding. In addition there is the commonwealth government funding. The school receives \$10 732 in commonwealth funding for each lower secondary student, and a loading of \$9 229 is also provided for a student with a disability. Therefore the Bold Park Community School currently receives a total of \$19 618 per annum in additional public funding for each lower secondary student with a disability, on top of the \$13 618 in standard per-student funding to a total of \$33 236 per student per annum for a student with disability.

I do not know what is going on in that school and how it is using that money at the moment, but this is where it is very important that the member's constituents make contact with the school and talk about this money because it is there and it is available to the school's students. It is important during this transition process that the money currently allocated to that school is being used in a suitable way for the daughter of these parents. It is absolutely vital that we ensure that the money allocated to the school is being used for the purpose it is meant to be used for, and to achieve the best outcome for that young girl who needs that support. It is important to continue to work with the carer, but the school may have different ways of working with that as well. I am not familiar with the Bold Park Community School but I am sure it is very willing to discuss the matter. I encourage the member's constituents to make sure that AISWA knows about their daughter and to set up a meeting in the very near future, because I assume that the school is getting that money. I am sure that the Disability Services Commission will not suddenly cut that grant, but it will want a transition that is effective for both the parents and the student. I encourage the member to work with the Disability Services Commission, the Department of Education Services and the school to get that meeting set up as soon as possible so that this young girl gets the best services she requires with the money available.

YOUTH CRIME — DERBY

Grievance

MS J. FARRER (Kimberley) [9.38 am]: I rise to speak about ongoing social issues regarding youth in Derby and direct my grievance to the Minister for Police. I acknowledge the community's frustration with the ongoing antisocial behaviour and activity felt in Derby and I am truly aware of the seriousness of the complex issues. I have been contacted by a number of concerned residents and business owners about the situation and their experiences, and I believe they make important and valid points that must be addressed by the minister.

In September 2014 I tabled in Parliament a report that was produced by my office in response to juvenile justice matters in the Kimberley. It included 19 recommendations that I urged this government to implement, which I believed would greatly improve a range of issues and reduce offending behaviour. Sadly, this government has chosen not to implement any of the recommendations I put forward.

It has been reported to me that in Derby groups of youth are walking the streets nearly every night from 10.00 pm through to 6.00 am. In recent months residents have experienced and/or witnessed youths breaking into houses and schools and throwing rocks at cars, and playing chicken on the roads at night to the point that some locals are afraid to drive at night in case they hurt someone. Community members have reported these issues to the police, and they work with agencies, but due to lack of staffing, funding and resources, local organisations are limited in what they can offer in the way of assisting to improve the situation.

Derby does have a youth facility, shire-run youth services and school holiday programs, breakfast programs, a swimming pool and a recreation centre. Derby Youth Centre is funded jointly by the Department for Child Protection and Family Support and the Department of Corrective Services, but it is funded for different lengths of time by each department. This causes obvious difficulties in program planning, program delivery and staffing. It cannot operate if either of these departments decides to reduce or reallocate funding. This is a current problematic issue.

Staff also fear that through the youth reform process, there appears to be a significant move away from diversion prevention programs, which is the focus of the Derby Youth Centre. Approximately 50-plus kids attend that service each day. Staff say that they have not been provided any assurance by either of those government departments and are not clear what the centre's future will be, or whether it will exist at all. Essentially, the Derby Youth Centre staff will be doing their budget blindly as they do not know whether they will get funding, or, if they do, how much it will be, nor do they know what will be required from them under the new reform policies, which are yet to be advised.

I have spoken on types of youth matters on multiple occasions in Parliament since being elected, and I will continue to do so. Youth is an issue I am very passionate about. I believe the solution lies in investment and service delivery of diversion prevention programs and a collaboration of all levels of government to ensure funding and resource security and continuation of services.

I ask that the minister intervene in this matter, provide clarity to local service providers, including the Shire of Derby–West Kimberley, and commit long-term funding to ensure that those essential youth services continue to be delivered to Derby youth. I look forward to continuing advocacy and working with the community, agencies, departments and government to make the necessary changes essential to improving antisocial behaviour and addressing criminal acts in Derby and throughout my region.

MRS L.M. HARVEY (Scarborough — Minister for Police) [9.43 am]: I thank the member for Kimberley for her grievance. I have had some response from police and I have some information from Hon Helen Morton about some of the services that have been provided in the Derby community. Youth crime in Derby is one of those issues that flares up from time to time. However, the most recent statistics for Derby show a reduction in a range of offences year to date, with the exception of detected drug offences. Local police in Derby have been targeting mid-level drug dealers and they have made a dent in the drug distribution market in Derby, with 375 offences being levied year to date compared with a total for the previous year of 85 offences. Methamphetamine was identified as a problem, as was cannabis, and that was believed to be driving a lot of the property theft and home dwelling burglaries. Twenty-five fewer homes have been broken into in Derby year to date, which is significant for a small community.

It is important that I talk about the initiatives in Derby in the context of the commitment of the state government and the Premier to try to reduce the Aboriginal incarceration rate. With youth, it is particularly important to put diversionary tactics in place to manage antisocial behaviour and criminal offending and try to keep them out of detention if possible. To that end, Derby police have been proactively involved with a number of other agencies. Although there is not currently an Aboriginal community liaison officer, a community relations officer or a youth crime intervention officer in Derby, the government has certainly earmarked Derby to have a youth crime intervention officer allocated once the training of those officers is completed. The OIC at Derby said that he has noticed a gradual reduction in the levels of youth offending during school holiday periods. He attributes that to the Shire of Derby–West Kimberley's school holiday programs. I believe those programs are effective in keeping youth engaged during those long periods in which they are not attending school. The OIC chairs the monthly Derby safe homes working group committee, which is a mechanism to bring together the Derby police, the Department for Child Protection and Family Support, the Department of Housing and Anglicare to identify the at-risk families. That is determined based on agency attendance at addresses for family and domestic violence, antisocial behaviour, child welfare issues and tenancy liability issues. Since the inception of the Derby safe homes working group in 2013, over 30 new residential liquor-restricted premises have been prescribed in Derby. The importance of that is that those 30 homes now provide a stable home for many of the identified youth

at risk—those who are being displaced from homes that are not safe onto the streets at night. The more of those safe houses that are liquor restricted, the better it is for communities in which there are issues with alcohol and drugs.

Derby police have also been participating in mentoring and building rapport with female youth at risk through some of the youth intervention programs. I am advised that that is through the Derby Girls Academy, with which I am not familiar, and the Shine program, which is a tremendous program. Police advise me that they regularly attend the Derby Youth Centre, and they have certainly been involved in a number of organised events through that centre. They run community barbecues in the back streets to try to interact with local youth and to build a relationship with them, and they also work to build stronger connections with the agencies to develop other initiatives that can help to combat the problems of youth crime. They also target the prolific priority offenders, who are those already in the criminal justice system. They manage those with vigorous curfew bail management, ensuring that if they have a curfew, they are in their designated place at night time and not getting up to mischief in the community.

The police prioritise their investigation of offending youth, targeting active and recidivist offenders. They certainly look for some of those first-time offenders to put through the new programs, such as the Turning Point program, to try to put in place good behaviour bonds to place youth at risk who have an antisocial behaviour profile with a mentor or a guardian in the community who can help them get back into a program of good school attendance and sleeping at night and divert them away from their offending behaviour.

The OIC of Derby police has had preliminary discussions with the Shire of Derby–West Kimberley and, in particular, with the youth centre coordinator. They will be vigorously involved with the youth crime intervention officer on the day-to-day operations of the youth centre, and the government looks forward to the placement of that YCIO in the future. The deployment of that YCIO position will help to enhance the capacity of Derby police to interact with youth and to circumvent some of the issues around youth crime in Derby. Police advise that property offences in Derby committed by juveniles, as I alluded to earlier, are driven by a desire to obtain cash to purchase cannabis and other drugs. That is one of the issues that police are dealing with up there, which is why they have been targeting those mid-level drug dealers.

The other area that the government has put some effort into is improving the capacity of the mental health and drug service centre at Derby Hospital. I think \$1.8 million was put into that centre to ensure the provision of good programs to divert people away from alcohol and drugs. The Kimberley Mental Health and Drug Service also operates to ensure we can get to those people who need our support to divert them away from crime.

GNANGARA ROAD — REALIGNMENT

Grievance

MR P.T. MILES (Wanneroo — Parliamentary Secretary) [9.50 am]: My grievance is to the Minister for Transport, Hon Dean Nalder, and refers to a very similar matter raised earlier by the member for Girrawheen. It is important that we put across what has happened in this particular area. As most people in the northern suburbs know, for some time Gnangara Road has been a major distributor road to the industrial estate. In 2014, when residents were becoming alarmed at some of the traffic build-up there, we, in conjunction with the City of Wanneroo, were able to have the road reclassified. The road now is once again a local road and it comes under the jurisdiction, in that sense, of the City of Wanneroo.

The big concern for the little enclave in the northern part of the suburb of Madeley—which is in the southern part of my electorate and bounds the electorates of both the member for Girrawheen and the member for Kingsley—is the realignment of Gnangara Road, which has to happen. It is one of those issues that the local authority has left on the backburner, not by choice but because it is a road that has just worked and people have just gone about their business. However, it is very clear that as more homes have been built in that area, the little enclave has tripled in size, especially with the private estate and private roads that are being built alongside. What they are doing is very nice, but it will add an awful amount of direct, local impact traffic for people trying to get out of Marathon Loop. The developers of both estates contributed many millions of dollars to the local authority to help to build the road realignment that will go around this enclave and connect up with Whitfords Avenue, which is in the member for Kingsley's electorate. Both the member for Kingsley and I had a meeting with the minister's office in 2014 and we spoke about that alignment and how that could be achieved and funded, if need be. As the member for Girrawheen stated, there were some issues about the jurisdiction and who had what part of the build, and I think some of those discussions took place between Main Roads and the City of Wanneroo road engineers.

At one time there was a discussion about not doing anything, but then the member for Kingsley and I got involved and said that it had to be done. In doing so, by putting the realignment in place, a whole set of traffic lights will be taken off Wanneroo Road, which will help deal with the congestion conditions that traffic lights give us. Main Roads originally had an overpass at the intersection at Wanneroo Road, Whitfords Avenue and Gnangara Road. It is clear that the pace of the traffic now on Gnangara Road no longer requires that overpass, so

Main Roads has agreed, since that meeting, that the intersection will become an at-grade intersection. There is talk about and some preliminary work being done on whether a roundabout could be built on Wanneroo Road at that point, because the amount of land available to Main Roads would allow that to happen. Again, another set of lights could possibly be removed from the Wanneroo Road system, which is now part of Main Roads' plan to try to keep traffic moving instead of it stopping and starting, especially on some of our major roads. The issues of residents are absolutely paramount. There is no proper access way in and out of this enclave. There is a somewhat back way, through Windsor Road, which accesses Wanneroo Road, but once the new development is finally built—it is almost complete and those houses are being sold—that flow of traffic will be stopped and people will not be able to access it because the new development is a private-roaded estate. I will be interested to see how it performs later, but the ability to remove two sets of traffic lights I think is a bonus.

The other issue is that this road is impacting on the future growth of the Gngangara industrial estate. People are now starting to ask the city to make zoning changes to some landholdings to the west of Hartman Drive so that further factory units and retail outlets can be built. A new Masters Home Improvement store opened there not so long ago and traffic is starting to become an issue, but these are not necessarily bigger truck issues, because they are not allowed to use local roads, which was part of the problem in the early days and which we got fixed. We also had the road's speed limit reduced to 60 kilometres an hour. To help Marathon Loop residents get a second output, if the existing speed limit on Gngangara Road was reduced to 50 kilometres an hour, we would be able to take away the bollards that are there because the road was built for 50 kilometres an hour. I have asked the minister's office to investigate a possible trial of that and I am waiting to hear back.

This is an important issue. I tabled a very large petition last year on this matter in this house and have attended many meetings with residents. It is an important matter to be dealt with.

MR D.C. NALDER (Alfred Cove — Minister for Transport) [9.58 am]: I thank the member for the grievance. Gngangara Road is a local road under the care and control of the City of Wanneroo and the City of Swan. The proposed realignment section of Gngangara Road falls under the care and control of the City of Wanneroo and a lot of work is being undertaken at the moment, with the support of the state and with the local city. Down at the east end we are duplicating Gngangara Road from Ellenbrook to Beechboro Road North and are looking to extend further west. Around a month ago, I received a briefing from Main Roads with pictorials about the realignment and we have had further discussions on that. Future planning provides for a realignment of Gngangara Road further north to connect into the Wanneroo Road and Whitfords Avenue intersection. The metropolitan region scheme reservation at this location makes provision for a grade separation in the longer term, but I emphasise that that is in the longer term.

Main Roads has recently undertaken traffic modelling and assessment of the proposed realignment, which has confirmed that the planned realignment still provides the best traffic solution for this area. We believe that this is the way to go forward. The realignment of Gngangara Road to join directly into Whitfords Avenue at the existing intersection with Wanneroo Road is therefore supported. The cost to achieve the realignment to Gngangara Road to join directly into Whitfords Avenue at the existing intersection with Wanneroo Road is significant and estimated to be in the order of \$15 million to \$20 million. There is a significant land acquisition cost associated with this project. In the meantime, a number of interim measures to address some of the residents' concerns were implemented in 2015 by Main Roads, which included reducing the speed limit along the section of Gngangara Road approaching Wanneroo Road from 70 to 60 kilometres an hour. I am not aware of the trials that the member proposed for 50 kilometres an hour. I have not been advised about that by my office, but I am willing to look into that further. The other interim measures also include removing guide signs at the Wanneroo Road and Gngangara Road intersection, which advises drivers to use this section of Gngangara Road if they are travelling to Ellenbrook and Upper Swan, and removing the section of Gngangara Road from the restricted access vehicle network. This effectively means that, in general, only as-of-right vehicles—that is, up to 19-metre semitrailers—are allowed to use this section of Gngangara Road. Previously restricted access vehicles of up to 27.5 metres in length were permitted prior to this change.

It is understood that the City of Wanneroo is proposing to provide additional access into the residential area to the north of Gngangara Road, which currently has only one access via Buffalo Road onto Gngangara Road. The planning and staging development of this area has resulted in the current traffic issues. Future development of land needs to be more carefully considered to address traffic and access issues prior to land being approved for development. As the member rightly pointed out, I was queried on 6PR yesterday by Gary Adshear about Main Roads policies, and the fact that we brought expertise in from the United Kingdom to look at how cities continue to grow and transform. Are there smarter ways that we can look at our roads? One of the policies that Main Roads is looking to implement is more roundabouts, as opposed to traffic lights, so that we can keep traffic flowing. It is one of the policies that has been taken up by Main Roads.

I know that the member for Wanneroo has been working closely with the local community, particularly the affected residents, on this matter for some considerable time. I believe that he has been trying to get this grievance brought forward for about six months, and I apologise for the time it has taken to allow him to get it

up. His efforts in addressing these local concerns and the positive outcomes he has achieved to date are greatly appreciated. Progression towards the extension and realignment of Gnangara Road and its future connection to Wanneroo Road at Whitfords Avenue will need to be a joint effort by the City of Wanneroo and Main Roads. I can assure the member that Main Roads will assist and cooperate with the council in the development of an appropriate solution for this location.

I will reiterate a point that I have been making in this house for quite some time now. As we plan for our city to grow and transform, there cannot be a single-mode approach to transport planning for Perth. Nearly 40 per cent of the vehicles on our roads are commercial, being freight vehicles, tradespeople, retailers, buses, taxis et cetera. We must have a multi-modal approach to the growth of this city if we are to maintain the standard of living that we have come to expect in Perth, and to make it one of the greatest cities in the world. I look forward to continuing to work with the member for Wanneroo in the development of our planning for the future, so that the people in the northern suburbs can continue to move about freely.

I am proud of the work that is currently being undertaken to extend the Mitchell Freeway north through to Hester Avenue, and I am sure the people in those northern suburbs will greatly appreciate that taking the pressure off some local arterial roads, allowing people to move freely. I am sure the people further east are really appreciative of the duplication, and the funding that has come from the state government to allow people to travel more freely along Gnangara Road. As I am sure the member for Swan Hills will acknowledge, a lot of people are excited by the transformation that will be created by the new freeway network, to extend Tonkin Highway north to Ellenbrook, construction of which will commence later this year. We are undertaking a lot of work and activity, and a lot more work is in the planning stage, and has been budgeted for, that we will be rolling out over the next few years to ensure that this city can continue to move about in a freer way than was possible during the second half of the first decade of the century, when we experienced massive growth and a lack of planning for our road network.

JOINT STANDING COMMITTEE ON AUDIT

Fourth Report — “Review of the Department of Treasury’s Report: Review of the Financial Management Act (2006)” — Tabling

MR S.K. L’ESTRANGE (Churchlands) [10.04 am]: I present for tabling the fourth report of the Joint Standing Committee on Audit, titled “Review of the Department of Treasury’s Report: Review of the Financial Management Act (2006)”.

[See paper 3954.]

Mr S.K. L’ESTRANGE: The report I have just tabled advises both houses that the Joint Standing Committee on Audit intends to review the Department of Treasury’s report, “Review of the Financial Management Act (2006)”, as required under the act. The Department of Treasury report fulfils the Treasurer’s obligation to review the operation and effectiveness of the Financial Management Act 2006. The committee has sought feedback from the public on the Department of Treasury’s report, and is now seeking feedback from other interested parties. I encourage members to provide the committee with their views on the report, which, in turn, will inform the committee’s review of that report. The committee intends to report back to the Parliament by 19 May 2016.

Fifth Report — “Budget of the Auditor General — Budget For 2016–17” — Tabling

MR S.K. L’ESTRANGE (Churchlands) [10.05 am]: I present for tabling the fifth report of the Joint Standing Committee on Audit, titled “Budget of the Auditor General — Budget For 2016–17”.

[See paper 3955.]

Mr S.K. L’ESTRANGE: The report I have just tabled advises both houses of the Joint Standing Committee on Audit’s view of the budget of the Office of the Auditor General. The committee has examined the current financial estimates for the Office of the Auditor General, which covers the period 2015–16 to 2019–20. The committee is comfortable with the level of appropriation funding in 2016–17. However, the committee is concerned that the relatively unchanged levels of appropriation funding over 2017–18 to 2019–20 may affect the office’s ability to conduct performance audits over that period.

JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION

Twenty-seventh Report — “The Parliamentary Inspector’s protocols with the Corruption and Crime Commissioner and the Public Sector Commissioner” — Tabling

MR P.B. WATSON (Albany) [10.07 am]: I present for tabling the twenty-seventh report of the Joint Standing Committee on the Corruption and Crime Commission, titled “The Parliamentary Inspector’s protocols with the Corruption and Crime Commissioner and the Public Sector Commissioner”.

[See paper 3956.]

Mr P.B. WATSON: This report by the joint standing committee provides the Western Australian Parliament with background information for two protocols developed by the Parliamentary Inspector of the Corruption and Crime Commission, Hon Michael Murray, QC; the Corruption and Crime Commissioner, Hon John McKechnie, QC; and the Public Sector Commissioner, Mr Mal Wauchope. These two protocols assist the effective operation of the Corruption, Crime and Misconduct Act 2003 by ensuring that the parliamentary inspector retains the responsibility for overseeing any allegation of misconduct made against Corruption and Crime Commission officers, other than the most trivial. I would like to thank the parliamentary inspector and the two commissioners for their efforts in completing these protocols while completing the urgent work required to implement, in a short time frame, the necessary organisational changes to take up their new responsibilities flowing from the CCM act. I would like to thank my fellow committee members for their input on this report: the committee chairman, member for South Metropolitan Region, Hon Nick Goiran, MLC; the member for Forrestfield, Mr Nathan Morton, MLA; and the member for South West Region, Hon Adele Farina, MLC. The committee members were ably supported by the committee's secretariat, Dr David Worth and Ms Jovita Hogan.

Mrs M.H. Roberts: Is it possible for other members to comment on the member for Albany's report?

Mr P.B. WATSON: If you have permission.

Mrs M.H. Roberts: It is okay; I will forgo that great opportunity. Thank you.

COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE

Eleventh Report — "Red flags, white flag response? The Department for Child Protection and Family Support's management of a troubled boy with a baby" — Tabling

MS M.M. QUIRK (Girrawheen) [10.09 am]: I present for tabling the eleventh report of the Community Development and Justice Standing Committee, titled "Red flags, white flag response? The Department for Child Protection and Family Support's management of a troubled boy with a baby".

[See paper 3957.]

Ms M.M. QUIRK: In February 2014, a month-old baby died from severe head injuries sustained at Bunbury Regional Hospital a week earlier. The baby's teenage father, who was in state care, pleaded guilty to manslaughter of the baby and was sentenced to 10 years' detention in March 2015. Given that the 15-year-old father was in the care of the Department for Child Protection and Family Support, the committee sought to establish whether the teenager had been managed appropriately by the department.

In looking at this issue, I thank committee research staff Dr Sarah Palmer and Ms Franchesca Walker for their diligence, insight and equanimity, which always contributed to our deliberations. I pass on my gratitude to committee members, the member for Armadale, Dr Tony Buti; the member for Collie-Preston, Mr Mick Murray; the member for Balcatta, Mr Chris Hatton; and the member for Vasse, Ms Libby Mettam. Their respectful and robust commitment to the matters in hand was appreciated.

The youth who is the subject of this review had a tumultuous personal history. He was in state care between the ages of six and 10, and then again from the age of 12. He had been subjected to neglect, exposure to substance abuse, violence, transience and instability. Concerns arose over the decision to allow the teenager unsupervised access to the baby, given the youth's history of offending and aggressive behaviour. In sentencing the teenager, the President of the Children's Court of Western Australia, Judge Denis Reynolds, expressed surprise that the teenager's access to the baby had not been conditional or supervised. The committee also sought to understand whether any departmental management or resourcing issues had contributed to the tragic outcome. This followed correspondence to the committee from the Community and Public Sector Union-Civil Service Association of WA that suggested excessive workloads and a lack of resources were impacting on the ability of departmental caseworkers to perform their roles to the level they felt was required. The committee concluded that there were multiple red flags warranting only supervised hospital visits by the teenager, but as we now know this did not occur. More than likely this was due to a lack of staff and resources rather than a conscious decision to allow unsupervised access. One of the most telling facts about this case was that despite the teenager being identified as in need of targeted anger management counselling prior to the birth of his child, this had not taken place and unsupervised visits still occurred. Compounding the level of acceptable risk was the fact that a caseworker in Cannington still had responsibility for the young man even after he had been in Bunbury for some time, yet another caseworker in Bunbury had supervision of the rest of the family.

The committee's eleventh report, "Red flags, white flag response? The Department for Child Protection and Family Support's management of a troubled boy with a baby", makes seven findings and two recommendations. Concurrent with the agency review by the committee, the Ombudsman also performed, under his statutory role, a child death review. This occurs when a child dies while in the care of the CEO of the department. It is the statutory duty of the Ombudsman to perform such a review. At the time of the hearing with the Department for Child Protection and Family Support in November 2015, the department's director general said that the Ombudsman's review had not been completed. On completion of the review, the department received a letter

outlining the Ombudsman's recommendations to improve public administration to prevent or reduce child deaths. As the individual case reviews are provided only to the relevant agency, the committee did not have access to the Ombudsman's review. But from time to time the Ombudsman's findings over the previous year are published in the annual report. The most recent Ombudsman's report identified a number of issues related to public administration that were particularly relevant to the case the committee was looking at. These included that the department was not adequately meeting policies and procedures related to the management and timeliness of case allocation; the department was not conducting safety and wellbeing assessments in a sufficiently timely manner; the department was not adequately meeting policies and procedures in pre-birth planning; the department was not providing sufficient case management supervision to ensure timely action in regard to pre-birth planning; and the department was not adequately meeting policies and procedures relating to post-birth safety planning. Although it is not possible to identify individual cases from the annual report, it is true to say that the issues canvassed, together with the findings, are consistent with the committee's observations in this particular inquiry.

The committee began its inquiry in March 2014, in the weeks after the death of the baby. However, because of ongoing criminal proceedings, the inquiry was deferred until the conclusion of the teenager's trial. Having been granted access to the judge's sentencing comments about the case, the committee held a second hearing in November 2015. A hearing was also conducted with the Community and Public Sector Union—Civil Service Association of WA after the committee received a letter from the organisation outlining concerns about systemic issues within the department that may have contributed to the tragic outcome in the Bunbury case. Throughout the committee's agency review, and within the report, the committee was conscious to ensure that blame was not apportioned to individuals for the tragic incident. The committee is acutely mindful that the staff involved, and indeed the whole agency, would have been deeply affected by the event. However, in the interests of ensuring such a situation is not repeated, the committee felt bound to investigate concerns that the department is struggling to cope with a high volume of cases and that this impacts on its capacity to monitor and supervise children in care.

The committee's short report outlines the case and presents the conclusions it reached about the Department for Child Protection and Family Support's management of the teenager, particularly in relation to impending fatherhood and access to the newborn infant, and whether systemic issues within the department contributed to the situation that resulted in the baby being fatally injured and whether any changes to departmental practices and procedures were implemented as a result of that case.

Although the committee was principally focussed on the individual case, evidence was adduced more generally of widespread systemic issues. Much of this is only alluded to in the report; however, I commend anyone who is interested to look at the submissions and transcript of evidence that is publicly available on the committee's website.

In concluding, I will refer to the broader issues that were elicited. I mention these because the tragic incident in Bunbury is a symptom of a system under immense pressure in which inadequate resourcing has created an environment of uncertainty and staff are forced into situations that have an inherently unacceptable high level of risk. Those factors include some reluctance by DCPFS staff to bring children into care placements partly because there are too few foster carers prepared to look after those children and also because of staffing and resourcing levels. Even the processing of applications to become foster carers takes longer than it should. The support and backup of foster parents is sub-optimal, which again is resource related. Kids in this situation are invariably categorised as "monitored". I regard this word as a weasel word because, in reality, it is the opposite—they are in fact not monitored. An implication of monitored cases is that they are not counted in the case load numbers. However, the responsibility for those cases remains with a caseworker even if there is not the time allocated for careful, let alone any, supervision. It also became apparent that an increasing number of caseworkers report being distressed and upset because they feel as though they should be doing something different, something more, to progress those cases in their charge and to protect those children. The union told the committee that a lot of this is about resourcing; there are simply not enough child protection workers to go around. They feel immense pressure and they are carrying out very significant workloads because of that.

The number of children entering care continues to grow, so do the demands on workers in the Department for Child Protection and Family Support. In fact, since 2006 the number has more than doubled. When the effects of the workforce renewal policy, targeted voluntary separations and efficiency dividends are factored in, it is not surprising that the system struggles to cope with an increase in demand. This overly simplistic measure of case load fails to take into account the complexity and intensity of the cases, and the capacity of the caseworker. Disturbingly we were told that team leaders are requested to check that allocations are correct. The team leader reallocates the cases from the caseworker list to the monitored list so that the casework allocation does not go over 15 cases. Once the data collection has been completed, the case is reallocated back to the staff member.

Members, as we reflect on a system that is overextended and under stress, it is hard to be optimistic about the future of those who are in state care. I admire the work done by our child protection workers, and it is admirable

that they prevail and persist, often at personal cost to their own health and wellbeing. With the number of children in state care having doubled in the last decade, it is easy for those in close contact with kids at risk to become desensitised, and we must all guard against this. The death of this baby should serve as a catalyst for renewing our resolve and recommitting to breaking the cycle of dysfunction.

The title of the report refers to red flags and a white flag. The red flags are the risk factors that should act to alert us to be vigilant and mindful. As we all know, the white flag is an internationally recognized protective sign of truce or ceasefire, and request for negotiation. The white flag is also used to symbolise surrender. Persons carrying or waving a white flag are not to be fired upon, and nor are they allowed to open fire. In this context, the overwhelming number of cases, the complexity of many cases, and the stretched resources, may lead some within the system to capitulate or surrender. Likewise, we should not shoot the messenger. Those working in the department need to communicate to their supervisors the challenges they are facing with their workloads and unacceptable risks, without fear of repercussion. We need to value their work and commitment.

I conclude with a quote from Dietrich Bonhoeffer, who, with more brevity, summarises the challenges for us all —

The test of the morality of a society is what it does for its children.

MS L. METTAM (Vasse) [10.23 am]: I would like to take the opportunity to comment on the findings of this report from the Community Development and Justice Standing Committee. This report covers a very tragic event. The fatal assault of any child by their parent is abhorrent, and in this particular tragic case it is even more terrible because it occurred from a teenage father who had a tumultuous background, which is why he was in state care.

One of the key factors that faced the committee was correspondence from the Community and Public Sector Union—Civil Service Association that suggested that excessive workloads and lack of resources were impacting upon the ability of department caseworkers to perform their roles to the level they felt was required. The union said that the child protection system was under immense pressure and was inadequately resourced, which created an environment in which employees were forced into situations inherent with unacceptably high levels of risk, and which significantly hindered the management of children at risk. The union said also that inadequate resources and excessive workload impacted on the completion of safety and wellbeing assessments, decisions about bringing children into care, the number of cases being monitored remotely, and the amount of contact between parents and children when a child was first taken into care. However, the committee states in finding 4 of its report that although systemic issues, such as inadequate resources and excessive workloads, may have contributed to the outcome in the Bunbury case, a direct link is not evident.

In cases such as this, hindsight is a wonderful thing, and it is easy, if not desirable, to affix blame on the failings of a department. However, as the committee found, there is no direct link to any systemic failure by the department in this case. This report illustrates the tremendous pressures placed on a department that is dealing with a transient and highly mobile population. Correspondence from the department indicates that from 2011 to 2013, staff met with the youth approximately 40 times, and between April and July 2013 his whereabouts were unknown to the department. It indicates also that the father and his partner were highly mobile, and the department was having a great deal of difficulty catching up and engaging with them. The department did not know until three weeks before the baby's death that the youth was living in Bunbury.

I would like to thank my fellow committee members—the chair of the committee, the member for Girrawheen, and the members for Armadale, Balcatta and Collie—Preston—for their work on this report. I also give special thanks to the committee staff—Dr Sarah Palmer, principal research officer, and Ms Franchesca Walker, research officer—for the great work they have done on this report. Thank you.

MR C.D. HATTON (Balcatta) [10.27 am]: Within its role and portfolio responsibility, the Community Development and Justice Standing Committee set about investigating the circumstances surrounding the death of a young baby and the involvement of an agency—in this case the Department for Child Protection and Family Support. This case goes back to February 2014 when the department had oversight of the case. However, it is important to note that the review was not about blaming any one individual or identity, whether it be a whole department such as DCPFS, and the leadership and staff of that department, or even the hospital administration or hospital staff at the location of the baby's death.

It is clear the baby's death was caused solely by the action of the father, and the father had been sentenced and is serving time for that offence. As we all know, when tragic events such as this occur, there is often a history of previous events and circumstances. There is often a dysfunctional family history. There is often some history of contact with the police and the law. There is often a complex web of dysfunction underlying the event. Issues are often brought to the attention of departments, in this case the Department for Child Protection and Family Support. In this case, there certainly was a background of family history and dysfunction to be considered, monitored and managed. The father had a criminal record and DCPFS had a case support and monitoring system in place for the father. Therefore, given that departmental interventions and practices were in place, the committee decided to find out more about those interventions and procedures, and the monitoring of the case.

As I have stated, the committee did not set about to blame. It set its focus on identifying those mechanisms and procedures that would best be adopted to prevent a tragic event such as this from occurring again. The Department for Child Protection and Family Support has a pivotal role in supporting the welfare of children and young people who are wards of the state. Some 4 500 children are currently wards of the state. It is a huge, but necessary, task to monitor the lives of young people in need. I personally praise the leadership and staff of the department for the difficult role that they perform to help young people. However, given that huge task of monitoring across our geographically huge state, we need to look at whether procedures can be better applied or administered, and whether there can be surety that everything possible is being done to minimise, and indeed prevent, tragic events such as this.

It should be noted that the committee was informed that 80 per cent of the families that the department works with have experienced some form of domestic violence; about 60 per cent have drug and alcohol issues; and almost half have mental health issues. Hence the risk factors in the youth's case were not particularly unusual. Child protection and family support is problematic and difficult, and it is managed with protocols.

The committee today tables seven findings and two recommendations. Findings 1, 2 and 3 essentially note that the department was unable to make fully informed decisions about the father's unsupervised or supervised access to the newborn infant due to incomplete information. However, although there was some evidence of potential risk to justify supervised visits, the teenager father was allowed to visit his baby without supervision. It appears, as evidenced in finding 3, that some of the inability to get information about the father was due to the difficulty of keeping track of this highly transient young person who may not really have wanted to be found. In effect, it is acknowledged that this scenario, this case, presents a constant pressure on departmental resources and the procedural ability to engage with individuals across the state. The complexities are vast and a challenge. Findings 4 to 7 indicate that systemic issues such as inadequate resources and excessive workloads may have contributed to this case, but a direct link is not evident. However, attention is brought forward by the committee to the relationship between the level of staffing and the capacity to monitor. Finding 6 indicates a positive implementation undertaken by the department to provide staff with more guidance in supporting adolescent parents and parents to be.

The committee has made two recommendations in this tragic case of an infant death. Recommendation 1 states —

Where there is insufficient information about a case and there is potential for a dangerous outcome, the Department for Child Protection and Family Support should take a precautionary approach.

Recommendation 2 states —

The Department for Child Protection and Family Support should review its methods of maintaining contact with highly vulnerable and transient youth to ensure that every possible avenue for contact is pursued. It should direct sufficient resources to monitoring the location of particularly troubled children.

In conclusion, this review certainly had an element of emotion attached to it, as anyone would understand in the case of a tragic death of a baby and the circumstances around it. I would like to commend my fellow committee members for remaining focused and working together to arrive at the findings and recommendations to be put forward for better outcomes for children in need.

DR A.D. BUTI (Armadale) [10.34 am]: I also rise to talk on the Community Development and Justice Standing Committee report titled "Red flags, white flag response? The Department for Child Protection and Family Support's management of a troubled boy with a baby". Of course, this is a tragic scenario that the committee was investigating. Before I go on, I would just like to thank my fellow committee members, with the committee led by the chair, the member for Girrawheen, who always chairs our meetings in a manner that allows us to get maximum information from those appearing before us. I also thank my fellow committee members: the member for Vasse, the member for Balcatta and the member for Collie-Preston. Also, as all people who sit on committees know, we cannot do this work and the reports cannot be produced without the outstanding efforts of the committee staff, in this case Dr Sarah Palmer, principal research officer, and Ms Franchesca Walker, research officer. I thank them immensely for the efforts they continue to make in supporting our committee.

I do not need to go through the history of this tragic story, because my fellow committee members have already done so, but I just want to make some general statements and then maybe some more specific statements. We have a crisis in Western Australia in regard to child care. There is a crisis in Australia in respect of child care. The chair, in her foreword to this report, stated that there are approximately 4 500 children currently wards of the state, and that is an incredible demand on the department. Without making a political statement, I think it is obvious that the department is under great strain and staff are unable to cope with the demands upon them, and it has probably always been thus. I think we need to look at the issue of state care, and although it is a controversial issue, we need to look at the balance between foster care and more permanent placements in adoption, but that is a debate to be had on another occasion. If a child is in state care, the department, which basically represents the state, actually becomes the parent of the child—it sits in loco parentis to the child. It has a guardianship responsibility and it also has a responsibility to ensure that the child under its care is safe and does not come into

harm's way. In the situation being discussed here, the baby who was killed was not as far as I can recollect under the care of the state, but the father who committed the tragic action that led to the death of this child was in state care. I think it is not too much of a logical step to say that if the state has the obligation to ensure someone under its care is out of harm's way and does not end up in harm, it also would have the responsibility to ensure that the child does not do something that would be detrimental to their life, and of course killing their own child and ending up in prison is not an action that is in the best interests of a person in the department's care. The state has an immense responsibility, and as a result of that immense responsibility, the workers in this department are under immense pressure and stresses.

As was mentioned, there were submissions from and hearings with the union, and, as this committee has quite clearly stated, we were not trying to blame anyone in particular for this tragic scenario. But the union made quite clear in its submission that this is a department whose members are under incredible stress. It may be argued that that is the union pushing its perspective—of course it is—but we just have to speak to people who work in this department—management, executive management and staff members—and they will tell us the stresses they are under. Page 10 of the report deals with systemic issues, and that is where the union presented its case in respect of the resources allocated to its workers. In this case, as the member for Balcatta mentioned, this particular individual was difficult to monitor because he had a substantially transient lifestyle. One of the things surprising to the committee was that it was recommended that the father engage in an anger management program. It was highlighted and detected that he had problems controlling his anger but he was allowed unsupervised access to his baby without first undergoing the anger management program, and I think that is a failure of the department—a major failing of the department. The union discussed the allocation of cases to each staff member. Page 11 of the report states —

... a case-load of less than 15 could be too much depending on the intensity and complexity of the cases. Hence, while the teenager's Cannington case-worker had a workload of approximately 14 cases at the time of the incident, it may have been too many depending on the nature of the cases.

As this individual had a quite mobile, transient existence, maybe being responsible for 14 cases was just too much. Because the department is saying that a case load of 15 is normal does not mean that that is best practice, and we should be considering best practice when someone has responsibility for the care of wards of the state. Finding 4 of the report states —

Systemic issues, such as inadequate resources and excessive workloads, may have contributed to the outcome in the Bunbury case, although a direct link is not evident.

This suggests that the committee could not find a direct cause between the lack of resources and the death of this baby. Comments have been made that the alleged inadequate resources and excessive workloads did not cause the death of the baby. Of course we cannot find a direct link causing the death of the child, but let us turn it the other way. If there were sufficient resources and the workloads were not excessive, the death may have been prevented. Although not having enough resources does not cause the death, it does not mean that, as a result of that, a person is going to kill someone, but if there are sufficient resources and proper decisions are made, the death may have been prevented. Given the history of this case and the characteristics and personality of the individual involved, if there was sufficient time to ensure that the proper decisions were made and the father undertook an anger management program, this 16 or 17-year-old individual would not have been allowed to have unsupervised access to his baby. If he was not allowed to have unsupervised access to the baby, the death would not have taken place. It did not cause the death, because the department obviously did not tell the father to kill the child, but it could have been prevented. That is what we have to look at. That is why recommendation 1 was made, which suggests taking a precautionary approach. It states —

Where there is insufficient information about a case and there is potential for a dangerous outcome, the Department for Child Protection and Family Support should take a precautionary approach.

Given the fact that there was trouble maintaining contact with the father, the decision should not have been made to allow him unsupervised access. If the department had taken a precautionary approach until he had undertaken the anger management program and it was satisfied that his anger management issues were under control, he should not have been given unsupervised access to his child. If he did not have unsupervised access to his child, this situation would have been prevented.

HEALTH SERVICES BILL 2016

Referral to Legislation Committee

MR J.H.D. DAY (Kalamunda — Leader of the House) [10.44 am]: I move —

That the Health Services Bill 2016 be referred to the Legislation Committee for report to the Legislative Assembly.

The government has had discussions with the opposition about this proposal. I appreciate the fact that the opposition is supportive of the Health Services Bill 2016 being considered through the Legislation Committee process. We went through this experience with the Public Health Bill 2014 last year. It was generally considered to have been a successful process, given the length of and the detail that was contained within that bill. I understand it was a more informative process, with the officers from the Department of Health being able to provide information directly through the minister in the committee process, in the same way as occurs with the budget in the estimates committee process.

The Health Services Bill 2016 has 202 pages and 308 clauses. A lot of detailed issues are dealt with in the bill. It is an appropriate bill to be considered through this process. I hope that it can be either completed or substantially completed next week, but more time will be available if necessary. Under the standing orders, given that we are not specifying a specific date for it to be returned to this house, it needs to be returned by 10 May at the latest. As I said, I hope that it can be substantially completed next week. I commend this motion to the house.

MRS M.H. ROBERTS (Midland) [10.46 am]: The opposition supports the referral of the Health Services Bill 2016 to the Legislation Committee. It will enable processes of the Assembly to occur in two places concurrently and may lead to things being dealt with in a speedier fashion. I have commented before that this committee process is a bit more cumbersome for our house, having only 59 members, than it might be for some bigger Parliaments such as the federal Parliament. We are prepared to give the system a go with this legislation. Should it not be successful, I expect we could bring it back to the house for the regular consideration in detail treatment. I, too, would be hopeful that those proceedings might be concluded next week but, like the Leader of the House, I will not pre-empt that at this stage.

Question put and passed.

Legislation Committee — Nomination of Members

MRS M.H. ROBERTS (Midland) [10.47 am]: I nominate the members for Kwinana, Mirrabooka and Maylands to serve on the Legislation Committee.

MR J.H.D. DAY (Kalamunda — Leader of the House) [10.47 am]: I nominate the Minister for Health and the members for Balcatta, Morley and Vasse to serve on the Legislation Committee.

NOONGAR (KOORAH, NITJA, BOORDAHWAN) (PAST, PRESENT, FUTURE) RECOGNITION BILL 2015

Second Reading

Resumed from 26 November 2015.

MR C.J. TALLENTIRE (Gosnells) [10.48 am]: I rise to speak to the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015. It is important that we give the first people—the traditional owners of this land—the full recognition that they deserve. It is also important that we recognise the 50 000 years, at least, of custodianship that they have given to this land, the good management and that happy relationship between humans and the natural environment that is a hallmark of the Noongar people and their time on this land.

The Noongar people and the lands that they occupy are sometimes described as being the kwongan lands. It is not the case for all the lands occupied by the Noongar people, but much of the country that is described as being the sand plain country in some minds is the kwongan. It is very interesting to consider what we are talking about when we consider these lands. It is interesting as well—I will touch on this in my speech—how these lands are the subject of a proposal for World Heritage listing. These lands that are characterised by a soil type are not the most agriculturally productive. They are often challenging lands to work with, given the soil types, when it comes to producing agricultural crops. Nevertheless, in white settlement times we have been highly effective in clearing out those areas of kwongan vegetation type, something that the Noongar people did not contemplate doing. Perhaps they did not have the incentive to do so; they were not motivated by the idea of wanting to produce millions of tonnes of wheat. They were happy to have an occupational settlement pattern that was much more in harmony with that very challenging natural environment. I think it is important that we learn today how they were able to live in harmony with that natural environment so that we can better understand what remains of that natural heritage.

I am appalled when I hear some people say that the journey between Perth and Geraldton is boring and is just a continuous sequence of low shrub lands that are of little interest. People who understand that country know that there is an amazing diversity of flora and an amazingly interesting and ancient landform there. It is something that we need to understand and treasure, and we should never look down upon it and think it is not like good old England. That is what we are up against. We look back a bit to the past, which is perhaps somehow impregnated in many of us genetically, as we like those rich, rolling green hills and pastures of the old country. The reality is that we live in an area that is prone to extended dry periods, and that is becoming increasingly prevalent as we

enter into the phase of dealing with the realities of climate change. We have to know how to produce food products, especially grain crops, and do broadacre agriculture. We have to maintain those things into the future but, at the same time, look to the past and learn how the Noongar people were able to successfully manage the lands that they occupied and that they continue to have such a strong and passionate connection to that continues to this day.

That is why I think we should consider the proposal put forward by Professor Hans Lambers, Professor Steve Hopper and others that we consider the idea of United Nations Educational, Scientific and Cultural Organization World Heritage listing for the kwongan country. We need its core to be not just the natural heritage, but the human heritage aspects of the whole kwongan ecosystem type. I have a paper from Professor Lambers in which he indicates that the kwongan area comprises 47 million hectares, extending from Shark Bay to Cape Arid, which corresponds perfectly with the area that is referred to in this bill and is defined in the explanatory memorandum. Indeed, the map of the area in schedule 3 of the bill shows an area extending from a bit north of Jurien Bay to Cape Arid. The area corresponds with and, of course, takes in the jarrah, marri and karri country and various other ecosystem types. There is the constant coming together of the two things that make our state so special and unique—our natural heritage and our Indigenous heritage. When we talk to people from another culture about what is unique about Australia, things like our Australian Football League teams or our sporting prowess at the Olympics are almost unheard of; they do not even exist. What does exist and is at the forefront of the minds of people who live elsewhere is the natural heritage and the Indigenous heritage of Australia and Western Australia. Those are our two unique defining features. Those are the things that really characterise us. That is why it is sometimes upsetting when I realise that many people who call Western Australia home do not have a strong affinity with either the natural heritage or the Indigenous heritage, and I think that is very sad. We need to make sure that we have that strong connection. I believe the Noongar people can help us get there, because their connection has lasted for so long—over 50 000 years—and it is enduring. We need to be receptive to the stories they tell about Noongar heritage. We need to listen to them and learn from them and then, of course, put them into a scientific context and understand the scientific explanations for things. We also need to realise the spiritual heritage in those Noongar stories.

I will use one example. I know that the *Nuytsia floribunda* species, or the Christmas tree, was spotted by the first European settlers when they approached the shores of Western Australia. When they were travelling in the December and January period, they could see from afar—it can still be done today—the *Nuytsia floribunda* and they wondered what that unique species of plant was that was visible from a number of kilometres offshore. The Noongar people were and remain very aware of the significance of *Nuytsia floribunda*. Indeed, for some groupings, the tree would mark the final resting place of recently deceased people. There was some understanding of the physiology of the species. It is a hemiparasitic species—that is, it grows on another species. That connection means that somebody's transition to the afterlife can be enhanced by the way this plant lives. It is a fascinating connection and it demonstrates how we should all know about the *Nuytsia floribunda*, a defining species for the Noongar people of the south west.

What happened when white people first came here? They looked at the sand plain country, realised that it was the least fertile of the various soil types and used *Nuytsia floribunda* as a way of defining areas where they would not want to practise agriculture. Perhaps that was a reasonable call in many ways, because it meant they would follow the river systems and look for the loamier soil types along the rivers and head inland to places such as York and Toodyay, where some of the first farming settlements in the state are. They looked for better soil types because they did not have the skills or the ability to recognise the defining feature of that area.

I understand that at the moment the population in the Avon–wheatbelt area is in the order of 30 000 people, but I stand to be corrected on that. I know that Professor Jorg Imberger had a particular interest in the area at one stage. He brought together some research that demonstrated that, during Noongar times, prior to white settlement, the population in the Avon–wheatbelt area was 30 000 people. Although we have amazing technology and all sorts of capacities, when it comes to a population that can sustain itself on a piece of land, it is an interesting perspective to think that there were 30 000 people in Noongar times and there are 30 000 people in white settlement times. It is an interesting idea. Of course, there are other issues at play, not the least of which is that the area produces many million tonnes of grain a year for export. It could be argued that at least 80 per cent of that grain is exported, so a harvest of over 10 million tonnes, and up to 12 tonnes or 13 million tonnes, can feed a significant percentage of the world's population. It could be said that we are certainly big contributors to the global grain pool and the amount of grain that is traded around the world. Our grain production is not exceptional; in fact, because of the poor soil types, we have very poor yields per hectare. It is argued that input costs are relatively low, but the actual return per hectare is such that we can make a reasonable living out of producing grain. It is not a strong yield because of those challenging soil types I mentioned earlier.

The Noongar people were able to make this part of the world their own. They had the cultural connections. They were able to look at the floristics of the area in so many fascinating ways. The medicinal properties for just about every one of the many plant species were tested, trialled and developed for use. When we consider that there are

about 8 000 different plant species unique to this part of the world, the south west of the state—Western Australia having about 13 000 to 14 000 described plant species—it is truly unique in global floristic terms. We have one of the richest assemblages of plants in the world, right up there in terms of plant species diversity, right up there with any of the tropical areas that people tend to think of when they think about biodiversity. The Noongar people understood this; not only were they able to work with it, learn about it and develop their own spiritual views around it, but also have their own practical uses for that floristic heritage. It is absolutely magnificent what they were able to do. There is so much more that we need to learn about the medicinal benefits that can potentially come from many plant species. In the Premier's portfolio as Minister for Science, he is interested in this area. When I hear people like Professor Lyn Beazley and Professor Peter Klinken talk about these things and the whole potential for bio-prospecting, for us to enrich humanity and bring about all sorts of cures for various ailments through the knowledge and development of the chemical properties of different plants in the south west of Western Australia, it makes me very excited about what sort of potential we have here.

The Premier, who often talks about the virtues of our biodiversity, does not seem to realise that when we are still allowing the destruction of significant areas, we have a real problem on our hands. We are not respecting the original Aboriginal Noongar culture; we are not ensuring that it is protected. We are not protecting ourselves from such dramatic loss that we could be losing things that could be, for example, of great medicinal benefit in the future. That is something that we really have to guard against. The next time the Premier is lobbied by a landholder saying, "Well, I should be able to just destroy another 50 hectares or so of native vegetation because that is going to make the difference between my property being a going concern with grazing or cropping and it being a bankruptcy for me", we have to say to that person, "Hang on, do we really know what is there?" That is why I am so critical of this government for its attitude towards protection of native vegetation. One of the great riches of this state is our floristic heritage. It is something that the Noongar people recognised, protected and looked after for 50 000 years. We should be doing the same—not allowing more of it to be destroyed, yet we do not have any policy when it comes to native vegetation protection. We have a government that is prepared to allow people to destroy areas without any assessment at all. In this state of Western Australia a person can destroy five hectares a year per property without any assessment at all unless they are in an environmentally sensitive area. It is sometimes rather hard for people to know whether they are in an environmentally sensitive area; they have to go through an assessment process and then they might be told that they can destroy that area.

[Member's time extended.]

Mr C.J. TALLENTIRE: The Noongar people understood the richness of the floristics of this state so well; in fact, they would define their territories based on plant species. I was lucky enough to take a trip to the south coast with Doc Reynolds, an Esperance Noongar man, who was able to show me the intersection between two different kin groups and how we could see that the vegetation type was very subtly connected, with the landform changing and transitioning, and from that we would get certain markers. Subtly displayed rock formations were placed to indicate, not in a confrontational manner, to another kin group that this was another territory. Occasionally there would be meetings where there would be an exchange of goods; a meeting of different groups so that they would get a broadening of the gene pool. I do not know that it would have been looked upon in those terms, but it would have perhaps been around boy-meets-girl encounters, diversity and all sorts of romance opportunities with different groups coming together. That heritage is there for us to try to understand, but it is not readily evident, and we need to really study it. We need that archaeological expertise to help us, along with the storylines that come from talking to people like Doc Reynolds and other Aboriginal people to point things out.

We had the terrible events of the Esperance fires late last year. If there can be a positive to that sort of story, one of them is that it has opened up the land and, where we find some of these archaeological areas, things are more visible. That is perhaps an opportunity for us to see where those rock formations and various archaeological sites have become apparent, whereas for many years they were not visible at all. That is something that has opened up the whole issue of site protection. Another bill that we will debate in the months to come relates to the protection of Aboriginal sites right across this state. That is a bill I am particularly concerned about.

Of course, Doc Reynolds is not alone. He has a wealth of knowledge to contribute, but we need to ensure that we have many other Noongar elders and people of great knowledge. I think of others who have given great and fascinating discussions and are academics in their own right, such as people like Noel Nannup, who, every time he gives a presentation, just awakens us to the richness of the heritage that we have around us in Western Australia. Every time I hear those stories I think what a shame it is that more Western Australians are not also enriched by it. All 59 of us in this chamber have that opportunity to be exposed to it, but it is sad that many people, with their busy lives, do not have that obvious opportunity to get out there and hear these stories. They miss out on understanding this stuff, and they are missing out on the opportunity to connect with the wealth of this state. That is something we have got to remedy; we have to find a way of getting the message out to all Western Australians that our Noongar heritage in the south west corner of Western Australia is one of our great wealths. By doing that, we will ensure that younger Noongar people, many of whom are struggling in one way or

another, can realise that they are a connection to that thing that we all need to be so proud of, and that young Noongar people have a vital role to play in the future. They can be in Aboriginal ranger programs; they can be the people who help us in all kinds of ways understand the wealth of that heritage. They can help us understand it just by getting out to see the sites.

Going back to my trip with Doc Reynolds, he took me out to see rock carvings. Etched in some rock was the scene, the observation, by some Esperance Noongar people of when they first saw some ships going by, perhaps in the very early 1800s. They saw sailing ships go by and etched them into some rocks. They also etched the images of the various animals that they were perhaps using as food sources. There are pictorial representations of various marine mammals. It may have been that they used them for food or perhaps they were just trying to describe to people from an inland kin group the sorts of animals that they had in their region. We cannot be sure of the finer details of that story but it is fascinating that we have these intersections of different kin groups and people with a clear desire to tell those from another area what it is that actually characterises their area—it tells a fascinating story. We are very lucky to have this heritage but we are on the precipice. If we do not watch out we could lose it. It could all be annihilated and turned into either bland suburbia or monoculture. We could go that way because that is where we are at. We must make a clear determination to protect what remains of our Noongar culture and do all that we can to help it blossom and expand. We must make sure that our universities are deployed to gather in all the different fragments and bring in, for example, the botanical work of people such as Professor Stephen Hopper. Professor Hopper was the former head of Kew Royal Botanic Gardens and of Kings Park Botanic Gardens and Parks Authority and has dedicated much of his work to looking at this connection that Aboriginal people have with the flora of this state. We are learning more and more about that particular connection so that we can have a fuller understanding of it and realise that the propagation techniques, medicinal benefits and the indicators of soil type and general environmental health are all there and that perhaps we can approach the level of sophistication previously achieved by the original inhabitants of the south west of the state. It is a very interesting story to tell but it is something that we must appreciate and embrace.

We must learn about the connection between our natural and Indigenous heritage; those two things that make this part of the world so unique, and how they go together so beautifully. It is something that we as modern Western Australians should also understand and embrace. Of course there are immediate business opportunities around this. I am thinking of perhaps ecotourism and the interest that many people have in not only environmental ecotourism, but also cultural heritage. People are fascinated by this idea that we have a living culture that is more than 50 000 years old. They want to hear that story and know how it is that a culture has lasted so long. How long is our white culture in Western Australia likely to live for? We built on this idea that our society has to keep growing, but many people are questioning that. Where is the end to growth? The Aboriginal people that were here had a sustainable model in place that could have gone on for many more thousands of years. It had already been in existence for 50 000-plus years when we came here, and it could go on for at least another 50 000 years. We have come here with a totally different concept of human settlement and imposed it on this part of the world and it must be asked: how much longer can our approach go for? The way forward is for us to take inspiration from that 50 000 years of learning that Aboriginal people have had and then meld it with our own concepts and ideas around how human settlement can go forward. That could bring about the truly sustainable and prosperous Western Australia that we all aspire towards. There are many exciting opportunities here.

I will conclude by talking about the idea of the kwongan region being World Heritage listed. To allay the concerns of members, it would not mean the World Heritage listing of any private land. This is a discussion that we need to have in more detail but the proposal, as it presently stands, is something that the federal government has to embrace. It is only the federal government that can make that nomination to the World Heritage Committee and it would apply to only A-class reserves—it would not apply to private land. The listing would apply only to the various areas that are currently designated as national park or some form of conservation estate. This is something that we could look at in future, and absolutely central to it would be the Aboriginal heritage component. Aboriginal heritage is central to the United Nations Educational, Scientific and Cultural Organization World Heritage List concept. There are many exciting opportunities for us when it comes to recognising the Aboriginal heritage of the south west of Western Australia, but more than anything it is the right thing for us to do. After 50 000 years it is only right that we recognise the past, present and future of the Noongar people in this part of the state.

MS S.F. McGURK (Fremantle) [11.17 pm]: I am very pleased to be able to speak on the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015. Like every other member that contributes in this debate, I begin by acknowledging my respect for the traditional owners of the land, the Noongar boodja, on which we meet. I pay my respects to their elders, both those in the past, those who are still with us and those who will have their connection to country in the future. We hear those traditional acknowledgements very often when we attend ceremonies, and sometimes we hear them in the house. I am not the first person to make the observation, but I am sure I join with other members in this house when I say that I make that acknowledgement not out of a sense of propriety and modern custom but an acknowledgement of the tens of thousands of years that

Aboriginal people have lived on this land. They have a connection to history and our white European settlement in this country is just part of that history. Their connection has existed in the past and it will exist into the future, and our white settlement in this country is just a moment in time. It is important to make that point and to say that I do not quite understand why we do not give a traditional acknowledgement when we open this Parliament either at the beginning of the week or the beginning of the session. We give an acknowledgement to our Judean Christian heritage, if you like, through the Lord's Prayer but we do not give proper recognition to the traditional owners of this land.

This bill is significant because of not only the negotiations that took place to bring about the settlement and the recognition of the connection to country that the Noongar people have had in a continuous fashion since 1829, but also its fundamental acknowledgement of the importance of land to the Aboriginal people. A good example of that is illustrated by the story of Fanny Balbuk. Perhaps other people may have heard of this story but I had not heard about it. I read about it in David Whish-Wilson's book titled *Perth*. David is a constituent of mine; I do not know him. But this very perceptive book is about modern, and a little bit about historical, Perth. It was published only a couple of years ago, in 2013. David Whish-Wilson writes about standing on the 15th floor of a Perth CBD building, looking down on Heirisson Island and recalling a story that he heard in his primary school years. The book states —

The first time I heard the story of Fanny Balbuk, she wasn't given a name. I can't even remember which teacher told me about her in primary school. He must have been a good storyteller, though, because the images were powerfully clear. Fanny Balbuk came from the Whadjuk clan of the Nyungar, the Indigenous people of south-west Western Australia, and one of the largest language groups in the country. She was born and raised on the Swan River at Matagarup, or Heirisson Island. The year of her birth was 1840, barely a decade after Europeans established the Swan River Colony and not long before her father died on Rottnest Island. Like many of his kinsmen, he'd been imprisoned there for stealing flour.

Balbuk expressed her frustration at the development of the Georgian village on her country by stubbornly continuing to follow the tracks of her ancestors. According to Daisy Bates, the Irish Australian who observed and recorded Western Australian Indigenous culture in the first half of the twentieth century: —

Now I quote Daisy Bates —

To the end of her life [Balbuk] raged and stormed at the usurping of her beloved home ground ... a straight track led to the place where once she had gathered jilgies and vegetable food with the women, in the swamp where Perth railway station now stands. Through fences and over them, Balbuk took the straight track to the end. When a house was built in the way, she broke its fence palings with her digging stick and charged up the steps and through the rooms.

Bates goes on to describe how one of Balbuk's 'favourite annoyances was to stand at the gates of Government House, reviling all who dwelt within, in that the stone gates guarded by a sentry enclosed her grandmother's burial ground'.

There is no clearer example of that very strong connection when thinking about the route from Heirisson Island, along with what is now Adelaide Terrace and St Georges Terrace, to Government House, and then down Barrack Street towards what was described as the swamp, where the Perth railway station now sits. I do not think we can think of a better example of the determination, tenacity and passion with which Aboriginal women express their connection to country and their frustration at the interruption to their traditional way of life and heritage. As I said, I urge other members to have a look at that book. It contains many stories that I had not heard before—perhaps other members have—and it is a very perceptive take on modern-day and historical Perth.

The Premier said in his second reading speech that he was proud to bring this bill to the house and proud of the negotiations with the South West Aboriginal Land and Sea Council that have taken place over the years he has been Premier, from 2009 to 2015. The second reading speech refers to the mechanics of the bill and also a little of the history of the Noongar people from early settlement, and the recognition of early settlement, to the skills that the Aboriginal people had and their knowledge of the country and the reliance on and the use that the early settlers made of that traditional knowledge. It then refers to the increasing distortion of that relationship and, I guess, through the twentieth century, the legislative or policy approaches that served the Aboriginal people very poorly. Hopefully, this recognition and the resources that will go into trust under the management of the Noongar people through a series of trusts will in some way redress that.

I also take the opportunity to speak about some of the other issues being discussed in this public debate and in this Parliament about Aboriginal people and how we deal with the issues that currently face Aboriginal people in their various communities in this state. A good example of that was the debate we had in this house yesterday on a private member's motion about youth suicide in Aboriginal communities and how we might best approach

those very complex and difficult issues. I do not think anyone doubts the sincerity of intent of people here and policymakers across the board, but the real question is: what is an effective solution to those very difficult issues?

I was interested also in a discussion I had with a soon-to-be constituent of mine, a man called Dave Palmer, who works as a senior lecturer at Murdoch University. I have met Dave a few times. He lives in Hilton, so he is currently the member for Willagee's constituent, but I am hoping that after the next state election he will be my constituent. I met Dave Palmer at the launch of a website that describes the use of Aboriginal place names throughout the state, which was put together by the University of Western Australia and Professor Len Collard. That website contains names that have been used throughout the state—I think they are particularly concentrated in the south west and some Noongar areas—and is an online resource that people can use to get an idea about the Aboriginal heritage of those names and what they might mean. Len Collard did a lot of the legwork for that resource. In any case, I was at that website's launch last year and was talking to Dave Palmer about what the state government's announcement to close a large number of remote Aboriginal communities would mean. Dave has done quite a bit of research on remote communities and the traditional activities of Aboriginal people and has documented their social and health outcomes. He sent me some information, for which I am grateful. This debate has been going on for a while, because I received the email and this piece of research from him a year ago today. I have printed the article, but I do not have the name of the journal—I think it is called *New Community*. It is basically a literature search. It concludes by stating —

... that there is solid evidence of a correlation between positive social outcomes and activities that encourage culture, language and 'on-country' contact.

The article also looks at positive cultural socialisation and improved health and community connections, which are important considerations when debating, as we did in this house yesterday, difficult issues such as suicide in general in Aboriginal communities. Dave Palmer was making the point that it is sometimes difficult for community groups to convince government that there should be funding for some of these activities, because they are not documented in the traditional way. It is a lot harder to map them by interviewing people and getting them to fill out surveys and the like. He writes about the biomedical research that confirms a clear correlation between good health outcomes and culture for Indigenous people, and cites research showing that cultural practice was associated with more frequent exercise and bush food consumption, lower body mass index, less abdominal obesity, less diabetes, and lower blood pressure; the list of improved health outcomes goes on. He also states that there was not only a connection between Aboriginal cultural attachment and health, but also an improvement in self-assessed health. Self-assessment provides empirical confirmation that there are negative impacts on wellbeing if employment, economic and social outcomes are pursued in the absence or at the expense of culture.

The ACTING SPEAKER (Mr I.M. Britza): Excuse me, member for Butler, you need to recognise the Chair, especially if you are going to enter the chamber between the speaker and the Chair. I am just letting you know.

Mr J.R. Quigley: My apologies, Mr Acting Speaker.

The ACTING SPEAKER: I accept that.

Ms S.F. McGURK: The point is being made that if employment and economic and social outcomes are going to be examined, empirical evidence suggests that so much more can be achieved if those outcomes are culturally driven; and if health and wellbeing outcomes are likely to be achieved, there needs to be a connection to traditional activities. He talks about various programs, for instance, the Big hART program in central Australia. I know it is not Noongar land, but I think the points are still there. Some of its activities in art, design, filmmaking, language development and even digital work have had enormous positive consequences in the communities involved, including crime prevention, literacy development, intergenerational exchange and improvements in school attendance, employment, involvement in the creative arts industries, and physical health. He also discusses the importance of storytelling and performance.

[Member's time extended.]

Ms S.F. McGURK: He discusses the importance of these sorts of activities in overcoming people's tendency to recoil from social interaction with each other when things get tough. There are opportunities for people to connect with each other through the traditional activities of storytelling and performance. We have known for some time, originally from British research, of the importance of what is called the control factor in people's lives, as a critical variable in epidemiological patterns of disease. The more control people have in their lives and communities, the more likely they are to be able to contend with outside demands and stresses. I think people would probably be well aware of that research. Those same factors, such as lack of control over key circumstances in their lives, have been identified as major causal factors in Indigenous ill health. As Dave Palmer pointed out, the research literature is laden with evidence that the loss of spiritual practice, decisions about parenting, and sustained economy and collective authority over the simplest of decisions are antecedents to massive substance abuse, violence and suicide.

The government would be well advised to consider some of that research in developing the regional communities project that was discussed in yesterday's debates. It is essential that Aboriginal people's views be taken into account in considering what is effective. The member for Victoria Park pointed to the uncertainty that has been introduced for Aboriginal people in this state by the state government's announcements that it would close a large number of remote communities, although it did not say which ones. Now the government is backtracking from that idea and trying to make up a bit of ground, but it has created a huge amount of uncertainty. I make the point that although we are talking about the Noongar bill and my reference there was to remote communities, the point is still important; that is, a fundamental respect and acknowledgement of self-determination and what Aboriginal people and their representative bodies believe should occur should be at the heart of any decision-making or policy forming for Aboriginal people in this state.

Another example of where that has been handled very poorly, and indeed where there has been a complete disregard of Aboriginal aspirations, is in a geographical area within the Noongar nation, directly referred to in the bill before us. I refer to the cultural approvals that were given for Roe 8, and a decision to build a road across Beeliar wetlands. Many questions have been raised about the approval by the Aboriginal Cultural Material Committee, which, in February 2013, refused to allow the disturbance of the Beeliar wetlands as part of the Roe 8 extension. That site is considered sacred by Indigenous people because of the legend of the giant serpent called the Wagyl. I quote from an ABC news report in January this year —

“The committee ... resolved to recommend to the Minister for Indigenous Affairs that consent not be granted based on the ethnographic significance of the sites, the subject of the notice and the objections to the purpose raised by the majority of Aboriginal [people] consulted,” the minutes of the meeting said.

That refers to the minutes of the meeting of the Aboriginal Cultural Material Committee held in February 2013. The news report continues —

But in June, it reversed the decision and approved the Roe 8 project based on new archaeological assessments.

A challenge to that assessment has now been lodged with the Supreme Court, and we are yet to see whether that objection will go the way of the environmental approvals. We know that on close examination of the environmental approvals by the Supreme Court, the Environmental Protection Authority's advice to the state government on the environmental approvals was found wanting and overturned. They are now being appealed and resubmitted by the state government, creating a huge delay for that project. I must say that, from my point of view and that of the community that I represent, it is a welcome delay. Many questions have been raised about the nature of the assessment of the Aboriginal cultural considerations in the Beeliar wetlands in relation to the Roe 8. I know that the South West Aboriginal Land and Sea Council was concerned about its communication with the APMC, and the lack of information from the state government about which traditional owners of the area around the Beeliar wetlands it had consulted when it decided to give approval. There were also concerns about the nature of the archaeological testing around that site. Last year, Justice John Chaney quashed a decision to deregister a Port Hedland Aboriginal sacred site in an action initiated by Kerry and Diana Robinson.

The government can say one thing about its commitment to Aboriginal people, but its deeds speak louder than its words. This government will be remembered for its attitude to the approval of deregistering Aboriginal sites and for its approval to go ahead with a road project over wetlands that are considered significant by the Aboriginal people. Its determination to get approval one way or another is something that the government will be remembered for. We are yet to have a full debate about the amendments to the Aboriginal Heritage Act. I think that will be a very robust discussion. Aboriginal people have very real concerns about that. Everyone wants to ensure that in our recognition of Aboriginal sites and areas of connection for Aboriginal people, we put in place the most robust systems possible. The proposed amendments to the Aboriginal Heritage Act give us a lot of reason for concern.

I want to briefly mention two other issues. One is the burial site at Rottnest Island. I heard the member for Victoria Park speak on this issue. When I was first elected I was very concerned to see that no resources had been put towards the proper recognition of that burial site at Rottnest. It was given very poor signage and cordoning off. That has since improved and I am glad to see that. At least proper perimeters are now put around that area and there is some signage—more than a tin sign and some wire fencing, which was what was there previously. Improved signage has now been put around that burial site. There was a variance of views amongst different traditional owners who came to see me about what should occur on that burial site. One of the frustrations is that it has taken so long for anything to happen on that site. Different groups were consulted but have moved on, and people feel frustrated that their wishes, or their elders' wishes, were not taken into account in how that site is dealt with. In any case, there is now some improved signage.

The next issue that will be difficult is the treatment of the Quadrangle—what is now Rottnest Lodge. I think it is a good thing. Most people would say that that should not be used as holiday accommodation; it is inappropriate. The people managing it are from the Karma Group. In its new lease arrangements with the state government, the

Quad will be handed back to the Rottnest Island Authority. Most people would say that that is a good thing. But what happens to the Quad? How do we give proper recognition to what actually occurred to Aboriginal people at Rottnest? That will take resources. Aboriginal people were treated terribly in that environment over decades. How do we give proper recognition of the history that occurred there, in a respectful way? That is how this government, and future governments in this state, will be culturally judged. We need to acknowledge that history, some of which is terrible. The reasons that Aboriginal people were taken and incarcerated, and died, at Rottnest is a terrible history and it needs to be properly acknowledged. Resources need to be allocated to deal with the Quad in a respectful way. They are the sorts of deeds by which this government will be judged.

I acknowledge the importance of this bill in acknowledging the traditional owners of this land. As the member for Fremantle, I look forward to being part of any negotiations and discussions with the Aboriginal people in my electorate to make sure that we give proper recognition in practice to their past heritage, but also in dealing head-on with some of the social issues that are confronting modern Western Australians, including Aboriginal people.

DR A.D. BUTI (Armadale) [11.47 am]: I also rise to contribute to the debate on the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015. I acknowledge that it is a very significant day in Parliament that we should be negotiating a bill of this significance. Members may be surprised that I am going to be rather positive, but I have one negative to get out of the way first: this day, the consideration of this bill is in stark contrast with the consideration of the Aboriginal Heritage Amendment Bill 2014. The government introduced this bill to the house, which is a very significant bill, but I do not understand why it still continues with another bill that is a retrograde step in the reconciliation process. I hope that the government will reconsider the Aboriginal Heritage Amendment Bill and come to the conclusion that to give even greater significance to the bill we are debating today, it needs to change the heritage amendment bill because it really freezes out Aboriginal voices.

The bill before the house today is very significant. Often, the judiciary is much maligned in Australia, by either the public or politicians, because it is easy to criticise the judiciary. Generally, the judiciary does not have the capacity to fight back in a public discourse. This bill has a long genesis. It commenced as a result of a Federal Court decision in the single native title Noongar claim. One of the most significant bills to go through federal Parliament was the Native Title Act, which came out of the High Court's Mabo decision. We need to recognise that sometimes Parliaments, or politicians, need to be pushed ahead by the judiciary. That claim was appealed and part of it was overturned, which has led to the bill before this house today. The Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015 is very significant. As the member for Fremantle stated, I would like to acknowledge the traditional owners of this place and their elders, and their traditions and customs. This bill recognises the Noongar people as the traditional owners of these lands that form part of the settlement of the native title claims of the Noongar people to the south west of the state.

The significance of this bill is even greater if one looks at the history of Aboriginal affairs in Western Australia. European settlement commenced in Western Australia on 1 June 1829 when Captain Stirling arrived at Carnac Island, just off Fremantle. When Captain Stirling made his proclamation, he talked about the need to ensure that Aboriginal people were treated properly. Aboriginal people had been in this state at least 30 000 years prior to European settlement. When Captain Stirling arrived, he changed the future of Aboriginal people in Western Australia. The proclamation of Captain Stirling was that Aboriginal people should be respected, cared for and looked after. However, there was no doubt that the laws of England were to take priority. That is because the colonial powers were working under the myth of terra nullius—that is, Australia was uninhabited prior to British settlement, and therefore the incoming colonial powers had sovereignty and their laws took primacy, because there was no recognised legal system in Western Australia and of course Australia. Legislation that had been passed by the Parliament of the United Kingdom prior to 1 June 1829 came into force in Western Australia on 1 June 1829. However, English statutes that were passed after 1 June 1829 had no effect in Western Australia unless those acts applied expressly to Western Australia, or the Western Australian Parliament expressly adopted or applied a United Kingdom statute by referring to it.

After 1829, Captain Stirling and Governor Hutt took a great interest in Aboriginal affairs and Aboriginal welfare. The three principles that guided the native policy that came out of the British Colonial Office in Downing Street at the time was that Aborigines were to be civilised and converted to Christianity; Aborigines were to have the full status and legal rights of British subjects; and the physical wellbeing of Aborigines was to be protected. However, in reality, those principles were ignored or not practised very well, or were basically not performed to the degree that we would hope they would be to ensure that Indigenous people were properly part of the legal and political system of Western Australia.

Towards the end of the 1800s and into the nineteenth century, a concern developed in the colonial population in Western Australia about the so-called explosion of what was called at that time the half-caste population, particularly in the south west of Western Australia. The view was that something had to be done to try to stop this from occurring. The notion of trying to control Aboriginal populations and maintain the predominance of the British-European culture over Aboriginal culture is based, no doubt, on racial theories and ideologies that were

prevalent in the eighteenth and nineteenth century in Europe. There was a view that Indigenous people were at the lower end of the hierarchical scale or system and therefore needed to be converted, civilised and controlled by the British–European political and cultural system. There was also a move to try to educate Indigenous people. In 1874, with the passage of the Industrial Schools Act, a system of education was set up for neglected children and Indigenous children in Western Australia. However, that did not have as much effect as subsequent legislation that was enacted in the 1900s, after the turn of the century.

It is interesting that the Colonial Office did not trust the Western Australian Parliament with Aboriginal affairs and set up the Forrest Commission of 1884, which was chaired, of course, by John Forrest, who became the first Premier of Western Australia. The report of the Forrest Commission painted a pessimistic view about the survival of the Aboriginal race and raised the need to protect Aboriginal people. However, the report also states that Aborigines can be of great benefit to the settlers —

The natives of Western Australia have, to a large extent, the same habits and customs, and are governed by laws that do not differ very much; they are also very similar in disposition, and of the same impulsive nature. Their superstitions, too, are very numerous, and have a very strong hold upon them, appearing often nearly irresistible in their power. Their usefulness to the pioneer settler can scarcely be over-estimated.

Therefore, even though John Forrest said in his report that we need to protect and convert Indigenous people, he said also that Indigenous people are not that different from non-Indigenous people. That is an interesting contradiction. He recommended that native protectors and honorary protectors be appointed to assist Aboriginal people. He also recommended the establishment of the Aborigines Protection Board. Those recommendations for native protectors and an Aborigines Protection Board were given legislative effect by the Aborigines Protection Act 1886. The preamble to the Aborigines Protection Act 1888 indicates that the act is to provide for the better protection and management of Aboriginal native affairs, and to amend the law relating to contracts with and other matters affecting Aboriginal natives. The act deems persons to be Aboriginal if they are an Aboriginal native of Australia; are a half-caste or a child of a half-caste; or are habitually associating and living with Aborigines. In the event of a lack of sufficient evidence to make a determination, that was to be determined by a justice in judicial proceedings.

The enactment of the Aborigines Act 1889 increased the powers of the Aborigines Protection Board. In 1890, with the enactment of the Constitution Act 1889, the imperial government transferred to the colonial Parliament of Western Australia jurisdiction of Aboriginal affairs. Section 70 of the Constitution Act 1889 provided that a certain amount of moneys had to be preserved to be spent on the welfare of Aboriginal people. That section was later amended. A case was brought to the courts in the 1990s as to whether that section had been properly amended, and, if not, whether it still applied, but that case was not successful. It is interesting that the imperial government did not trust the colonial inhabitants of Western Australia to ensure the welfare of Aboriginal people. For at least three to four decades after Captain Stirling arrived in Western Australia, the Aborigines Protection Act had legislative power. That situation prevailed until 1890, when the Constitution Act 1889 was passed.

[Member's time extended.]

Dr A.D. BUTI: Then we move into the 1900s. There was this increased concern about the exploding population of so-called half-castes. The government then had a royal commission and Commissioner Roth, who was a senior public servant in Queensland, was contracted to run that royal commission known as the Roth royal commission. The report was tabled in Parliament in January 1905. The importance of that royal commission should not be underestimated, because its report formed the basis of the Aborigines Act 1905, which was to be the blueprint of legislative control of Aboriginal people in Western Australia. Commissioner Roth, who came from Queensland, made recommendations that were not unlike what was already in place in an 1897 act in place in Queensland, known as Aborigines Protection and Restriction of the Sale of Opium Act, which gave the state immense control over Aboriginal affairs. Roth recommended many of the legislative provisions that were enacted in Queensland. As a result of his report there was debate in Parliament and, as I said, he recommended many of the things in the 1897 Queensland act. The 1905 Aborigines Act was a reflection of the desire by government and the ruling classes to segregate and control Aboriginal people, and it passed through the Legislative Council quickly. Some of the comments made in the Legislative Assembly debate were interesting, which is why we should be careful about what we say in this Parliament because in 100 years' time people might look back to see what we said and wonder about our views. The member for Mount Magnet said that he thought that the so-called half-castes had a chance of reaching a higher level if separated from the full-blooded Aborigine. He stated —

Regarding the half-castes, I think it very undesirable that they should be put on the same reserves with aborigines ... Half-castes, if bred with white people, become in some respects almost as expert as the whites; but once they marry with aborigines, they become even more depraved than the aborigines themselves. If we have reserves, we should try to put the half-castes on reserves by themselves; because I firmly believe that they are a grade higher than the aborigines.

This policy of separating the so-called full-blood Aborigine from the half-caste Aborigine and preventing the breeding of these groups, and that the so-called half-castes should breed with the non-Indigenous people to breed out the Aboriginal strain, was dominant in Aboriginal policy and became strongest in the 1920s and 1930s, which corresponded with certain eugenics policies that were gaining force in Europe at the time. The Aborigines Act 1905 created a ministerial post and a department charged with a duty of promoting Aboriginal welfare, including education, health and general provisions. The legislation also had a definition of an Aborigine. It also made the Chief Protector of Aborigines the legal guardian of all Aboriginal and half-caste children aged 16 or under. That was an incredible power that the state had. This morning the Community Development and Justice Standing Committee tabled a report about a tragic incident in Bunbury involving someone in the care of the state. Today, as we know, in order for the child to become a ward of the state there is a judicial process to be followed. Back in the early 1900s for all the non-Indigenous population, there was also a judicial process under the Child Welfare Act, but if a person was Indigenous, the state became their legal guardian, regardless of the environment they were growing up in. The fact that a person was Indigenous meant that the state became their guardian. That is why at the beginning of my contribution I mentioned the significance of the bill before us. We do not necessarily have a very proud history of the way in which the state and the Parliament have interacted with Indigenous people since the time Captain Stirling arrived in Western Australia.

The 1905 Aborigines Act provided the legislative framework for basically the total control of Aboriginal people—where they could be, who they could marry et cetera—and provided the state with this power to have control over Indigenous children. As we know, that led to the systematic removal of Indigenous children from their families and culture, with those people known as stolen generations. Some of the consequences of that so-called experiment are still being played out today with the disadvantage experienced by Indigenous people.

The most prominent figure in Aboriginal affairs for most of the first half of the twentieth century was the Chief Protector of Aborigines of Western Australia, A.O. Neville. He then became the Commissioner of Native Affairs in Western Australia. He was appointed in 1915 and stayed in that position until around 1940. He was a very dominant figure in Aboriginal affairs in Western Australia and he had the legislative framework of the 1905 act, which was amended to give him greater powers in 1911. Then the Native Administration Act 1936 also increased the state's power over Aboriginal people. Neville had very firm views about his responsibility to put into practice various provisions of the 1905 act and subsequent amendments. His views were very clearly stated on a number of occasions. A newspaper article published in 1937 stated —

Mr Neville holds the view that within one hundred years the pure black will be extinct. But the half-caste problem was increasing every year. Therefore their idea was to keep the pure blacks segregated and absorb the half-castes into the white population.

Sixty years ago, he said, there were over 60,000 full-blooded natives in Western Australia. Today there are only 20,000. In time there would be none. Perhaps it would take one hundred years, perhaps longer, but the race was dying. The pure blooded Aborigine was not a quick breeder. On the other hand the half-caste was. In Western Australia there were half-caste families of twenty and upwards. That showed the magnitude of the problem.

In order to secure this complete segregation of the children of pure blacks, and preventing them ever getting a taste of camp life, the children were left with their mothers until they were but two years old. After that they were taken from their mother and reared in accordance with white ideas.

There was a conference in Canberra in 1936 on Aboriginal affairs. Remember, back then the commonwealth basically had no constitutional power over Indigenous affairs, except in the Northern Territory under the territorial power. Besides that, Indigenous affairs were purely a state function until the 1967 referendum, which gave the commonwealth greater power because it allowed the commonwealth Parliament to enact laws for Indigenous people. Back in the 1930s the states really ran Indigenous policy. At this conference, Neville expressed some interesting views, which are reflected in what was reported in that newspaper article. There is much I could read out about Neville, but I will not read out too much. However, I will quote his view about the lighter skin colour of the child. The best way to sum up his position and the drive to the separation policy is by reading the following quote. It states —

Quadroons or nearer whites not already properly cared for under white conditions of course must go as soon as possible to institutions for white children and learn to forget their antecedents, and their parents and coloured relatives should be strictly excluded from any contact whatever with them. There is a special home for such youngsters in Western Australia, and this might well be emulated elsewhere.

Many working half-caste girls having infants fathered by white men came to me to discuss the disposal of their children. When I explained to them that separation was inevitable for their children's sake, most of them saw the matter as I did, and on giving them up made and kept a promise not to molest them in any way. I found that these children in their new surroundings had no difficulty in comporting themselves as white children, and any picture of their mothers which they might have retained at first

rapidly faded from their minds. They attended the State schools and many of them were well above the average in their work. In later life there was a possibility of a meeting between the children and their mothers, but though this was unlikely, by that time both would realise the position sufficiently well to avoid any adverse consequences from it. Some of these near white children were adopted by childless white couples, and that too is all to the good. Quite a few mothers went to service in the country having their children with them, and this plan worked well enough in the early years, difficulties arising as the children grew older, eventually leading to separation.

Neville may say there was no problem but I can assure members, as I worked at the Aboriginal Legal Service of Western Australia for a number of years in the 1990s during the stolen generation national inquiry, that the negative consequences of that policy were being played out and are still being played out.

This is not the place to talk about child welfare today. I definitely do not say that if a child has been neglected, they should not be removed from harm; I think they should be. But that is the point. If they are being neglected and they are in harm's way, but not because they belong to a certain group of people, they should be removed from harm. Under the stolen generation policy, that is the issue; that is, just because they were Aboriginal, they could be separated without going through the judicial process. That is what we can never allow to happen again. Of course if children are being neglected and they are in harm's way, they need to be separated for whatever period of time. That is a different issue. Having said that, I am not so sure now but some children who should have been removed were not removed because of the concern about that failed experiment during the stolen generation period.

After the Second World War and the establishment of the United Nations, the whole issue of the systemic removal of Aboriginal people had to be questioned. We were moving to a system of trying to incorporate Aboriginal child welfare into the mainstream welfare system. Aboriginal children were still subject to the Native Welfare Act 1954. It was not until the Native Welfare Act 1963 that we moved the guardianship provision. After that, Aboriginal children had to be removed under a judicial process. That is the system that is in place today. As I said, this bill is very significant. I hope it can be a springboard to improve the relationship between Indigenous people and non-Indigenous people but, more importantly, I hope it can be used as an act of reconciliation to improve the economic and social welfare position of Indigenous people in Western Australia.

I do not have much time left. As I said, this bill came out of the decision of a single native title claim. I have stated before that I think the Carpenter government was wrong; it should not have appealed the Yorta Yorta decision in Victoria. The Yorta Yorta decision was a disgraceful decision. The court would not accept the evidence of the elders. It preferred to accept the evidence of a diary entry from one of the pastoralists. When this court decision came out in 2006–07, I think—I cannot remember the date—that was an opportunity to move forward and use it as an impetus for reconciliation.

I dearly hope that this bill can be used as an instrument for reconciliation. It has come about after an incredibly long process of consultation and negotiation. It is very complex. It is not the panacea of everything and we should not see it as the panacea of everything but it is a significant piece of legislation and hopefully it will pass after due consideration. I ask the government to reconsider the Aboriginal Heritage Amendment Act. I fully support this piece of legislation, I think all members on this side of the house will support it and I am sure government members will too as the government introduced it. The Aboriginal Heritage Amendment Act takes away from the significance of this act.

It has been a privilege to speak on this bill today. It will be a great day when this bill is passed. My friend the member for Kimberley previously introduced the Constitution Amendment (Recognition of Aboriginal People) Bill 2014 into this place, and that was a great day. She should be proud of that and we should be proud of that. We should also be proud when this bill is eventually passed. It is not the end of the story. There are many things that we need to do to try to improve the situation of the first peoples of Western Australia.

MR J.R. QUIGLEY (Butler) [12.17 pm]: It is indeed a pleasure to rise to speak in support of the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015. This bill certainly is at the centre of some of the reasons I entered public life and entered this Parliament. I have mentioned it before. In the bill dealing with constitutional amendment and the recognition of Indigenous peoples of Western Australia in the preface of the Western Australian Constitution, the member for Kimberley gave a very detailed descriptor of the history of her peoples. I have heard the member for Victoria Park, another Indigenous member, speak on the same subject. I would be a hypocrite and shallow to stand here given my background and speak of Indigenous history in Western Australia and its culture in detail. I was brought up in the 1950s and 60s in Nedlands and went to Nedlands Primary School. I had no interaction at all with Indigenous people. I would say that is true of a lot of the members of this chamber. Their concerns during the 50s and 60s and the dreadful privations that they were subjected to did not enter into my world and were not part of my family's discussions at all. I never heard any racism expressed in the family at any stage in my life but the sort of concerns that I now hold front and central in my life certainly were not subjects that came from my upbringing or childhood.

Mr C.J. Barnett: My recollection of Nedlands was there was some interaction with Aboriginal kids who were billeted out. They came to the school. There was a bit of an exchange at one stage.

Mr J.R. QUIGLEY: I left Neddies primary school in 1961 and there had not been at that stage.

Mr C.J. Barnett: I can remember a group of Aboriginal kids at the school, some of whom were billeted. It was not in our family's case but some kids were.

Mr J.R. QUIGLEY: I think the Premier would probably share the same sort of experience as me. There probably was no racism in his family but there was no discussion of Indigenous concerns back in the 50s or 60s in our family. I do not know about the Premier's own family.

Mr C.J. Barnett: There was in my family because my father grew up in Moora and went to school with Aboriginal people so he used to talk about the Aboriginal people.

Mr J.R. QUIGLEY: My father grew up in the Perth Mint and in the CBD. It did not enter the discussion. Since then, however, the first real close-up introduction to the disaster of the policies concerning Indigenous people that really impacted upon me occurred during the two and a half years I worked as a counsellor on the royal commission examining the deaths of some 34 Indigenous persons in custody in Western Australia. Of course, that royal commission was in some part precipitated by the death of a young man in a police cell at Roebourne, which resulted in allegations of police brutality causing deaths in custody. I represented police and prison officers for two and a half years during that royal commission. That royal commission demonstrated to me and others that the Indigenous were dying in custody not primarily or in any way because of brutality, but because of both physical health issues and mental health issues brought upon by the circumstances of their peoples. I will take the Michael brothers as an example. I do not know whether I should mention their names, but Mr Michael died in prison in Serpentine. No-one knew that he had had a heart attack. He was thrashing around and warders restrained him, but he had a heart attack and died. As it turned out, he had had three heart attacks and no-one knew that he had had previous heart attacks because they were silent heart attacks. Shortly after, tragically, his brother died in what was then Canning Vale prison. Many other deaths that we looked at were caused by the health issues that had come upon those people because of the circumstances of their upbringing and the circumstances of privation.

The next thing that caused me to intersect with their tragic circumstances was the Mabo decision and the then government's reaction to the Mabo decision. This was a precipitating factor to me joining the Labor Party and coming to Parliament, as I have said before. After the High Court of Australia declared in Mabo that native title existed in Western Australia, the government of the day, led by Mr Court, tried, firstly, to pass legislation in Western Australia to circumvent that decision and then to take that on appeal to the High Court, and it cost the taxpayers a lot of money. To justify that dreadful course of action, maps produced by the government were then published in *The West Australian* showing the metropolitan area all blacked out and claiming that it would all be subject to a native title claim and that people would lose their homes, which played to the politics of fear. People thought that they would lose their suburban homes because of this decision. It was on the front page of *The West Australian* and it was run off and on for a couple of weeks because that was the line being fed by the government of the day. This was 20 years ago, but it seemed to me to be absolutely dreadful that, firstly, taxpayers would have to pay to go to the High Court to try to throw aside the Mabo decision and, secondly, such misinformation could be put about, because any lawyer who had read the decision realised that once crown land had been alienated into freehold land, native title had expired. And so it was that I decided to down tools and come to Parliament. At the election when I came to Parliament, that government was defeated and a new government was formed by then Premier Gallop and that issue largely fell away.

Since then I have become a little more closely familiar with the circumstances of the Noongar people of Western Australia, the privations they suffer and their awful social circumstances. What did come out of the black deaths royal commission was the need for these peoples, our first citizens, to identify with their land and that they were a dispossessed people. Land rights were the first step in that process. This bill, of course, will give recognition to the Noongar people as the traditional owners of Noongar lands and it precedes the settlement of the large claim by the Noongar nation over their lands within our state.

In the second reading speech, the Premier outlined that the bill will —

... provide the Noongar people with \$1.3 billion in land and other assets and benefits in exchange for the surrender of native title claims over 200 000 square kilometres of land in the south west.

Under the overall agreement, an independent Noongar Boodja Trust will be established into which assets will be transferred over 12 years. This will include funding of \$50 million per annum for 12 years. Up to 320 000 hectares of crown land will also be transferred to the trust.

What will follow this recognition bill is the final settlement of their claim, which will give them some substantial assets in this state that will be held by the Noongar Boodja Trust. It is also very important to the Noongar people when identifying with their lands that we, as a community, start using more Noongar names on country. Some

time ago, Noongar names were used for places such as Mandurah, Narrogin, Pinjarra, Gelorup and Manjimup. Although I recognise that the new piazza in Perth has been called Yagan Square, I think it was a missed opportunity not to give Elizabeth Quay prominence with a Noongar name. The Swan River was obviously named after the swans that Captain Stirling observed there. However, I think it was a missed opportunity not to give our new asset of Elizabeth Quay a Noongar name. I think it is important not only for the Noongar people as they move about their lands to know about it as a concept, but also for all Western Australians to identify it as Noongar land.

I would like to recommend to members the radio station that I listen to in my car, perhaps because I like a bit of country rockabilly—that is, 100.9fm, or Noongar radio. I give a big shout out to Rob and Michelle, the presenters on Noongar radio. The radio station is obviously run by Noongar people and has not only music that I can relate to—country rock—but also many other good programs, such as the Noongar word of the day to introduce people to a bit of Noongar culture and what the words around Perth mean. It also has some wonderful programs that expose me to some of the challenges of the Noongar people and to some of their culture. Obviously, I like the *Nights of Rock* program between 8.00 and 10.00 pm, but it also has great programs such as *Health Matters*, *Law Matters* and *Strong Minds* with talkback, so that people can get a bit of a window into the challenges of the Noongar people. I am not saying that Quigley is getting a great in-depth understanding, but he is getting an introduction to all of this. For example, I heard a very eye-opening program this morning on Indigenous health matters, to do with rheumatoid heart disease. I knew little of rheumatoid heart disease before listening to Noongar radio this morning, and I did not appreciate that it is a bacterium that induces rheumatoid heart disease. The bacterium is transferred by saliva, so a person can get this most debilitating heart disease by coming into contact with someone else's saliva. The paediatrician on Noongar radio this morning was saying it is endemic in Indigenous communities because where there are 10 or 15 people living in a two-bedroom house, passing cups and clothes between each other, in accommodation where there are a lot of people co-sleeping, then rheumatoid heart disease becomes endemic, because the bacterium is getting passed around. We have the good doctor in the house, and he nods in some assent because he knows about rheumatoid heart disease; I only found out about it on Noongar radio this morning. There is another big heart challenge. The paediatrician was talking about the number of Indigenous people who have had two or three heart operations because when the bacterium of rheumatoid heart disease gets into the body it also attacks the heart valve and causes heart failure. By the age of 15, young Indigenous people might have had one or two open heart surgeries for valve replacement because this bacterium is in their body. I did not know that before I listened to Noongar radio this morning.

Noongar radio is also promoting lots of programs on diabetes, because diabetes is of course an affliction that is hitting the Indigenous community very hard. This morning they were promoting a sugar film, out at the moment, on the effects of sugar and how many teaspoons of sugar there is in an iced coffee. They were asking their listeners to tell them how many teaspoons of sugar are in a carton of iced coffee. I do not know whether anyone in the chamber here knows the answer to that. I learnt on Noongar radio this morning that there are 10 teaspoons of sugar in a carton of iced coffee. I think this is just an absolutely fabulous radio station, because that is another challenge that the Noongar people have got.

[Member's time extended.]

Mr J.R. QUIGLEY: I did not know that, but there they are. People say that Indigenous people have got to help themselves. In terms of promoting the culture but more in educating the Noongar people in health and law matters, community discussion and social matters, Noongar radio 100.9 FM and Rob and Michelle are right at the forefront of that and I congratulate them.

The member for Armadale, who so carefully researched his legislative history before presenting his speech today on the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015, went back and quoted from some speeches made in this chamber 100 years ago. He was saying that we better be careful what we say here because in 100 years' time, someone will look at what we are saying here today and judge us perhaps a little harshly. We all celebrate the passage of this bill. Let us look at what the Indigenous people, the Noongar people, might see in this bill. Certainly, the bill in its long title states —

An Act for the recognition of the Noongar people as the traditional owners of lands in the south-west of the State.

Then the preamble sets out how long the Noongar people have been here, recognition of law and custom, that they continue to have a living cultural, spiritual, familial and social relationship with Noongar boodja and some of the history of the Noongar people in our state. Then its short title is the title of the bill. It will come into effect on royal assent. The Noongar lands are those lands described in schedule 2. I will not go into that, but the bill has a lovely map that shows that the lands are just north of Jurien Bay, right out to Merredin, down to Hopetoun and all that country then back to the coast. The purpose of the legislation is to recognise Noongar people as the traditional owners of the land and clause 5, "Recognition of the Noongar people", states —

- (1) Parliament acknowledges and honours the Noongar people as the traditional owners of the Noongar lands.

(2) Parliament recognises —

- (a) the living cultural, spiritual, familial and social relationship that the Noongar people have with the Noongar lands; and
- (b) the significant and unique contribution that the Noongar people have made, are making, and will continue to make, to the heritage, cultural identity, community and economy of the State.

We totally embrace all of those words, sentiments and aspirations. I will just ask members to think for a moment of the Mabo case and the concept of terra nullius: wherever the British flag was planted, it was assumed that no-one there owned anything. As soon as the flag went down, the crown owned the lot.

Mr I.C. Blayney: Do you think that happened in New Zealand?

Mr J.R. QUIGLEY: Sorry?

Mr I.C. Blayney: In New Zealand?

Mr J.R. QUIGLEY: The British had a treaty there, but they owned the lot here under terra nullius. The situation here of course is that we recognise the Noongar people's traditional ownership, but if there is a sting in it all, it comes in the next clause. What is the effect of this ownership beyond the sentiment? Nothing, not in terms of the conferring of any right with the ownership. I will read out clause 6 in totality. It states —

6. Effect of this Act

This Act does not —

- (a) create any right, title or interest, whether in law or equity; or
- (b) give rise to or affect any civil claim, action or proceeding; or
- (c) give rise to or affect any right of review of an administrative decision; or
- (d) affect the interpretation of any law of, or that applies in, the State.

So, in effect it is saying: "We recognise you, but in recognising you we do not confer any right on you, not even in respect of the interpretation of any law of this state." I just wonder what will happen in 100 years when people come back and look at the act and say, "They were pretty circumspect; they said we recognise you as traditional owners, but that recognition does not extend to the point where even the interpretation of a law can take into account your position as a traditional owner."

I note that the recognition statement concludes —

Our living culture, which is long and continuing in this part of the world, begins with Noongar people. This is the opportunity for all Western Australians to experience the ancient tradition of respect, relationships and reciprocity with Noongar people. We have survived.

The pronoun "we" is unclear. Is it "we" as in all Western Australians have survived or "we" the Noongar people have survived? That is unclear in the statement of recognition. If it is "we have survived"—that is, all Western Australians have survived—we have; and some have prospered very, very well. We have done more than survive, we have prospered enormously, and a lot of that prosperity has been at the disadvantage of the Noongar people who were dispossessed of their lands. We prospered through agriculture by dispossessing them of their lands. We prospered by mining their lands and using their cheap labour. We prospered in many ways. If the pronoun "we", however, refers to only the Noongar people and means "we have survived", another word should be inserted in brackets, and that is "(barely)", because they have barely survived. They have hung on in the most dreadful circumstances of deprivation, disease, discrimination and dispossession. They have survived and their culture has survived, but in the 45 000 years that they have inhabited these lands, this last 170 years has been the most dreadful time for them. It is a good thing that this Parliament, this community, has formally recognised them, and recognised them more than as just entertainers and sportsmen. I remember Indigenous people being celebrated when they made the West Australian Football League, and they were celebrated more when a couple of them got to the Victorian Football League. I am thinking of Polly Farmer and that great half-forward flanker for Carlton Syd Jackson. We all celebrated those people, but only because they entertained us. Now we celebrate the whole of their nation because they are an integral part of us and this state's history.

In conclusion, I would like to say what I said at the start—I note that the Minister for Planning has entered the chamber. I would like to see more subdivisions given Noongar names. My area of Butler has district names like Alkimos, which is the name of a Russian ship that ran aground. So what? As I said, Narrogin, Mandurah and Pinjarra all derive from Noongar words, and I would like, throughout the metropolitan area, especially in the area of Butler, more Noongar names, so that on a daily basis their names become more a part of the fabric of our society. I know some of them are tongue twisters, but they are no more tongue twisting than some southern European names or words like Alkimos and suchlike. I think it would be wonderful if they could see their names

appearing everywhere around the city. As I say, I think there was a bit of a missed opportunity with Elizabeth Quay. We acknowledge Yagan Square, but because Elizabeth Quay is a centrepiece of our city, it could have been a wonderful opportunity to mark it with a Noongar name. I know that would have given the Noongar nation pride.

Before I sit down, I want to once again give a big promotion—note that I have never advertised it and it has never mentioned me on air—Noongar Radio and the exposure it gives me to Noongar culture, law matters and health matters. I note that currently it is playing *Cut Me Loose* so that is probably a bit of a hint for me to sit down. The song before was the *Black Boogie*, but I will cut loose and will resume my seat and ask everyone to perhaps enter 100.9fm on their dial.

MS R. SAFFIOTI (West Swan) [12.45 pm]: Thank you for allowing me to contribute to the second reading debate of the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015. I am very proud to stand here today to support this bill and to acknowledge our 100 per cent support for it.

Perhaps I had a pretty sheltered upbringing when I was growing up, but when I was at school I did not really understand or appreciate the history and role of Indigenous people in this country. As I get older I think I better comprehend and understand that history and also embrace it.

I am very proud to represent the Swan Valley, an area with a very rich Noongar history, particularly given the stories about Yagan in the Swan Valley. This bill is another key step towards reconciliation and understanding exactly where we came from, and this is a good time to build a path to the future. I want to talk a little bit about Yagan and about a pressing issue in my electorate—that is, Cullacabardee. I have written to the Minister for Aboriginal Affairs on this matter because I want that community to have a stronger future. It is in my electorate. The member for Kwinana, who has just walked into the chamber, and the member for Victoria Park and I have received representations from local people about that community and about how we can try to make a better future for everyone involved in that community, but I will touch upon that in a second.

As I said, I want to talk about Yagan. I am not sure whether anyone else has done so in this debate, but it is a good opportunity to celebrate his life and to put on record again what he and his family endured. Yagan was born in 1795 and died sometime in 1833. He was a Noongar leader and resistance fighter in the early years of the Swan River Colony. When I did my research for my inaugural speech I came across some very magical imagery about those times in the beautiful Swan Valley, of Yagan and his people sitting there, going about their business and then being confronted by European settlement.

Yagan was both feared and admired by Europeans as a patriot fighting for his land. In today's Noongar community, Yagan is an iconic figure in the fight for Noongar rights and recognition. In July 2010 a reburial of Yagan's head was held and I was fortunate to be able to attend that very significant event. He gained notoriety for his courage and daring in resisting European settlement of Noongar land.

Yagan had three brothers, and more than one wife. Between 1831 and 1833 he appeared regularly in the *Perth Gazette*, and in the published journals and extracts of the Advocate General, George Fletcher Moore. Tall and imposing, Yagan had a distinctive tribal marking on his right shoulder and down his back. He wore a soldier's old coat under his kangaroo cloak to hide this mark.

Debate interrupted, pursuant to standing orders.

[Continued on page 1405.]

GOSNELLS BOWLING CLUB

Statement by Member for Gosnells

MR C.J. TALLENTIRE (Gosnells) [12.51 pm]: I wish to acknowledge the Gosnells Bowling Club, one of the many fine sporting clubs in my electorate. The Gosnells Bowling Club has recently become an accredited level 3 in the good sports healthy clubs, strong communities program. Gosnells Bowling Club, under the direction of president Peter Charkiewicz, vice president Rob Gibbons, secretary Merle Burn, treasurer Hannah Webster, bar manager Robert Stasinowsky and functions co-ordinator Beth Clark, is proud of this achievement, which means that it provides a responsible attitude to alcohol and a safe environment for members and visitors alike. Gosnells Bowling Club is the current Bowls WA metropolitan club of the year and was awarded best club members night, small, and clubs in the community–community partnerships, at the 2015 Clubs WA awards.

It is a successful club both on and off the green. I acknowledge Albert Pedrotti and Maureen Dalton, the men's and ladies' captains respectively. I am proud to sponsor the ladies' two-bowl singles. Due to my commitments in this house I was unable to present winners Ann Noble, Vyvette Quayle and Margaret Frederickson with their trophies this year. I look forward to being there next year. Gosnells Bowling Club also hosts a wonderful corporate bowls competition, which we participate in each year. It is a great introduction to bowls for the uninitiated and plenty of friendly members are always on hand to give advice to novices like me. My team this year, which included constituents Terri and Peter Phillips, had a fabulous time and, I am pleased to say, finished third overall. I commend the Gosnells Bowling Club and I wish it continued success.

**MEATH VILLAGE KINGSLEY AND TIMBERSIDE VILLAS WOODVALE —
YARLOOP FIRE FUNDRAISING**

Statement by Member for Kingsley

MS A.R. MITCHELL (Kingsley — Parliamentary Secretary) [12.53 pm]: Congratulations to residents of Meath Village Kingsley and Timberside Villas Woodvale, for organising fundraisers to support victims of the fires in Yarloop and the surrounding areas. Bob and Pippa Williams from Meath Village, former residents and business people from Toodyay, understood the impact of the fires, and it was Bob's idea to hold a village dinner rather than just have people make donations. And what a dinner it was! Over 40 residents attended, with those who were not able to be there making donations prior to the dinner. Over 70 raffle prizes were on offer for the night. Chairperson of the residents committee, Evelyn Rule, highlighted the strong sense of community within the village and its willingness to support and assist others. Margaret Jenkinson, a former resident of Yarloop until she was 18 years of age, spoke about the wonderful life she and her family had on the farm at Yarloop and her friends at the school. Margaret's sadness at the loss of the town was evident. Bob and Ron Lyon provided much enjoyment throughout the drawing of the raffle prizes, with Ron giving an entertaining description of the many prizes on offer. The residents also ran a regular sweepstake in the lottery and donated their kitty of winnings. The evening raised \$1 142.85 for the victims of fire. Timberside Villas continued its fine reputation in supporting worthy causes in the village. In this case they sought donations from residents at their happy hours, at the Australia Day barbeque or by making donations. Keith Brown, social chairperson, proudly announced that a total of \$2 077 had been collected. This was in addition to the \$1 400 raised for Movember, when some of the men grew moustaches for the month.

HARMONY DAY, MIRRABOOKA

Statement by Member for Mirrabooka

MS J.M. FREEMAN (Mirrabooka) [12.54 pm]: As we celebrate Harmony Day in the Mirrabooka community tomorrow, I would again like to congratulate the enthusiastic and committed people who live and work in the Mirrabooka electorate—people such as Karen Roberts, Jesse Brennan and Eva Mwakichako, from the City of Stirling; Chris Ward from the Edmund Rice Centre; Theresa Pham of MercyCare; Susan Hampton-Mortlock of the Smith Family; Marina Suleski from the Ishar Multicultural Women's Health Centre; Caroline Spiers of the Department for Child Protection and Family Support; Lucy Neal from Mirrabooka Square; and many others.

However, it is not enough to champion harmony through a once-a-year festival that celebrates diversity. It is imperative that this government responds to the needs of an electorate as diverse as Mirrabooka. Again I point out the urgent need for this government to respond to the unemployment rate in Mirrabooka and Balga, which in December was at 24.3 per cent, while the rest of the state was at six per cent, and youth unemployment placed at 3.8 per cent higher than the rest of the state. The low income make-up of Mirrabooka and the impact on the residents' health is clearly articulated by an Australian Bureau of Statistics finding that low-income households have higher rates of obesity and spend more of their income on food and non-alcoholic beverages and energy-dense, or sugar-based, foods that often represent the lowest-cost options. The Department of Health reports that 61 per cent of people living in the City of Stirling and 67 per cent of the people living in the City of Wanneroo are overweight or obese. Therefore, I call on the federal and state governments to join Britain in placing a sugar levy on soft drinks to assist the people of Mirrabooka electorate, and all of WA, to make healthy consumption choices, which benefit both themselves and the community as a whole.

BELMONT ELECTORATE — PUBLIC HOUSING

Statement by Member for Belmont

MRS G.J. GODFREY (Belmont) [12.55 pm]: The number of public houses in my electorate of Belmont is of concern to many of my constituents. I wish to share with members one of many letters I have received on this issue. A letter from Gaye Blomfield of Belmont states —

Having returned to Perth 6 years ago and purchasing a property in Belmont on my return, I did not realise when compared to other suburbs, what a huge number of Homes West places there are in Belmont, what poor condition so many of them are in and the types of people many of the Belmont properties seem to have in them.

Since living here I have been continually approached by people asking for money when I have seen the same people days before walking out of a liquor store with large numbers of beers in their hand. I have seen I people steal from motor vehicles, have their children walk in front of cars to stop traffic and I have had my car window smashed twice, as have other people living in this street.

Hardy Road apparently was the target the other day with virtually every car on the road having its window/s smashed.

...

Change can happen if commitment is made to make it happen and Belmont should not continue to be penalised or put on the back burner as it seems to have been.

I therefore look forward to the minister producing a plan for the reduction of public housing in my electorate of Belmont.

MAYLANDS ELECTORATE — HERITAGE PRESERVATION

Statement by Member for Maylands

MS L.L. BAKER (Maylands) [12.56 pm]: It is projected that Bayswater will grow by 8 000 new residents, and Morley by 10 000, so it is not surprising that over 200 Maylands residents attended a WA Labor Metronet forum late last year. Their ideas have been theme analysed into six main issues. Two weeks ago I held the first of a series of forums addressing the preservation of heritage in the Maylands electorate. Some important aspects of heritage that residents discussed included standards for building design; review of minimum and maximum building height regulations; specifications for mixed use; major train station upgrade designs; major rail infrastructure changes; improved walkability and cycling connections; tree and built environment shade provisions; strategies for public spaces and plans for community use; economic impacts and provision for encouraging jobs growth in our town centre; environmental provisions and impacts; and consultation on Aboriginal heritage and ethnographies.

The City of Bayswater is about to appoint a consultant to formulate the Bayswater town centre structure plan. Residents are keen to see the structure plan consider the issues that I have identified. Maylands residents have made it very clear that they welcome WA Labor's commitment to an integrated transport and planning network and progressing Metronet stage 1 in the electorate. Some of the heritage issues that were pointed out by my constituents include adaptive reuse; support for heritage principles being enshrined in town planning schemes and structure plans; ensuring development rules have less wriggle room; and renewing the current heritage plan.

AUSTRALIA DAY AWARDS — GERALDTON

Statement by Member for Geraldton

MR I.C. BLAYNEY (Geraldton) [12.58 pm]: I would like to congratulate all those nominated for Australia Day awards in Geraldton. The nominees for the active Australia Day citizenship award were Tanya Amazzini, Diane Evans, Jim Evans, Gino Fiume, Edna Freeman, Christopher Herring, Doreen Howells, Yvonne Marsden and Don Rolston. The nominees for the community group or event award were the Diwali Festival of Lights, the Geraldton City Band, the Geraldton Harriers Runfest Committee, Indi-Genius, the Geraldton Seniors Week committee, the Geraldton Scout Group, the Sunset Beach Community Group and the Woorree Scout Group. The nominees for the young achiever award were Mitchell Badat, Julian Canny, Claudia Dahlberg, Sharnee Freeman, Tyson McEwan, Olivia Murfit, Zoe Rowcroft, Lexie Stoner and Savannah Tuari.

I would like to congratulate the winners: Don Rolston, Geraldton City Band, Julian Canny, Tyson McEwan and Olivia Murfit.

Nationally, two well-known former local high school principals were awarded a Medal of the Order of Australia. James "Jim" William Trevaskis was senior master of English at Geraldton Senior High School for several years after arriving in the town in 1956. After 12 years away to undertake further study and working at several other country high schools, obtaining a master's degree and working in London, Jim returned to Geraldton and served as principal of Geraldton Senior High School for 19 years, until 1986. He has also given time to the town council, including the role of deputy mayor, as well as the library and the museum. He now records local oral history.

Tony Brooker came to Geraldton in 1996 as foundation principal of Geraldton Grammar School. Tony was also involved in the emergence of the Geraldton Universities Centre and still serves on its board. I am very proud to represent my community of Geraldton, which honours educators in this way. Congratulations to all.

Sitting suspended from 1.00 to 2.00 pm

QUESTIONS WITHOUT NOTICE

FORMER MEMBER FOR VASSE — ROAD TRAFFIC INCIDENT — CORRUPTION AND CRIME COMMISSION REPORT

125. Mr B.S. WYATT to the Premier:

I refer to yesterday's Corruption and Crime Commission report, which highlights disturbing failings in the Department of the Premier and Cabinet's internal report into events surrounding the government's former Treasurer, a report that the Premier refused to release to the opposition until being forced to do so by the Information Commissioner.

- (1) Does the Premier now concede that leaving the internal investigation in the hands of Department of the Premier and Cabinet officials too close to the people involved was a fundamental error?

- (2) What legal and other advice did the Premier seek after receiving the CCC report and what advice was recommended in relation to Mr Buswell's former electorate officer?
- (3) Have any matters arising from the CCC investigation been referred to WA Police following the Premier's receipt of that report?

Mr C.J. BARNETT replied:

- (1)–(3) The initial inquiry by the Department of the Premier and Cabinet was at the moment of a personal crisis —

An opposition member interjected.

Mr C.J. BARNETT: Well, it was. The information supplied in answering the parliamentary question in the upper house was based entirely on what Troy Buswell's chief of staff said at the time. I see nothing untoward about that. The details of what had happened on that night only emerged some time, quite a significant amount of time, after that—after the damage to the vehicle and the other events, and after he had been admitted to a clinic in Sydney and had returned. As I said yesterday, I accept the CCC report and I accept the recommendations, so there is no dispute. I simply make a human observation that this was a crisis and it was someone reacting out of their heart, out of their emotions, rather than as they should have professionally done as an employee of government. I know that the opposition continues to make allegations that there has been some sort of cover-up from my office. There has been not been.

Mr W.J. Johnston: Of course there has been.

Mr C.J. BARNETT: There has not been.

Ms M.M. Quirk interjected.

The SPEAKER: Members!

Mr C.J. BARNETT: No, not at all. The CCC report made it very clear that there was no finding about my office. People simply acted and responded to a question, as did the Department of the Premier and Cabinet, on the information that was available, and that was relying on the former chief of staff.

Several members interjected.

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

Mr C.J. BARNETT: In a situation that was a personal crisis, a health crisis, what can someone do when a question is asked? They answer to the best of their ability, which means to the best of their ability on the information available. At that stage, what we know now was simply not known to anyone.

Several members interjected.

Mr C.J. BARNETT: No.

The SPEAKER: Member for Butler!

Mr C.J. BARNETT: I can understand the opposition pursuing this. I can also recall very vividly its reaction at the time to the mental health issue, and I can remind members of this house that some who have been here for a longer time might remember a similar issue involving a Labor member of Parliament.

Point of Order

Mr B.S. WYATT: Mr Speaker, I think you will agree that my questions in three parts were all very specific and in no way referred to any mental health issues whatsoever. I ask that you bring the Premier back to the questions that I put to him.

Questions without Notice Resumed

Mr C.J. BARNETT: I am answering the question. I was just making the observation that when a similar situation happened to one of the opposition's members quite some time ago, I took the position that we would not in any way seek some political advantage out of that, and a number of members from this side of the house actually went over and commiserated and provided emotional support. I make that observation about how we might treat each other when we face some sort of crisis, because at some stage most of us will face some sort of issue in public life —

Mr J.R. Quigley interjected.

Mr C.J. BARNETT: Even you were helped.

The SPEAKER: Member for Butler, I call you to order for the first time. Through the Chair, quick answer, thank you.

Mr C.J. BARNETT: As I said yesterday, I do not excuse or defend any of the actions, but I do defend the public servants. They acted on the best advice possible. To the best of my recollection, Peter Conran sought advice from Troy Buswell's doctors and that was unequivocal. He was in a crisis situation and all my attention and concern was looking after him.

Mr J.R. Quigley interjected.

The SPEAKER: Member for Butler! I call you to order for the second time. Premier, through the Chair and just address what was asked of you.

Mr C.J. BARNETT: I do not know what point of the member's question —

Several members interjected.

The SPEAKER: Members!

Mr C.J. BARNETT: That was responding to a question asked literally at the time, a couple of days after the event. I have been absolutely complete, truthful and thorough in everything I have said about this. Members might recall that I read out a detailed statement in this house that was examined by the CCC and accepted in its entirety. The accusation that members opposite are trying to make that staff members in my office were involved in a cover-up is absolutely without foundation.

Mr J.R. Quigley interjected.

The SPEAKER: I call you to order for the third time, member for Butler. Premier, have you finished?

Mr C.J. BARNETT: Yes, I have.

FORMER MEMBER FOR VASSE — ROAD TRAFFIC INCIDENT —
CORRUPTION AND CRIME COMMISSION REPORT

126. Mr B.S. WYATT to the Premier:

I have a supplementary question. What legal and other advice did the Premier seek after receiving the Corruption and Crime Commission report and what advice, if any, was recommended about Mr Buswell's former electorate officer, who appears to be the only casualty in this whole sordid affair?

Mr C.J. BARNETT replied:

The Corruption and Crime Commissioner sent me a copy of the report. Apart from making a commitment, which I made to the Leader of the Opposition, that I had received the report, and I think he was informed by the CCC that there was a report, I wrote to the Leader of the Opposition and said that when Parliament returns I would be tabling it as it is, warts and all, if you like.

Several members interjected.

Mr C.J. BARNETT: There was no obligation on me to actually table it, other than that I think it was an ethical thing to do. I make the point that the CCC —

Several members interjected.

The SPEAKER: Members!

Mr C.J. BARNETT: Listen, listen! The CCC commissioner, for whatever reason, chose not to release it himself. I do not know why. He sent it to me and I immediately informed the Leader of the Opposition that I would table it when Parliament returns. There was no great thought process in that. It was just the proper and correct thing to do.

Mr M. McGowan: He wrote to me.

Mr C.J. BARNETT: He wrote to you and I also wrote to you, didn't I? I wrote to the Leader of the Opposition on receiving the report.

Mr M. McGowan: I do not remember your letter; I remember his letter.

Mr C.J. BARNETT: That is the correct thing to do. But the CCC commissioner chose not to release it himself. He gave it to me—"Do what you want." As to legal advice, the State Solicitor would have looked at it. We would have made sure that the people named in it were given a copy to read, and a sort of natural justice process would have followed, but nothing beyond that. Obviously, I imagine the people named in it, Rachael Turnseck and Leo Gibbons, I think his name was, would have been given the opportunity to have that report to look at it before its public release, but beyond that, there was nothing at all. I received the report. It made recommendations. We agree with those recommendations. I said I would table it in Parliament, which I did. Both those people have left the public service, and the commissioner really does not recommend any further action. These are not criminal acts.

Several members interjected.

Mr C.J. BARNETT: They are not criminal acts. They breached their responsibility as public servants. There was nothing, as the CCC report states, for them to gain from this.

Several members interjected.

The SPEAKER: Member for Cannington!

Mr C.J. BARNETT: Their mistake was a loyalty to the former minister, Troy Buswell. Their mistake was a loyalty to an individual.

Several members interjected.

The SPEAKER: Member for Girrawheen!

Several members interjected.

The SPEAKER: Member for Warnbro, I call you to order for the first time. Member for Bassendean, I call you to order for the second time. Premier, please provide a quick answer through the Chair.

Mr C.J. BARNETT: We are all fair game in this chamber.

Mr P. Papalia interjected.

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

Mr C.J. BARNETT: If members opposite have a complaint against me, go for it—go as hard as you want to! If you have a complaint —

Mr W.J. Johnston interjected.

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

Mr C.J. BARNETT: If members opposite have a complaint against the Corruption and Crime Commission commissioner's recommendations or what action he is free to take, they should take it to him.

Several members interjected.

Mr C.J. BARNETT: Go and see John McKechnie; go and make a complaint if you are unhappy with his report. If they think there should be criminal proceedings or something should flow from it, they should make their case to him. It is his report, not mine.

PLANNING — DEVELOPMENT ASSESSMENT PANELS

127. **Ms E. EVANGEL to the Minister for Planning:**

There has recently been —

Several members interjected.

The SPEAKER: That question is over! Start again please, member.

Ms E. EVANGEL: There has recently been interest in the operation of development assessment panels. Could the minister please advise the house how DAPs make decisions?

Mr J.H.D. DAY replied:

I thank the member for the question. There has been some commentary on the role of development assessment panels in recent times. Much of that commentary has, in fact, been misinformed, disingenuous or misleading.

Ms R. Saffioti interjected.

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

Mr J.H.D. DAY: DAPs were introduced in 2011. They have been one of the substantial reforms of the planning system in recent years. They were established as the result of legislation that we passed in 2011, I am pleased to say, with bipartisan support. We have now received more than 1 000 applications to DAPs and the total value of projects that have been considered through the DAP process is over \$30 billion.

DAPs were established following the development assessment forum, which was a national body to establish a leading practice model for development assessment. That followed a major review of business regulation in the late 1990s that, amongst other things, was intended to reduce red tape, encourage investment and economic development and, therefore, of course, job creation. DAPs were introduced in Western Australia and, since they were implemented, they have been subject to two separate reviews. One was undertaken by the Department of Planning and the other by the Standing Committee on Uniform Legislation and Statutes Review. Both of those reviews involved extensive stakeholder and public consultation. I am pleased to say that both of the reviews supported the essence of the DAP system, and only relatively minor recommendations for change were made.

The volume of development that I have mentioned—\$30 billion—indicates the economic benefits to the state, including providing much-needed construction jobs and more diverse housing options for our growing population and changing demographics. It is important to realise that DAPs—exactly the same as local governments are meant to—make decisions according to the relevant local planning scheme. I say that local governments are meant to because some do, but some do not necessarily operate in that way, which is one of the reasons that DAPs were established. The local government planning scheme is critical in determining what is going to be approved, whether it be by the council or by a DAP within its local area. Of the approximately 1 000 applications so far, only a small number have been contentious; the vast majority progress without any significant issues. Claims are often made that expert DAP members ignore local government requirements and concerns. That is not the case and, in fact, I understand that analysis by the Western Australian Local Government Association found that only six per cent of DAP decisions were significantly different from the recommendations in the local government report.

I was interested to receive some comments from the Australian Institute of Architects on this issue. Amongst other things, the state president, Philip Griffiths, states —

At the outset we believe that DAPs have worked well since their inception in 2011 and that it is inherently better that major developments are decided after professional consideration, rather than sometimes short sighted activism and very localised politics. Indeed the beauty of DAPs is the high degree of objectivity applied to making determinations, when necessary, that are in the long term economic and social interest.

Joe Lenzo, the executive director of the Property Council in Western Australia, commented —

“Independent ... DAPS have transformed the development process in WA by introducing unbiased and expert assessment of development applications,” ...

Both organisations make the observation that DAP decisions are required to be made in accordance with the relevant local planning scheme, and that is what councils need to focus on if they do not like the outcomes.

It is also important to recognise that DAPs do sometimes support the local government’s recommendations to refuse applications. There have been two recent examples of that: the proposed McDonald’s development in Applecross was decided for refusal by the DAP. That was overturned in the State Administrative Tribunal. The landfill site in the Shire of York was also determined —

Mr B.S. Wyatt: Of the 1 000, how many were refused?

Mr J.H.D. DAY: Most developments are decided—as I said, at least around 94 per cent—in accordance with the local government planning recommendations. So of the 1 000 applications, only a relatively small number are refused, whether it be on a recommendation from local government or the decision of the DAP. Similarly, the landfill site in the Shire of York was changed as a result of the SAT process, which has been in existence for decades.

The SPEAKER: Can you wind it up, please.

Mr J.H.D. DAY: Certainly, Mr Speaker. It is also important to realise that DAPs sometimes refuse applications that are recommended for support by the local government planning report. One example of that is in King William Street, Bayswater, where recently the local government report recommended approval, but it was refused by the DAP because it did not think the design aspects were adequate. The project went to SAT, and through mediation an improved design outcome was agreed, which was then ultimately approved. The DAP process actually resulted in an improvement in the outcome, compared with what was recommended by the City of Bayswater planning report. I was interested to receive a quite emotive —

Several members interjected.

The SPEAKER: Thank you, members.

Mr J.H.D. DAY: I think the opposition —

Several members interjected.

The SPEAKER: Thank you. Minister, you have 30 seconds to wind up.

Mr J.H.D. DAY: I was interested to receive a very emotive letter from the mayor of the City of Bayswater. I think that he needs to understand the full story. I also note that the mayor of the City of Vincent has recently called for the abolition of DAPs.

Several members interjected.

The SPEAKER: Members!

Mr J.H.D. DAY: The mayor of —

Mr B.S. Wyatt interjected.

The SPEAKER: I do not want to hear from you again, member for Victoria Park. Wind up, please.

Mr J.H.D. DAY: I am almost finished, Mr Speaker. It is interesting that the City of Vincent has not raised any concerns about DAPs with me. It has not put in a submission in the reviews —

Several members interjected.

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

Mr J.H.D. DAY: The City of Vincent did not put in a submission in the reviews that are being undertaken and almost all the applications that have been decided by the DAP in the City of Vincent have been in accordance with the local government planning report. I think there is a bit of political opportunism going on on the part of some, Mr Speaker.

FORMER MEMBER FOR VASSE — ROAD TRAFFIC INCIDENT —
CORRUPTION AND CRIME COMMISSION REPORT — PREMIER'S COMMENTS

128. Mr B.S. WYATT to the Premier:

I refer to the Premier's attacks on the member for Girrawheen as Chair of the Community Development and Justice Standing Committee in respect of the committee's report into the Buswell scandal and the Premier's comments that her actions were appalling, and his demand for her to resign as chairperson of that committee. Given that the investigation conducted by the director general of the Department of the Premier and Cabinet into this affair was so fundamentally flawed, will the Premier now demand his resignation?

Mr C.J. BARNETT replied:

What a stupid question. One thing you need to be able to do in politics is distinguish issues. I cannot remember what I said.

Several members interjected.

Mr C.J. BARNETT: Is the question about the director general or about the member for Girrawheen? Work that out first!

Several members interjected.

The SPEAKER: I am on my feet. If you shout out again, member for Butler, you will be having a rest; okay? It is up to you; your fate is in your own hands.

Mr C.J. BARNETT: I cannot recall specifically the comments or the situation with the member for Girrawheen, but I know I was concerned, if not upset, by the disdain that she displayed on the mental health issue—absolute disdain.

Several members interjected.

The SPEAKER: Member for Cannington!

Mr C.J. BARNETT: Her attitude was not to care a toss.

Several members interjected.

The SPEAKER: Thank you!

Mr C.J. BARNETT: The member for Girrawheen and other member did not give a toss about the health of a former colleague. It was appalling.

Point of Order

Mr B.S. WYATT: Again, my question was specific. Every time the Premier gets to his feet, he wraps himself in the mantle of mental health issues. He should deal with the issues that are being put to him.

Questions without Notice Resumed

Mr C.J. BARNETT: Your question, member for Victoria Park, related first to the member for Girrawheen, so if she is upset, she should be upset with you for putting her in the limelight! That is what you did.

Several members interjected.

The SPEAKER: Members!

Mr C.J. BARNETT: Members opposite might be interested: when they were so preoccupied with having a go at Troy Buswell or having a go at me or whatever they wanted, they completely ignored the reality of someone in a mental health crisis. The Leader of the Opposition sneers now; he is as bad as anyone, but he might be interested to know that some prominent Labor people in his party, both federal and state, came to me to apologise for his behaviour and that of the Labor Party. They came to me directly to apologise as they were so embarrassed by his stance on mental health.

Several members interjected.

The SPEAKER: Members! Through the Chair, please.

Mr C.J. BARNETT: Mr Speaker —

Several members interjected.

The SPEAKER: Members!

Mr P.B. Watson interjected.

The SPEAKER: Member for Albany! Thank you for that snippet; we will move on.

Mr C.J. BARNETT: So, Mr Speaker —

Several members interjected.

The SPEAKER: Members! That is enough.

Mr C.J. BARNETT: The sort of accusations members opposite make is a reflection on them.

Several members interjected.

The SPEAKER: Member for Wanneroo, I call you to order for the first time. Through the Chair.

Mr C.J. BARNETT: The investigation, if you like, or the initial inquiries by the director general of the Department of the Premier and Cabinet, Mr Peter Conran, were, by their nature, preliminary and were relying —

Several members interjected.

Mr C.J. BARNETT: They were. We were relying on the answers given to him and to staff within the Department of the Premier and Cabinet by Rachael Turnseck and others.

Mr F.M. Logan interjected.

Mr C.J. BARNETT: A whitewash?

The SPEAKER: Come on! Thank you.

Mr C.J. BARNETT: The imputation of members opposite —

Mr W.J. Johnston interjected.

The SPEAKER: Member for Cannington! I call you to order for the second time. We are bogging down, Premier. A short answer through the Chair, please.

Mr C.J. BARNETT: Mr Speaker, I am endeavouring to.

The imputation that members opposite are wishing to convey is that somehow I, as Premier, interfered in either the inquiries by Peter Conran or, indeed, maybe the Corruption and Crime Commission inquiries to try to whitewash or cover-up. Give me any example and I will respond to it, but they cannot, because it never happened. It never ever happened, as the CCC report confirms.

Mr W.J. Johnston interjected.

The SPEAKER: Member for Cannington! I am not going to call you for the third time; if you carry on like this, you will have a double whammy.

FORMER MEMBER FOR VASSE — ROAD TRAFFIC INCIDENT — CORRUPTION AND CRIME COMMISSION REPORT — PREMIER'S COMMENTS

129. **Mr B.S. WYATT to the Premier:**

I have a supplementary question. I refer to the CCC report that found that Mr Kennedy, who conducted the inquiry, said that Ms Turnseck should be counselled by the DG, Mr Conran, about the importance of reporting inappropriate behaviour in a timely manner in the future and the fact that Mr Conran changed that and came to a conclusion that she should leave the public service with her head held high. Why is it that the director general should not resign?

Mr C.J. BARNETT replied:

The director general has his responsibilities and the Public Sector Commissioner has a different set of responsibilities. The director general formed a view that, given those circumstances and given the information supplied and probably deficiencies in it —

Several members interjected.

Mr C.J. BARNETT: Mr Speaker, I am trying to answer the question; what is the point?

The SPEAKER: Members! Member for Girrawheen!

Mr C.J. BARNETT: He formed a view that, given what had happened and given her answers and probably the deficiencies in those answers, she should leave. I was not part of those conversations in any sense but my recollection from the accounts given to me was that she had probably already reached that position herself.

Several members interjected.

The SPEAKER: Let us finish that question.

Mr C.J. Barnett interjected.

The SPEAKER: I call the Premier for the first time.

Ms R. Saffioti interjected.

The SPEAKER: Member for West Swan, you are just about coming up for number three.

TENDERS — GOODS AND SERVICES — WA LABOR PLATFORM

130. MR N.W. MORTON to the Minister for Small Business:

I refer to media reports on the Australian Capital Territory government's policy on tenders for goods and services. Would the minister consider implementing a similar policy here in Western Australia?

Mr J.M. FRANCIS replied:

I thank the member for Forrestfield for his question and for the support of small business in his electorate. Let me say from the outset, this is an exceptionally serious issue. In fact, there is no more serious issue facing not just small business but all businesses in Western Australia than this issue right now and what the Labor Party policy would be should it win the next election. It is exceptionally serious because, of course, the greatest threat to any business anywhere in Western Australia would be a future Labor government. We need only look at what has occurred in the ACT recently as reported across the front page of yesterday's *The Australian*. I will read just a little bit from it. According to reports in *The Australian*, and I quote —

... all ACT government agencies had been told to “decline to award a tender proposal for ACT government works or services” if the tenderer does not undertake to meet a list of union demands ...

Those demands include access to company records and names and addresses of workers. It states further —

Unions are also to be supplied with the names of companies and contractors —

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale!

Mr J.M. FRANCIS: I will get to that.

Dr A.D. Buti interjected.

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

Mr S.K. L'Estrange interjected.

The SPEAKER: Member for Churchlands, for the first time. Member for Armadale, I do not want to hear from you.

Mr J.M. FRANCIS: The article continues —

Unions are also to be supplied with the names of companies and contractors tendering for business before any contract is let, to “advise the government” if the tenderer fails the union test and can ask for a contract to be cancelled if the company breaches the union requirements.

If Ayn Rand had written this in *Atlas Shrugged*, she would have been absolutely right. It is exactly what the Labor Party is doing in the ACT and the greatest fear for business in Western Australia is that it will happen if the other side wins the election. As a snapshot, 97 per cent of all registered businesses in Western Australia are small businesses. Out of all of those registered small businesses, 18 per cent work in the construction industry.

Ms R. Saffioti interjected.

The SPEAKER: Member for West Swan!

Mr J.M. FRANCIS: Almost 16-odd per cent of all businesses in Western Australia are small businesses in the construction industry. One-third of all government tenders across Western Australia go to small businesses. Construction is the number one industry for small business in Western Australia and we know —

Ms R. Saffioti interjected.

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

Mr J.M. FRANCIS: We know from the Heydon royal commission about the culture of negativity and the influence unions have everywhere in the country. Dyson Heydon wrote recently that we can look at any area of Australia, at any unionised industry or any type of industrial union or select any period of time or search for any type of misbehaviour and we will find rich examples over the last 23 years in the Australian trade union movement. So, of course, we have to ask: what would happen here if that policy were adopted in Western Australia. We know what the Labor Party's position is.

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale!

Mr J.M. FRANCIS: We do not have to go far to find out what it would do if it won the next election. I am going to spend every single waking hour, as will everyone on this side of the house, between now and the next election reminding every single small business operator across the breadth and width of Western Australia what its policy is.

Ms R. Saffioti interjected.

The SPEAKER: Member for West Swan!

Mr J.M. FRANCIS: Let me get to the point —

A WA Labor Government will review all procurement policies and practices to ensure the following:

- (a) That preference in awarding contracts is given to those companies that are prepared to work —

Come in spinner!

Point of Order

The SPEAKER: Members, I want to hear this in silence.

Mr W.J. JOHNSTON: Mr Speaker, you have actually ruled on this previously. The minister can answer matters that come under the minister's administrative responsibility, but it is not possible for him to answer questions regarding the Labor Party's platform.

Several members interjected.

The SPEAKER: Member for Forrestfield, I call you to order for the first time. Minister, stick to what is the government's position rather than making some conjectures about something else.

Questions without Notice Resumed

Mr J.M. FRANCIS: Okay, Mr Speaker; I am happy to do that. The government's position is to not do what the Labor Party wants to do, which is —

That preference in awarding contracts is given to those companies that are prepared to work within the Labor Governments industrial relations framework; that is, which have a positive approach towards the rights of trade unions and their members ...

...

WA Labor will introduce mechanisms, systems and practices within government departments and authorities which are capable of implementing and policing the above,

What a shame! The truth is that the greatest threat to any business operator in this state is a future Labor government. The big challenge right now is for the Leader of the Opposition to get some integrity and to stand up and tell all the union heavyweights otherwise.

Several members interjected.

The SPEAKER: Member for Willagee! Right, wind it up, please.

Mr J.M. FRANCIS: We know that the Labor Party will never stand up to the union movement. People need only go and ask the Deputy Mayor of Fremantle.

Several members interjected.

The SPEAKER: Sit down. Member for Willagee, I call you to order for the first time, and the member for Armadale for the second time. I want a 10-second wind-up.

Mr J.M. FRANCIS: People only have to go and ask the Deputy Mayor of Fremantle what he thinks about the union thuggery in the Labor Party. They only have to go and ask Alannah MacTiernan and Gary Gray about the problems facing the Labor Party. It has nothing to do with the leadership; it is to do with the structure. Rest assured that there is not a single person on this side of the house who would ever implement anything that Labor would do if it ever wins government.

FORMER MEMBER FOR VASSE — ROAD TRAFFIC INCIDENT —
CORRUPTION AND CRIME COMMISSION REPORT —
COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE REPORT

131. Mr B.S. WYATT to the Minister for Police:

I refer to the Community Development and Justice Standing Committee report into the police handling of the Buswell scandal and in particular to the comment that Ms Turnseck did not seem to be questioned with any great vigour, and to the contrary view of the Commissioner of Police that this conclusion was simply invented. How does the minister reconcile the police commissioner's view with the findings of the Corruption and Crime Commission that led to the finding of misconduct?

Mrs L.M. HARVEY replied:

I thank the member for the question. As I recall, the person in question, Troy Buswell, pleaded guilty to a range of charges relating to the use of that vehicle and offences against the Road Traffic Act and has received a penalty as a result. Regardless of whatever the member is trying to get at, there were consequences for Mr Buswell with respect to his actions that night as the driver of the vehicle.

Point of Order

Mr B.S. WYATT: Again, Mr Speaker, my question was in respect to comments that the committee made around the police investigation of Ms Turnseck. I have not asked a question about Mr Buswell's behaviour that night; I have asked a question about Ms Turnseck.

The SPEAKER: Can you just address what was asked of you, please.

Questions without Notice Resumed

Mrs L.M. HARVEY: Mr Speaker, I was interrupted. I will say that there were consequences for Mr Buswell; he pleaded guilty to a range of charges with respect to his driving that evening. I believe that most people in the community think that that is an acceptable outcome for somebody who has driven a vehicle in that manner. I believe Mr Buswell pleaded guilty with respect to that. If the member for Victoria Park takes issue with something that the Commissioner of Police has said —

Several members interjected.

The SPEAKER: Members!

Mrs L.M. HARVEY: If the member for Victoria Park takes issue with something that the Commissioner of Police has said, he will need to take that up with him, because I cannot answer for the commissioner right here and now without having a conversation with him about whatever it is the member is referring to.

FORMER MEMBER FOR VASSE — ROAD TRAFFIC INCIDENT —
CORRUPTION AND CRIME COMMISSION REPORT —
COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE REPORT

132. Mr B.S. WYATT to the Minister for Police:

I have a supplementary question. In that case, I refer to the minister's letter to the Chair of the Community Development and Justice Standing Committee in respect of that committee's report, where the minister stated in her letter dated 14 August 2014 that —

... the Government considers that the majority report has no credibility and should be disregarded.

I note that it is closer to the fact and the findings of the CCC report. How does the minister justify that statement in that letter?

Mrs L.M. HARVEY replied:

As I recall at the time —

Several members interjected.

Mrs L.M. HARVEY: No, as I recall at the time, there was a lot of conjecture and some innuendo that there was some kind of cover-up by police in this investigation. There was not. There had been some reports about erratic driving behaviour, there had been —

Point of Order

Mr B.S. WYATT: Mr Speaker, this is an important point. The minister is saying that this letter that she wrote was apparently in response to innuendo when clearly it was in response to the recommendations and the findings of a report.

The SPEAKER: That is not really a point of order. I just want to say something: we are not making much progress here. I want a very succinct answer to address what has been asked and then let us try to move on.

Questions without Notice Resumed

Mrs L.M. HARVEY: I am flattered that the member for Victoria Park thinks that I am going to be able to remember the entire contents of a letter that was sent a long time ago. What I do recall about the actions of the Community Development and Justice Standing Committee at the time was that there did seem to be a theme running that there was some kind of cover-up by police with respect to this investigation. There was not. It was explained ad nauseam at the time that there were reports of erratic driving behaviour. There was a check done on Mr Buswell's residence, which was where a vehicle had been seen to enter a driveway and, as I recall, had hit the fence on the way through. Police were called away to another incident that was of a higher priority in the CBD, as I recall. In the context of all of that, my responsibility as Minister for Police was to answer for the actions of police with respect to that investigation. There were some criticisms levelled at police at that time that I was unhappy with. Quite frankly, if police were called away to a higher priority incident where there were officers at risk, that is where they needed to go. I am happy to go back —

Mrs M.H. ROBERTS: Point of order, Mr Speaker.

Mrs L.M. HARVEY: Oh, for God's sake!

Point of Order

Mrs M.H. ROBERTS: The minister's answer to the supplementary has nothing to do with the question that was asked. Can I suggest that if the minister is not answering the question, she sit down so that we can move on with the next question.

The SPEAKER: Minister, through the Chair. Wind it up, please.

Questions without Notice Resumed

Mrs L.M. HARVEY: Just before another point of order was raised —

Mrs M.H. Roberts interjected.

The SPEAKER: Members! I just want to say something now: we are getting nowhere. I want a quick answer through the Chair and no interjections. Just address what was asked.

Mrs L.M. HARVEY: If the member for Victoria Park takes issue with a letter that I wrote well over a year ago, I suggest that he put it in writing to me and we can discuss it.

FARMING — TECHNOLOGY

133. Mr T.K. WALDRON to the Minister for Lands:

Can the minister please explain to the house how the Liberal–National government is giving farmers access to the latest technology to help boost their productivity and profitability?

Mr D.T. REDMAN replied:

Mr Speaker, I know that you are going to be really, really excited about this. A lot of members in this place will know that Landgate operates in a geospatial platform and uses satellite imagery. Mr Speaker, I know that you are going to get excited here. A number of tools can be used commercially that utilise that platform to monitor rangelands and the like. One tool developed in 2000 was Pastures from Space to help farmers utilise that technology in order to make decisions on their land. Landgate recently upgraded that to Pastures from Space Plus. This was developed in conjunction with the Department of Agriculture and Food, the CSIRO and a range of agronomists to ensure that the tool is well and truly usable by farmers. It gives a higher level of resolution. It reports on food on offer and stocking rates on a weekly basis. It is able to produce customised reporting for farmers. Through this, along with the other technology that this side of the house has been able to roll out for farmers such as Doppler radar and GM technology, we are giving farmers all the information that we can in order for them to make good decisions. I am really excited by this. I was able to launch it at the Wagin Woolorama in front of a very excited group. We know that agriculture is not in the Labor Party dictionary, but it is definitely in our dictionary. We are going to continue to deliver for that sector.

The SPEAKER: Very exciting, Leader of the National Party.

AIR SERVICES — ALBANY

134. Mr P.B. WATSON to the Minister for Transport:

I refer to the five-year agreement signed by the minister with Regional Express Airlines to provide air services to Albany and to the minister's comments that Rex would provide air services to Albany and Esperance to the benefit of locals in those areas.

- (1) Is the minister aware that Rex recently had to remove passengers' luggage from a flight to Albany without those passengers' knowledge because the plane needed to carry extra fuel to enable take-off because it was a hot day?

- (2) Is the minister aware that Rex refused to transport on that flight critical medical supplies for a cancer patient in Albany?
- (3) How is this providing services that benefit Albany locals?

Mr D.C. NALDER replied:

(1)–(3) Rex Airlines started service to Esperance and Albany around a month ago, on 27 or 28 February.

Mr P.B. Watson interjected.

Mr D.C. NALDER: It was 28 February. It is a regulated air route, and Virgin had withdrawn its service. We were facing the real possibility of no air service to Albany so we put it out to the marketplace. Rex Airlines came along, and I am thankful that it did. It has been voted the best regional airline in the world for the last four years. It has not even been up and running in Western Australia for one month. I know with the level of flights that it is now doing —

Mr P.B. Watson interjected.

The SPEAKER: The minister cannot get off the ground with his answer with you shouting out. Give the minister a chance. Minister, get off the ground please.

Mr D.C. NALDER: Thank you for that support, Mr Speaker.

The airline has been going less than a month. We are delivering more flights and more seats to the people of Albany and Esperance. Not only are there more flights to the City of Albany and to Esperance, but also we have changed the times. Departures are first thing in the morning so businesspeople can spend a full day in Perth without having to necessarily stay overnight. The last flight is down there because the airline is overnighing pilots in Albany.

Point of Order

Mr P.B. WATSON: The minister gave this speech in Parliament a while ago. I asked whether the minister was aware that vital blood supplies for cancer patients had been taken off the plane because the airline could not put luggage on because it could not get its plane off the ground because it had to put in more fuel and fewer customers.

The SPEAKER: Thank you, member for Albany.

Questions without Notice Resumed

Mr D.C. NALDER: The member has the right to a supplementary question. If members listened to his whole question, they would have heard that he criticised the government for putting Rex Airlines into service in Albany and Esperance, so I am responding to that criticism. That is a fair enough response.

Several members interjected.

The SPEAKER: I think the minister is very clear about what the question is—a succinct answer, thank you.

Mr D.C. NALDER: The member referred to a specific incident that I am not aware of at this time. I have not been made aware of the specific —

Mr P.B. Watson interjected.

The SPEAKER: Member for Albany! That is enough; I call you to order for the first time.

Mr P. Papalia interjected.

Mr D.C. NALDER: I beg your pardon?

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

Mr D.C. NALDER: I am not even going to respond to that but if you want to start attacking me personally, member for Warnbro, have some courage and stand up to do it. Stop smirking behind those little seats.

The SPEAKER: Through the Chair, a short answer.

Mr D.C. NALDER: You are so brave, member for Warnbro.

The SPEAKER: Through the Chair.

Mr D.C. NALDER: Show some courage and a little bit of integrity for a change.

The SPEAKER: That is enough; a short answer through the Chair.

Mr D.C. NALDER: If the member for Albany would like to share the details with me, I will make sure that they are investigated and I will respond appropriately.

AIR SERVICES — ALBANY

135. Mr P.B. WATSON to the Minister for Transport:

I have a supplementary question. Is it acceptable that PathWest is refusing to use Rex because it cannot trust it and is instead sending by road medical supplies for life-threatening conditions such as cancer?

Several members interjected.

The SPEAKER: Member for Swan Hills, I call you to order for the first time, and member for Forrestfield, I think for the second time. I ask the member to repeat the question.

Mr P.B. WATSON: Is it acceptable that PathWest is refusing to use Rex because it cannot trust it and is instead sending by road medical supplies for life-threatening conditions such as cancer? There have been numerous phone calls and letters to the department that have been replied to.

Mr D.C. NALDER replied:

Mr Speaker —

Several members interjected.

The SPEAKER: I let it go hoping to get an answer. Now that I am on my feet, I call the Minister for Police for the first time. I want a quick answer from the Minister for Transport.

Mr D.C. NALDER: I appreciate the member for Albany raising this issue. I am prepared to and I will ensure that we will investigate it and respond accordingly.

PARLIAMENTARY RESEARCH PROGRAM*Statement by Speaker*

THE SPEAKER (Mr M.W. Sutherland): Members, I take this opportunity to announce the commencement of the 2016 parliamentary research program, which was formerly the parliamentary internship program, coordinated by the Parliamentary Education Office. The program is a cooperative arrangement between the Parliament of Western Australia and Western Australian universities, and involves high-performing students undertaking research topics nominated by members of Parliament. Each of you would have recently received guidance notes for the program and an invitation to submit up to two research topics to the Parliamentary Education Office by close of business, Thursday, 31 March 2016. I would strongly encourage you to consider participating in this worthwhile program.

ANZAC DAY AMENDMENT BILL 2015*Returned*

Bill returned from the Council with amendments.

On motion by **Mr J.M. Francis (Minister for Veterans)**, resolved —

That the Council's amendments be considered in detail forthwith.

Council's Amendments — Consideration in Detail

The amendments made by the Council were as follows —

No. 1

New Clause 10A, page 9, after line 21 — To insert —

10A. Section 13 amended

In section 13(d) delete "Governor" and insert:
Minister

No. 2

New Clause 10B, page 9, after line 21 — To insert —

10B. Section 14 amended

In section 14 delete "Governor" (each occurrence) and insert:
Minister

Mr J.M. FRANCIS: I move —

That amendment 1 made by the Council be agreed to.

For the purpose of members, these are minor amendments to the Anzac Day Act that were corrected and amended in the Legislative Council. This is a simple amendment to section 13(d) of the Anzac Day Act to delete the word "Governor". The amendment came out after some drafting errors were not recognised. The purpose of

the amendment is that section 11 of the Anzac Day Act provides for the appointment of trustees and section 11(2) provides that the trust shall consist of four trustees. The amendment passed by the other house provides that the trustees be appointed by the minister, not the Governor. However, the drafts person had overlooked that in section 13(d) a trustee may be removed—for example, if they have been convicted of an offence—by the Governor, and this needed to be amended. Likewise in section 14 of the act, resignations of trustees are received by the Governor. In accordance with the policy approved by this house, trustees are appointed by the minister but can resign only by tendering their resignation to the Governor rather than the minister. I propose in due course to move a similar amendment to section 14.

Mr B.S. WYATT: The minister will answer this question I dare say when he deals with the second amendment. We are deleting “Governor” and inserting “Minister” for the reason that the legislation referred to the Governor previously. I think that is what the minister said.

Mr J.M. Francis: Correct.

Mr B.S. WYATT: Why not simply delete “Minister” and insert “Governor”? The minister can answer that when he gets to amendment 2. Why have we left it with the minister and not the Governor?

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

Mr J.M. FRANCIS: I move —

That amendment 2 made by the Council be agreed to.

This does not involve a paid board of trustees; it is a volunteer board of trustees. As with most of these kinds of things, the trustees are approved by the minister. It is my understanding that there was a drafting conflict when it came to amending it in the two separate sections. The purpose of this amendment is to reflect in section 14 of the principal act a like amendment to that that was passed in the other place again removing reference to the Governor in subsection (1) and to a couple of references in subsection (2), which is why the amendment states “each occurrence”, and replacing them with references to the minister so that there is consistency throughout the entire legislation.

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

The Council acquainted accordingly.

ANZAC DAY AMENDMENT BILL (NO. 2) 2015

Returned

Bill returned from the Council without amendment.

NOONGAR (KOORAH, NITJA, BOORDAHWAN) (PAST, PRESENT, FUTURE) RECOGNITION BILL 2015

Second Reading

Resumed from an earlier stage of the sitting.

MS R. SAFFIOTI (West Swan) [2.51 pm]: I rise to continue comments I made before the lunchtime adjournment. I was talking about Yagan and saying that he is a very important figure throughout the Swan Valley. I was retelling a bit of his story through this debate. I will read from a description of Yagan’s death that was prepared by the South West Aboriginal Land and Sea Council. It states —

Yagan eluded capture until July 1833 when he was shot by two ... boys on the Upper Swan. Yagan was walking with a group of Noongar maaman, including Heegan when they met up with brothers, William and James Keats, whom they knew. Waiting for the opportune moment, the older brother William took aim and shot at Yagan.

The article then refers to Yagan’s legacy, and states —

Yagan remains a significant and legendary figure to Noongar people. He is a symbol of resistance to the European colonization of country and culture.

On the 1st of September 1997, a delegation of Elders brought Yagan’s head or ‘kaat’ back to Noongar country. Hannah McGlade wrote: ‘Old Nyungar men are singing and the clapping sticks can be heard throughout Perth’s international airport late in the night’.

...

Now, 177 years after his death, Yagan’s kaat has been reburied in a Memorial Park in the Swan Valley.

As I said, I was lucky enough to be there on that day in 2010. The City of Swan and the then Labor government had committed funding to build the Yagan Memorial Park to honour the Noongar activist. The article continues —

Richard Wilkes stated: ‘It is very important because I believe that spiritually, once we rebury Yagan’s kaat into the ground then his spirit will become one again and the spirit of Yagan will rise up in and amongst us’

The late Noongar elder Ken Colbung was then quoted as saying —

the spirit of Yagan would now be able to join the continuum and could perhaps live on in a new body. His fighting spirit and stance against injustice should at least live on in our history.

I wanted to put that on record in the debate on this bill. As I said, Yagan was a very powerful and influential figure whose legend is very well known in the Swan Valley area.

Lastly, I will raise a continuing Aboriginal issue in my electorate involving the community of Cullacabardee, which I mentioned before lunch. As I said, this community has been there for a number of years. Most recently, I had a meeting about Cullacabardee with the members for Victoria Park and Kwinana and a number of concerned people. We have since approached the government, in particular the minister. At the time—about two years ago—I also remember approaching, with the member for Victoria Park, the director general of the department about Cullacabardee, its future and what was happening. I understand that its future is tied up, but I hope that through this process we can provide better homes and a better community for the people who want to live there. Ultimately, the feedback that I get is that for some people it is not a safe place to be, while for others it is. A more inclusive community would be very much appreciated. I thought I would use this opportunity to again raise the need for the government to take these issues on board.

I have approached a number of agencies about concerns raised with me about Cullacabardee over the past few years, including Western Power, the Housing Authority, the Department of Aboriginal Affairs, possibly the Department of Education, and a number of different organisations and other departments. Different concerns have been raised at different times. Some concerns were raised by one of the former heads of the community about infrastructure, including access to electricity, the state of the electricity network, the state of the buildings, and the number of pests or dogs in the community—so different issues have been raised. I have asked the minister and the department to take a more hands-on role with this community. I know there are jurisdictional issues with the federal government. The Premier has talked about other communities throughout the state, but we have been asking for the government to give us some assurance that it will work with the local community in Cullacabardee to make it a safe place for people to live in. I have met a lot of people who have left the community over many years who did not feel safe there, even though originally it was a place where they wanted to live. That is a real concern, because it was meant to be a safe, welcoming community for people throughout the area. I hope that this process and the other bill will help identify and sort out some of the issues. I have been pleading with the minister to take a more hands-on approach with this community, because not a day goes by—I am sure the members for Kwinana and Victoria Park agree—that we do not get some information or some contact from members of the community about the state of Cullacabardee.

Another issue that has played out in my electorate involving Aboriginal affairs more generally is the closure of Culunga Aboriginal Community School, which unfortunately shut its doors a number of years ago. It had enormous issues, but when I visited it on a number of occasions, it struck me that at the time many of these children were going to school because of the services and the way it was run. Kids used to go to that school from all around the suburbs. I remember that kids were going there from Kenwick and other places on the border of the Swan Valley. At the time, we asked the Minister for Education to work with the local school and the community to ensure that it could continue, but I fear that its closure has meant that a number of the young children who attended that school probably do not have a similar school or environment in which they can be educated. I just wanted to raise that matter as well.

As I said, Labor supports the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015. It is part of the journey of reconciliation. It is an important bill and we welcome it.

MS J. FARRER (Kimberley) [3.00 pm]: I rise to speak on the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015. I would like to pay my respects to the Noongar people, as well as to the Premier for acknowledging the importance of this bill and seeing it through to finalisation. Apparently, more than 30 000 Noongar people who use the many different dialects in the Noongar tribe will benefit from this bill and the native title settlement. When this bill passes and the state accepts it has happened, it will lead to proper recognition and reconciliation. Aboriginals want and need that because it will provide the support required to transition to the mainstream and develop genuine bipartisan reconciliation. The bill also recognises the plants and animals on the land, and the use for thousands of years of plants of cultural significance in many practices. Our people have maintained the pristine condition of the river systems and have looked after country for thousands of years. We earlier heard the member for Gosnells talking about the plants and the condition of the land. I hope the recognition bills passed through Parliament will promote more involvement of Aboriginal people in crucial decisions relating to land, culture and heritage. I would also like to see the government start fast-tracking consent determination for other native title groups because it is very, very important for our people. This government must support Aboriginal people having a voice in decision-making, particularly in matters involving land, heritage and economic development. That is all, thank you, Mr Speaker.

MR W.J. JOHNSTON (Cannington) [3.02 pm]: It is always good to stand and speak in a debate when Parliament is doing something positive. Clearly, the Noongar settlement and the recognition provided through the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015 is Parliament doing something good. It is also special to follow my good friend the member for Kimberley in making a contribution to the debate. She is a person of great standing in the Indigenous community of Western Australia. The Labor Party is very proud of the fact that the member for Kimberley chose to come and serve in Parliament on behalf of the Labor Party. A woman of her stature had many things she could have done with her life, so for her to make a contribution to Parliament is very special for the Labor Party. We really appreciate the contribution she makes, as we did for the former member for Kimberley, Carol Martin, who is another impressive Indigenous representative for the Labor Party and people of the Kimberley. Of course, we have seen other Indigenous representatives, such as the member for Victoria Park and Ernie Bridge, who also made a contribution. Of course, he ended up as an Independent, but he entered Parliament as a Labor member. The Labor Party is very pleased to see that Pat Dodson will very soon join us as a Labor senator for Western Australia, and we look forward to the current occupant of the position, Senator Bullock, completing his tenure at the end of the current sitting of the Senate, and I imagine sometime in the near future —

Mr C.J. Barnett: He hasn't resigned yet.

Mr W.J. JOHNSTON: I know. When he announced his resignation, he made it clear that because of the narrow balance of power in the Senate, he would not resign until after the current sittings. All members know that a casual vacancy in the Senate is filled by a vote of a joint sitting of state Parliament, and we will all have the opportunity to vote to put Pat Dodson into the Senate.

Mr C.J. Barnett: I think I have to nominate him, so I am thinking very carefully about that!

Mr W.J. JOHNSTON: We can go back to the Albert Field story about why the Premier does not have a choice, but manipulation of Senate vacancies was a specialty of the Queensland Liberal–National Party government; I did not think it would be an issue over here.

This legislation is about the maturing of our attitudes to the Indigenous contribution to Australia. I am not going to go over it all again because I spoke extensively on the Indigenous contribution to Western Australia's history on 19 August 2015 in the debate on the Constitution Amendment (Recognition of Aboriginal People) Bill 2015 that recognises the prior occupation of Western Australia. I will draw attention to my commentary from the book *Forgotten War* by Henry Reynolds. He quotes from a letter written by Governor Arthur of Tasmania, in which Governor Arthur was describing the situation in South Australia. On 19 August 2015, I made the point that it could just as easily have applied to Western Australia. Governor Arthur wrote —

We are Intruders. ... They are the native burghers of this wilderness and every contest with them must be fought within those confines, which they have inherited from their Ancestors. ... The natives of South Australia, who are said to be numerous, cannot be expected to give up or retire from their native hunting grounds, unless they be purchased from them, without struggle, ...

This settlement bill will finally provide proper recognition of the Noongar people being not just the occupiers of the land, but the governing force of the land. The fact that Noongar culture was different from western culture did not make it any less valuable, although white settlers believed it to be in 1829. The white settlers arriving at that time believed it to be inferior, but they were wrong. It was different; it was not inferior. Although those settlers may not have recognised the clear cultural, political and legal basis of those Noongar people occupying the south west of Western Australia, there is no doubt the Noongar people were in fact governing that area. When the white settlers arrived, they acted wrongly. I make the point that even at the time, the white people knew they were acting wrongly. A whole range of cultural and political reasons exist for them doing that, but the fact is that that was understood even at that time. I will not go over everything I said last time, but the so-called culture war was an invention of the twentieth century; it was not a nineteenth century issue because the nineteenth century settlers knew exactly what was happening and that is the language they used. They used the language of conflict and they used the language of subjugation, and although they acknowledged the Indigenous prior occupation of the land, they just did not respect it. That is what we are now resolving. We are finally resolving that respect. There might have been 100 years from 1900 to 2000 when the descendants of white settlers refused to acknowledge what happened—if we go back to the nineteenth century, they knew what was happening—and we now know what was happening. But now, unlike in the nineteenth century, we are finally providing the proper respect, and I think that is great. I think that is a good change. It was not so long ago that things were different. I quote from a 1985 policy document of the Liberal Party of Western Australia that sets out a number of general principles in respect of land. It states —

We believe that:

- Aborigines, as Australian citizens, should be entitled to all of the same rights and privileges and be subject to the same obligations with respect to land, as other Australian citizens.

- All Australians should have the right to acquire and to own land.
- Laws relating to the use and ownership of land must be the same for all Australians.
- Aborigines should be encouraged to acquire land.
- In appropriate situations, Aborigines should be assisted to acquire land—this land to be held under a title similar to that available to other Australians.

Then it concludes —

In view of these principles we do not agree with the granting of land to Aborigines through Land Rights legislation. Similarly we do not accept that Aborigines have any special rights to the sea.

That was wrong, and we are finally fixing that wrong. It is probably true that if we looked at the Labor Party in the early 1960s rather than the 1980s, it would have had a very similar view, and it was wrong at that time as well. Of course, here in Western Australia we can be very proud of the role played by Kim Edward Beazley—that is, Kim Beazley Sr—in the campaign to have the federal Constitution amended to recognise Aboriginal Australians as citizens. Again, if we read the words of people like Kim Beazley Sr, we can see that they recognised the injustices being perpetrated by white people against black people.

Again, if we go to the question of the culture wars, people who are on the other side of the culture debate from the one that I occupy often try to say, “Oh, well, it wasn’t about race. It wasn’t that the people of the nineteenth century or the twentieth century were being racist; it was just that those were the views of the time.” I am not going to go through and quote all the examples I quoted in the other debate, but if we actually read the words of people from that time, they were being racist. They were saying that white people were superior to black people. We heard the language quoted by the member for Armadale; that was racism, although it may not have been recognised as racism. One of the reasons that Aboriginal recognition in the federal Constitution got such overwhelming support was that by then even the federal cabinet, as we now know from the release of cabinet papers, knew that Australia was likely to be seen as a pariah state in the world in the same way that South Africa was seen at that time, which eventually led to South Africa being expelled from a whole range of international institutions and banned from participation in a range of sporting events et cetera. Australia was actually on the brink of being in the same situation in the 1960s, and it was the federal referendum on Aboriginal recognition in the Constitution that overcame that dangerous situation. Again, this is part of that proper reconciliation—one more step along the way to admitting that white Australians got things wrong and that we have to move forward.

I do not say that because I am wearing a hairshirt and I am going to beat myself over the head; these are the facts and this is what happened. We cannot deny the facts. There is an Indigenous Australian living in my electorate who is blind in one eye because he was not provided medical attention as a child, for the reason that he was not allowed to come to Perth because there was no accommodation available for—to use the terminology of the time—a “native boy”; those were the exact words used by the then Chief Protector of Aborigines in respect of my constituent. We still have some distance to go. This is, of course, a great step forward, and I congratulate the Noongar people for coming to this settlement, and I look forward to the operation of the settlement providing benefits to Western Australian Noongar people.

I am indebted to my good friend the member for Warnbro, who points out that there has been a 576 per cent increase in the number of Aboriginal women being jailed as fine defaulters over the last seven years in Western Australia. That cannot be allowed to stand. It is a serious error by the government. My colleague the member for Warnbro’s discussion paper, “Locking in Poverty”, is a very well thought through policy agenda, and I encourage the government to not just say that it wants to do something about lowering Indigenous incarceration, but actually act on it. One way it could act on it would be to take up the recommendations of my colleague’s paper. He points out that one-third of women entering prison are fine defaulters, which is a terrible situation in Western Australia. Forty per cent of the adult jail population in Western Australia are Indigenous, and I understand that there are now 52 per cent more Aboriginal people in jail than there were in 2008.

I draw attention also to the Royal Commission into Aboriginal Deaths in Custody. Last year, or in 2014, we debated a bill that dealt with the way in which people are sentenced for home burglaries. I asked the Minister for Police how that bill was consistent with the recommendations of the Royal Commission into Aboriginal Deaths in Custody. Not only did she not know the answer, but also she did not understand the question. It was disappointing that the minister clearly had not given consideration to the impact of the proposed legislative change in the light of that royal commission. What is the point of having these hundreds of recommendations from the royal commission if we do not act on them? There needs to be better alignment between what we say we want and what we actually do. Again, the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015 is a good step forward. It is another step down that path.

I draw the house’s attention to the protest on Heirisson Island—the protest camp there. Sometimes I am shocked by the things said by people ringing radio stations whenever there is a controversy about the protesters on Heirisson Island. When my kids were younger, we used to go there and use the playgrounds on Heirisson Island

and walk around, but I can tell members that not a lot of people use that island, so I do not understand why there are more people ringing up to complain about the occupation of the island by Indigenous protesters than there are people using the facilities there. It does not make any sense. Why would they object to the protest on Heirisson Island? It does not make any sense. It is a peaceful protest; they sit there. Yet I hear people ringing up the radio stations and saying, “I wouldn’t be allowed to camp there.” Actually, they would. People can camp on a road reserve; that is actually legal. Of course, they can camp on a road reserve for only 24 hours, and perhaps the people on Heirisson Island are staying longer than that, but I ask why there would be any objection to people camping out there. The reality is that very few people with a house, a car, a boat and a holiday home are going to sit in a tent for three weeks in the rain. That is just the reality.

Ms J. Farrer interjected.

Mr W.J. JOHNSTON: That is right. If they want to know, go and talk to them. I have mentioned in this place before that a friend of mine in Canberra was the person who, as a legal clerk, defended the Aboriginal Tent Embassy in Canberra—which is, of course, the world’s longest continuous protest site—because he saw the injustice of what was happening. I remember driving home one night from the city and seeing at least half a dozen police cars and a couple of police vans parked on Heirisson Island with their lights flashing, ready to arrest all the protesters. What an overreaction.

Mr P. Papalia interjected.

Mr W.J. JOHNSTON: Yes, a complete overreaction. That is right. How can anybody say that the campers on Heirisson Island are getting in the way of anything?

I am reminded also that yesterday I drove to work past Elizabeth Quay and got stuck in traffic. I then got expelled from the chamber, drove home, got stuck in traffic again at Elizabeth Quay and forgot that I had a meeting here at six o’clock, so I had to drive back and got stuck in the traffic again. After the meeting, I then drove back to my house at 7.30 last night and got stuck in the traffic again. The four times that I became stuck in traffic going past Elizabeth Quay were counted by the state government as four visits to Elizabeth Quay, because it detected my mobile phone as I drove past; it is great. I could not believe it. The interesting thing is that someone has graffitied the black wall around the Chevron site with “#protectprotestWA”. I think that is right. Look at that Heirisson Island protest. What upsets people so much about that protest?

[Member’s time extended.]

Mrs G.J. Godfrey: There are Aboriginal people protesting against those people camping there.

Mr W.J. JOHNSTON: Sure. Good on them. That is not a problem to me, member for Belmont. That is the whole point.

I watched the movie *Selma* a couple of months ago. It is a dramatisation; it is not exactly what happened and I am not trying to pretend that is the case. There is a dramatic scene when the protesters walk across the bridge and are attacked by police officers. This is in the south of the United States in the 1960s; it is not about Australia today. Of course, they were defenceless and they were attacked. It was an “illegal march” in that they were not allowed to do it, and then a few days later all these others join them—Christians and others from around the country. They joined arms and walked across the bridge. The question I always have is: which side of the street would we be on? Would we be with Martin Luther King in the protest march demanding civil rights or would we be with the police enforcing the law? That is a question every Australian has to think about. History says that Martin Luther King was 100 per cent right but, of course, the protest laws in that location said that the police were right. I am not reflecting on Western Australian police, but I am making the point that we have to think about these things more deeply. We cannot just say that the law states such and such.

Mr D.J. Kelly: Sometimes the law is wrong.

Mr W.J. JOHNSTON: The whole point of civil disobedience is that the law is sometimes wrong, and it does not matter what the law states; it is about what is right. That is what we have in the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015. This is recognition that for 175 years Western Australian law was wrong. It was wrong and now we are going to get it right. The argument of the people who protested for 175 years demanding Indigenous rights for the Noongar people was not recognised at law, but they were right and they were right the whole way through and now, finally, the law is catching up with the facts.

I commend the bill and congratulate the Premier for introducing the legislation. I look forward to the Noongar people of the south west getting the benefits of this legislation.

MR D.J. KELLY (Bassendean) [3.26 pm]: I rise to give my support to the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015. In its history this Parliament has passed some pretty awful legislation regarding the traditional owners of the land. I am pleased that I am here today to make a contribution on a bill that really takes us forward, rather than backwards. I start by acknowledging the

traditional owners of the land on which we meet and the traditional owners of all the land of Western Australia. This is about acknowledging that the Aboriginal people of Western Australia—sorry, the Noongar people—are the traditional owners of the land covered by this bill. I was getting a bit carried away. I was hoping that this bill would recognise traditional ownership over the whole of Western Australia. Unfortunately, it is only part of the Noongar settlement.

This bill recognises the Noongar people as the traditional owners of the land in the south west. That is a very good thing. It rights a historical wrong that has existed in Western Australia since the arrival of the first Europeans. This bill is part of what is termed “reconciliation”, which is the process that we as a community have embarked upon to really right the wrongs of the past, to really try to build a community in which the traditional owners are recognised, respected, celebrated and as such continue to move and be part of our community now and into the future.

I think reconciliation is very important. It really disappoints me when I hear people say that what happened to the Indigenous population of Western Australia is an issue of the past and that the injustices happened a long time ago and people should just get over it and move on. The truth is that some things happened in the past, but injustices continue to occur to this very day. I can only imagine what it would be like to be in a land where another culture arrives and takes over the land of my ancestors. I can only imagine what that must be like. It would be only natural for people to harbour strong resentment, strong anger and strong feelings, if that was what had happened in their traditional lands. Those feelings would be understandably much stronger if the taking over of their land was accompanied by violence, poverty and degradation. That is what happened here in Western Australia. Indigenous people did not only lose their land. They were subjected to all sorts of violence and the introduction of disease. A range of injustices were brought upon the Indigenous population of Western Australia. In those circumstances, I can understand how Aboriginal people would feel incredibly angry about what has gone on.

In those circumstances, I am really surprised at the generosity of spirit that Aboriginal people show around this issue. I am constantly amazed when I talk to Aboriginal people how willing they are to participate in reconciliation and to want to move forward. I find that it is some sections of the non-Aboriginal community who are most unwilling to participate. Given the history of Western Australia, I find it amazing that Aboriginal people in such large numbers really want reconciliation to take place, really believe reconciliation is a possibility and put so much effort into making it happen. I do not think there is any shortage of Indigenous people who want to build a community here in Western Australia where everybody is recognised regardless of their race. I say to those sections of the non-Aboriginal community, “Come on board and be part of it.”

As I said at the start, this Parliament has passed some appalling legislation in respect of our Indigenous people of Western Australia. Like most non-Aboriginal Western Australians, I did not know much about it until after I left school. At school, I learnt about apartheid in South Africa and thought, “God, that was an awful arrangement. Fancy passing legislation that gave rights to one racial group but not the other?” I learnt all about that at school. It was not until I went to university and did a bit of nineteenth-century Western Australian history that I learnt we had legislation here in Western Australia that was very similar—the 1905 Aborigines Act. In my view, that was a form of apartheid. It imposed terrible restrictions on the Aboriginal population in Western Australia. Aborigines could not get married without permission, they could not work without permission, and where they could go without permission was restricted. It was absolutely terrible, but I was not taught about that at school. One thing I believe about history is that if people do not understand the history of their own community, they therefore will not be able to understand the issues they confront in their own time. If all a person knows about Aboriginal people is from seeing homeless Aboriginal people or Aboriginal people drinking in a park and they think that is the way Aboriginal people have always been, it gives them a completely uninformed view about what should happen today with those issues. If people understood a bit about the history of our community, most people would have a completely different view of why we are where we are today. That is why it is really important to teach people about the injustices of the past. Some people say that that is just having a black armband view of history and we need to forget about the past and move on. The problem with that is if a person does not understand their past, they will not understand the issues that confront them today, such as suicide in Aboriginal communities. That issue cannot be understood if people do not know the history of our relationship with Aboriginal people here in Western Australia.

I have to say, I am still learning about the history. I had the privilege of going up to Broome last year and I had a look around. I had no idea about the role that Indigenous pearl divers played in the pearling industry until I went on that trip. I learnt that Indigenous people were basically rounded up and forced to be pearl divers. We celebrate the pearling industry here in Western Australia as a great success story and as one of the industries that we should be proud of. The pearls are exported around the world. However, very few people know the appalling history of that industry and the way Aboriginal people were treated. Thankfully, of course, it does not happen today. Looking at the problems in the Kimberley, how would I feel if I was an Aboriginal person and I lost a family member because they had been forced to participate in the pearling industry? The rage inside me would, in my view, be almost uncontrollable, yet that is what occurred. Indigenous people in the Kimberley were

rounded up and forced to become pearl divers and participate, virtually as slaves, in an incredibly dangerous industry. Unless we acknowledge what has happened in our past, we cannot achieve true reconciliation and move on. I think it is incredibly important to continue to educate and even redouble our efforts to educate people about our history so that we can achieve true reconciliation.

Some debates in this Parliament, for example about land rights, were not 100 years ago; only 20 or 30 years ago land rights were debated in this Parliament. Terrible things were said in this Parliament in opposition to Aboriginal people having their land rights recognised. It is a sign that we may have come a little bit of the way that there is now bipartisan support for a bill that recognises the traditional ownership of the Noongar people, but it was very recently that those terrible comments were made about land rights in this place. It is not deep, dark history that should be ignored; it is a very recent part of the political debate in this state. Mistakes have been made on both sides of the house on these matters. I was not in Parliament at the time but I was very disappointed that Carpenter's former Labor government appealed against the determination of land rights for the Noongar people. I was secretary of a union at the time, and I said that that was a bad decision. Bad things have been said on both sides of the house on these matters but the time has come for that to stop. There have been politicians, and regrettably, there are still some today, who are willing to whip up opposition to things like land rights or generally take the stick to Aboriginal people for political gain. I hope that one day very soon, that comes to an end.

On a positive note, I am very proud to be part of the Australian Labor Party. I am very proud that we have nominated Pat Dodson to be a senator for Western Australia. Listening to those land rights debates, I thought Pat Dodson, along with people like Peter Yu, were incredible Aboriginal leaders. I thought they were brilliant to be able to so calmly and articulately make the case for land rights at a time when all sorts of appalling things were being said against them. I thought they were incredible and it is fantastic to now have Pat Dodson nominated by the Labor Party to be a senator for Western Australia. I look forward to the joint sitting of both houses of this Parliament when I will get to be part of voting in favour of Pat Dodson becoming a senator—how tremendous that will be. It will be a very proud day and I hope it is one more step on the path to genuine reconciliation. Apart from that, on this issue we should always take the opportunity to raise further things that need to be done because the things that need to be done are so important.

I want to comment on a couple of other issues. Aboriginal incarceration rates in Western Australia are appalling and they continue to be appalling. The legislation that leads to high levels of incarceration rates is part of the current political debate. On the one hand, the government says it wants to reduce the level of Indigenous incarceration in Western Australia; on the other hand it keeps passing legislation that pushes the numbers up and up and up. I am sick of hearing phrases such as "I make no apology for this; I make no apology for that" when the evidence is that the legislation we keep passing is contributing to that over-representation of Aboriginal people in our prison population. People say, "Well, if they don't commit the crime, they won't go to jail." However, we all know that things are much more complicated than that. Alison Xamon, a former member of the upper house, now with one of the peak bodies representing mental health, spoke on the radio this morning about the incarceration of people with mental health issues. Lots of Indigenous people currently in our prison system suffer from mental health issues. When it comes to Indigenous people, suffering from a mental illness is not a defence. It is simply not a defence unless they are found to be incapable of pleading, but that is a rarity. Hundreds, if not thousands, of Aboriginal people with mental illness are incarcerated in Western Australia. Mental illness does not protect Aboriginal people against the full force of the law; it just does not. That is not universally applied here in Western Australia. There has been lots of debate about that in the last couple of days. If mental illness is something that should protect people from the full force of the law, let us apply that to the thousands of people in Western Australia who are currently incarcerated and suffering mental illness. Let us think about that. If we treated people with mental illness differently when they came before the courts, we would have to have a radical rethink of how our prison population works.

I wanted to also make some brief comments in the last two minutes, but I will not seek an extension. The Closing the Gap statistics across a whole range of things—Indigenous child mortality rates, life expectancy, health outcomes—are all live issues. As a community we need to address them. They have not been assisted at all by the threat to close 300 communities. The Premier is frowning.

Mr C.J. Barnett: Three hundred?

Mr D.J. KELLY: That figure on the closure of Indigenous communities is apparently news to the Premier.

Mr C.J. Barnett: It was only 270 in total.

Mr D.J. KELLY: The threat to close Indigenous communities has not helped and I ask the government to rethink that issue.

It is a pleasure to be contributing to this debate. I support the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015 and the Labor Party supports it. I am glad it has bipartisan support and I hope it is one more step on the road to reconciliation.

Debate adjourned, on motion by **Mrs M.H. Roberts.**

LAND ADMINISTRATION (SOUTH WEST NATIVE TITLE SETTLEMENT) BILL 2015*Second Reading*

Resumed from 25 November 2015.

MR B.S. WYATT (Victoria Park) [3.44 pm]: I want to clarify the legislation we are now dealing with. Perhaps the Clerk could again advise. It is the Land Administration (South West Native Title Settlement) Bill 2015. I want to clarify with the house that I know it falls outside the South West Aboriginal Land and Sea Council settlement.

[Quorum formed.]

MR P.C. TINLEY (Willagee) [3.45 pm]: It is a great pleasure to make a contribution as the lead speaker for the opposition on the Land Administration (South West Native Title Settlement) Bill 2015 or the land admin bill, as it has come to be known. This is absolutely essential legislation to engage the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015 because the Noongar recognition bill cannot be enacted until the land administration bill has been enacted. In fact, the whole architecture of the operative parts of this grand endeavour is that nothing is done until it is all done. There are many, many parts to this and, as I have discovered, each and every one can present all sorts of challenges and have already done so. I thank the government for the briefing received at relatively short notice last week and for indulging me and allowing me to make my second reading contribution to this bill slightly out of schedule whilst the recognition bill is still on foot in this place.

When we talk about this land administration bill, it is important that we see it as the cutting edge, if you like, of a long, long history of Australia's approach to native title and recognition and some tangible acts, I suppose, of what can only be called ceding back some of the European-settled sovereignty, or the sovereignty of Australia, to the original custodians of the land—the first Australians as I like to call them—who occupied these lands, particularly in the south west of Western Australia, for as long as 50 000 years.

The real start to all this legislative process that gets us to the very forward edge of the entire approach to the recognition of Indigenous ownership is the Native Title Act. It is the real start to this. The Native Title Act was introduced, of course, under the Keating government over 20 years ago now. We would all agree that it was landmark legislation. Also, it caused a great deal of nervousness, uncertainty and controversy in the community, and that required strong leadership across the nation from all levels to ensure it did not break down the understood and accepted practices of property law in every state of Australia. I suppose this will probably be the harshest test of the Native Title Act, because we might ask how effective the act has been since then. For the last 200 years, many Indigenous Australians and their ancestors have been marked by nothing more than dispossession and cultural dislocation. It has been a long march for Indigenous people and Indigenous rights. Twenty-two years ago a landmark law sought to begin redressing some of these past misdeeds and allowing us the opportunity to envisage a future of a greater Australia, and a greater Western Australia in our case as a result of this bill, as a single nation with a singular purpose in the multiple ethnic stories.

The Native Title Act, which came into effect in 1994, introduced an entirely new concept of land ownership under Australian law. Introduced in response to the Mabo ruling of the High Court in 1992, the act established native title as a form of ownership to which some Indigenous Australians were entitled—some. Glen Kelly, who is well known to many members in the chamber, is a Noongar man and past chief executive officer of the South West Aboriginal Land and Sea Council. He has said that the Native Title Act has both helped and hindered his work in fighting for Noongar traditional lands. In a statement in 2014, he said —

“This might be fairly strange from me being the CEO of a Native Title representative body but we're very critical of the content of the Native Title Act, Native Title law and Native Title rights themselves.”

The Western Australian government has offered the Noongar people a landmark deal in this case, worth an estimated \$1.3 billion, to settle a native title claim, which includes freehold access and the creation of unallocated crown land as reserves in Perth and the south west estate. The key point, which is the operative bit, is that it will be full and final settlement to these people—the first Australians of the Noongar nation—for the extinguishment of native title. I want to be very clear that when we characterise this agreement, it is fundamentally different in scale, structure and construction from any other native title agreement that has been achieved. The extinguishment forever of the native title rights of the first Australians should never, ever be taken lightly. The settlement has been well recorded in terms of the transfer of land and money, but it is not just land and money. The combination and application of that land and money is actually a proper future for Noongar people in Western Australia, and will allow them to have full participation in the society that we now have, called Australia. Mr Kelly went on to say —

... the claim wouldn't have been possible without the Native Title Act.

But he says legislation has still been divisive within Indigenous communities because it's often misunderstood.

“It’s a white fella legal construct and what it is actually designed to do, in my view, is not to enliven traditional law and custom but to control traditional law and custom.”

They were harsh words in relation to the Native Title Act, but under the Native Title Act claims can only be made over certain parts of Australia, such as unallocated crown land and vacant crown land. The key distinction here is obviously the transfer of freehold land and the maintenance of the single best part of the Native Title Act, which is customary access to a huge body of land across Western Australia. The toughest requirement is that claimants have to be able to prove a continuity of traditional laws and customs since European settlement on the land being claimed. That often involves lengthy historical research as well as gaining evidence from living parties. Even when claims are successful, native title does not necessarily give the Indigenous parties exclusive rights to the land. In many cases they have the right to live in the area or use it for some ceremonial and traditional practices, including hunting. So far across the nation there have been 213 successful native title determinations, with 54 struck down. Some have come at the end of long and painful court cases. Increasingly, the National Native Title Tribunal has promoted what are known as consent determinations, which involve the claimants and any other affected parties all agreeing to a negotiated settlement. This is usually a much faster and less expensive process, but at present there are more than 420 claims outstanding. In many cases, the elders who launch the claims have not lived to see them completed, and many of the benefits of native title have not flowed through to the communities that need them the most. However, there have been some key milestones in the Native Title Act since it was introduced, from the Wik decision in 1996 to the claim of the Bandjalang people on the New South Wales north coast, which took 17 years to resolve. Clearly, there are limitations to the Native Title Act. Of course, more famously for those who watch these affairs with any interest was the failed 1998 claim of the Yorta Yorta people of central Victoria and southern New South Wales. The Federal Court ruled that the Yorta Yorta’s traditions and customs had been washed away by what the judgement termed “the tide of history”. An entire language group in that case, an entire Indigenous history, was extinguished like so many others have been around the country.

Professor Jon Altman from the Australian National University is an expert in the native title and land rights area. He says that claims have been complicated by opposition from the federal and state governments, probably fuelled by uncertainty, a desire to control, and distrust, I suppose, between various subnational governments and the Indigenous people who are the traditional owners of the land. Professor Altman was quoted in a 2014 article as saying that the resources sector has been an opponent of the land rights movement. I do not think this has necessarily been the case in recent years. In fact, some of the biggest advocates of Indigenous inclusion, both economically and through social opportunity and access to land, have been the Western Australian resources sector and modern mining companies. The article quoted Professor Altman as saying —

“When you look back to the 1960s, mining occurred on Aboriginal reserves, on Aboriginal land without any consultation or negotiation with Aboriginal people.”

Recognition of Native Title does not, by itself, give any exclusive rights to land—for example, through ownership of mineral resources.

But in practice, traditional owners commonly have the right to negotiate with resources companies over exploration or can enter into a land use agreement to settle on financial payments for the right to prospect—though this varies from state to state.

Professor Altman went on to say —

... the Native Title Act has helped realign relations between the resources sector and Indigenous groups.

“So what we’ve seen, through what I refer to as a land title revolution that’s come on the back of land rights in the 1970s and 80s and then Native Title in the 90s and into the 21st Century, has fundamentally reset the relationship. But I think again we need to emphasise that relationship is far from equal. There’s still an asymmetry there that needs to be rectified.”

I keep coming back to the point that this bill comes at the end of a long battle for recognition and a legal framework to allow Indigenous people to get full access to the social and economic benefits of the land. The resources sector itself has admitted that it has taken some time to adjust. In that 2014 article, the Minerals Council of Australia stated —

... the Native Title Act and the Native Title system is one of the most complex legislative environments in which we work. It’s clearly taken a long time for us to get the system to a point where industry understands what the expectations are from a regulatory sense, but also in terms of the partnerships in the community in which it operates.”

My preamble to reading those quotes from Professor Altman was that, in my experience or from my investigations, the responsible resources companies operating in Western Australia take very seriously their social obligations to the people on whose land they are operating.

The Native Title Act has been amended several times, including in 1998 when the Howard government made a significant amendment in response to the High Court's Wik decision, which found that native title could co-exist on certain pastoral leases. Again, that was a period of great uncertainty for leaseholders, Indigenous people and the Australian community generally. The report of the Australian Law Reform Commission inquiry into native title that was handed down last year was very instructive. One of its key concerns was the long time that it took to solve a claim. It also looked at the difficulty of claimants having to prove continuity of traditional laws and customs. Professor Lee Godden, who headed the commission's native title inquiry, made the following statement —

“There have been calls for amendments to the Native Title Act for some time and indeed we've seen a process of significant amendments to the Act over time, so it's timely to look at how it's working 20 years on.”

Glen Kelly, former CEO of the South West Aboriginal Land and Sea Council, said of the commission's task that he hoped it could find a way to make future native title determinations faster and more beneficial for Indigenous Australians. He said —

“The only people who have uncertainty in Native Title are the Native Title claimants. We also know now that the content of Native Title is very poor. It's the right to do things on land which someone else now owns and from our point of view, from this rep body's point of view we don't think that's acceptable.”

I just wanted to give that potted history right back to the Native Title Act 1993, because it is really important for us to understand that, despite us in this place sometimes thinking that there is a glacial movement, particularly with legislative treatments of problems in our society, we are adding to a grand heritage of recognition going back to the Mabo decision, which was 20-plus years ago now, and those original High Court directions to the federal government that it responded to. In many ways there is a very good news story here about how this is just a part of the continuity of a long history—or a short history relative to the Indigenous owners.

We come now to the south west native title settlement. It is important to get on the record the origins of this settlement, which have culminated in this legislation. Following the Mabo decision in 1992, the commonwealth Native Title Act 1993 was passed, which required Aboriginal people to provide evidence and proof of their connection to country and for them to be represented by Native Title Representative Bodies. It prompted and promoted Indigenous people to congregate around their language groups and nations. The Aboriginal Legal Service began administering the claims of the Noongar people of south west Australia before being replaced by the Noongar Land Council in 1995. Despite this representative body, 78 representative claims were made on behalf of respective Noongar people over land in south west Australia. It was recognised among those involved that at that time the Native Title Representative Bodies could not handle all claims and a situation would develop in which some claims would be pursued and others abandoned. Most claims were withdrawn by 1998 and replaced by six communal claims for the Ballardong, Gnaala Karla Boojah, South West Boojarah, Wagyl Kaip and Southern Noongar, Whadjuk and Yued regions. In 2002, the South West Aboriginal Land and Sea Council replaced the Noongar Land Council in the current form, as we know it today.

I suppose it is worth making the point here that had that not happened, had there not been the will from the Indigenous owners of the land and the government and certainly from the strong leadership with the Noongar people to actually bring that to a single council, government would have found it hard to negotiate across all of those groups. It needed to have a single council to talk to, noting that it was not a 100 per cent inclusive organisation; it was the majority of the Noongar people collected and represented. It is fundamentally important and the SWALSC itself, in Noongar custom and Noongar history, is quite alien to their customs, particularly when we talk about the family unit, language groups and the mobs. Again, it is just another imposition I suppose, forced on Noongar people to come to the table as a white fella. That is just the structured systemic basis of the system.

The Western Australian government's proposal for mediation was in 2003. In February 2003, the WA government presented a mediation plan for the purposes of settling that whole claim. It would be fair to say it was based upon avoiding protracted Federal Court cases. At the time, former member for Belmont and the then Deputy Premier, Eric Ripper, acknowledged the difficulty experienced by Indigenous people in meeting, as he said, the “onerous requirements of federal native title laws” as I have talked about and stated —

“For this reason, the Government is willing to explore avenues outside the native title process to recognise the aspirations of indigenous people.”

However, the then Deputy Premier expressed a significant desire for structured negotiation as opposed to entering what he called “endless talks with no results”, stating that such negotiation would be “an injustice in itself” and stated —

“It diverts resources from more prospective negotiations, and denies the rights of those parties, including indigenous parties, who contest the merits of the claim.”

Back then there was ambition and having talked to Eric recently, I got the sense that there was a genuine willingness to try to come to some conclusion for all the Noongar people, not that that was envisaged. I have not actually talked to Eric about these particular bills or the settlement in detail, but when they started that in 2003, I was not quite sure that we would end up with such a comprehensive and detailed, and as I will get to a little later, complex set of arrangements.

Native title and litigation have gone almost hand in hand and certainly it has occupied the Full Bench of the Federal Court and other courts. There had been informal support for a single Noongar claim since 1997, as I can find in my research. Such a claim began to gain support among Noongar people during community meetings in 2002 and culminated in the lodgement of the single Noongar claim with the Federal Court in 2003 through the existing six claims. In September 2006, the Federal Court in *Bennell v State of Western Australia*, quite a famous case, ruled in favour of Noongar native title over the Perth metropolitan area. Members will remember they were observing at the time it caused mass panic within the city—I would not say mass panic, mild panic—amongst many people because of the uncertainty about land ownership. All sorts of wild things were said about the extinguishment of freehold and/or leasehold title, and a whole range of wild accusations. One of the toughest decisions that had to be made by then Minister for Indigenous Affairs; Deputy Premier, Eric Ripper, was whether to appeal that decision, and he did. His reasoning for it was to ensure consistency with the High Court decisions and to clarify the applicable law. The rights and wrongs of that, I do not know and I would not want to speculate on. Others were here at the time; they could probably scrutinise that sort of decision in this place, far more than I had time to do for the preparation for this. But I will say this: from the readings I have done I sense that it created a sense of urgency and intensity around this whole single Noongar claim as to maybe promote us to the point where we are now—a little bit faster, a little bit more earnestly than it might ordinarily have happened. Of course, we all know that matter was referred back to the Full Bench of the Federal Court. At that same time, the SWALSC notes that the original decision importantly recognised the existence of a single Noongar community in South Western Australia and included the Perth metropolitan area so they were on the map in very much a legal sense.

The Court of Appeal, of course, agreed despite its decision to refer the matter back to the single judge for renewed consideration. Nevertheless, before the decision was handed down, the Western Australian government single-handedly negotiated with claimant groups and remained committed, as it said in its statement at the time, to recognising the important relationship that exists between Noongar people and their traditional lands. From this negotiation the WA government, around March 2008—the anniversary is coming up—signed a memorandum of understanding with the South West Aboriginal Land and Sea Council to progress native title negotiations on a single Noongar claim. The MOU recognised that negotiation of native title agreements is complex involving the interest of many parties, and it affirmed the government's commitment to resolving claims through agreement wherever possible, which is an important distinction, and indicate the underlying good faith between the parties. At this time it was suggested that both the WA government and SWALSC could not afford the time spent on protracted court battles at the exasperation of each party.

Since the current Liberal–National government has been in office, there was a time when this matter sort of bumped along. It is worth recognising former Attorney General Christian Porter who, from my estimation—I will stand corrected by the contribution of other members—took some personal effort to push the system along to assist it to get to the point where we are now. It took nearly six years of negotiation before the WA government, in June last year, ended up with six Indigenous land use agreements for the Noongar people, who represent the six areas that we all know and which I have already mentioned. These agreements provided a single comprehensive package of benefits in return for the surrender of any native title rights and interests and validations of the act that have been done invalidly on those lands. Again, it makes the clear distinction that this is full and final compensation forever for the extinguishment of native title on all lands in the Noongar nation. This has not been without opposition. In fact, several issues are on foot as we speak about this. A challenge was launched last year in the High Court of Australia by native title claimant Margaret Culbong—I think several other parties have joined the High Court appeal. She was of the view that the consultation process was flawed and those opposed to the deal were not given the opportunity to object within the whole process. She said it was manipulated by the staff and the people who belonged to the South West Aboriginal Land and Sea Council because they had already signed off on the deal with the government and they just took it out to the people for it to be sanctioned or authorised and she said that that was not on. On 17 February this year, the High Court referred the matter back to the Full Bench of the Federal Court of Australia for its direction on each matter presented. I introduced that matter because in these sorts of situations—I am sure it would happen in customary practices as well—we are just not going to get everyone to agree. When you put a bunch of humans together, regardless of the circumstances, and ask them to come to a singular decision, there will be those who will not agree under any circumstance for various reasons. Of course, the good faith on both sides of this negotiation is to ensure we have the least amount of disaffected parties as possible. That would be a very good outcome. It will not be perfect because humans are involved.

It is probably worthwhile to put this legislation into some sort of context with other jurisdictions or comparable Indigenous settlements; Indigenous land use agreements probably being the operative thing here. I will speak

a little more about ILUAs a little later. These types of Indigenous land use agreements have been around for a while. In fact, there are about 1 093 such agreements nationally or registered with the National Native Title Tribunal. They are obviously very popular because they provide an agreement for Indigenous people of a particular area to come to terms by consent rather than by any sort of competitive process. I have some very good examples of ILUAs. In 2007, New South Wales created one that involved 112 000 hectares of national parks and state forests, which concerned employment opportunities, freehold land and co-management of national parks. In 2010, the Northern Territory enabled the Katherine West Health Board Aboriginal Corporation to provide additional housing for health workers in various places around the territory. The Northern Territory manager for the National Native Title Tribunal stated at the time that the large number of ILUAs registered in the Northern Territory reflects that these arrangements are continuing to benefit Indigenous people, government and other land users around the territory. In 2013, the five-hundredth agreement was registered in Queensland. Internationally, Canada has been onto this process since 1973 but with a slightly different arrangement because of the nature of the occupation and activity and the sheer numbers of Canadian Aborigines, as they are called. These settlements have provided over 26 signed agreements in Canada, 18 of which have included provisions for self-government, which I thought was courageous, interesting and worth further research.

Dr A.D. Buti: In Canada, of course, they have a treaty arrangement and Aboriginals were always recognised as the first people, so it was a different scenario. In a way this bill is similar. Obviously it is not a treaty, but it is a recognition that Aboriginal people were the first inhabitants of Western Australia and that is why it is also very significant.

Mr P.C. TINLEY: I thank the member for Armadale for that interjection. What makes it significant is the fact that it is in word and deed. It is not just lip service or a welcome to the country and Indigenous flags flying out the front of Parliament House; it is a substantive contribution. In Canada, Aboriginals have ownership of over 600 000 square kilometres of land, almost the size of one of its entire provinces. The settlements have provided capital transfers of over \$3.2 billion and they have protected traditional ways of life and so on.

The recognition bill was fundamentally important. We have heard many members on their feet making contributions about it and how they relate to it, but its fundamental ambition, as has been said, is to recognise the Noongar people as the traditional owners of the land as well as their living, cultural, spiritual, familial and social relationships. It is very much the intangible that we are trying to codify here, and that makes it very difficult. By inference it acknowledges the fact that it even exists. It acknowledges a 50 000-year history. For those members who are interested in this and committed to a future Western Australia that is far more courageous than maybe it has been before about its position in the world and the region, having access to that 50 000 years of history, even as a white fella, is, I think, really helpful for me and for any of us. It is available to provide a connection to the first peoples and the land that we share with them and will only make us a lot stronger.

It is a little hard to work out the number of Noongar people. The 2001 census identified about 21 000 and various estimates of up to 28 000 or more have been identified as south west Indigenous or Noongar by the virtue of that identification.

We come to this administrative bill through my little potted history of our experience with it.

I find that we are trying to shoehorn all these ambitions into a single piece of legislation with a few moving parts, not least of which are six Indigenous land use agreements around the Noongar nation that will ensure that we are getting a collective view of it. The six ILUAs will form six Noongar regional corporations that will allow them access to freehold. As with any piece of legislation, it is fundamentally important that we as representatives of our communities understand the detail so that, hopefully, we can foresee any unintended consequences. I have just received an update on the ILUA time line. As I said in opening my remarks, everything has to be in place before anything is in place, and every part is as important as the whole. The ILUA registration process has taken some time. About 25 objectors have lodged 107 valid objections with the Native Title Tribunal, and it will take several months to work through those to understand how they will play through. As I mentioned, High Court applications are involved. The government cannot move forward in relation to the completion of the contract or arrangements envisioned in the Land Administration (South West Native Title Settlement) Bill 2015 until all six ILUAs and regional corporations are in place. That cannot happen until all objections have been worked through. The estimate from the department is that it is unlikely to be resolved before deep into this year. I think patience will be required, but, hopefully, it can be completed by the end of this year. It is my assessment that that will take a lot of goodwill and a fair bit of effort.

I have a few concerns about this bill and I will move through a bit of the detail of it. I flag with the Premier my desire to examine, during consideration in detail, both annexures J and O to the six ILUAs that will form the basis for the operation of those regional corporations. I flag that with the Premier, and I presume there will be no problem with that because the bill refers to those annexures. I have been incentivised by the manager of opposition business. I flag some issues on the land base strategy, which is annexure J.

Dr A.D. Buti: You can probably deal with that in consideration!

Mr W.J. Johnston: Take your time to put your opinion on the record.

Mr P.C. TINLEY: I am; my opinion is very, very important!

For members not familiar with the detail, the transfer of 20 000 hectares of freehold is no small undertaking. The Department of Lands has five years to identify and transfer, with some allowable variations, and it has to be done in consultation with a range of organisations, not the least of which are other government agencies. I am holding up the Noongar land base strategy managed reserves implementation process and unmanaged reserves flow diagram —

Mrs M.H. Roberts: Why don't you lay it on the table for the remainder of the day's sitting?

Mr P.C. TINLEY: When I have finished reading it, I will!

The diagram refers to unallocated crown land. The diagram has identification, selection, assessment, finalisation and allocation bands with all sorts of variations that pertain to land that has been identified and how it might flow. It concerns me that, as with every arrangement, goodwill and earnest effort will be required from everybody. One peak body will run the priority land meetings for this whole process. I am happy to be corrected, but from the briefing I ascertained that priority land meetings are very important. Looking at the flow diagram, all arrows and lines end there. I understand the meetings are made up of the Department of Lands, a professional trustee company and one other that escapes me at the moment. So if a decision is ever to be made about the suitability of the land, its application or any other part of the process it will still be made by, potentially, three white guys. I might sound disingenuous or a bit critical, but paternalism creeps right through this process. I do not think anything could be said that would remove that potential for paternalism. All that will be relied on is the goodwill of the government and that the absolute essence of the legislative ambition is stuck to; that is, to give due regard to Noongar people. There will be lots of hypotheticals, particularly in relation to the freehold piece because it will give the greatest economic flexibility to benefit from the whole arrangement. If, for example, there was any unallocated crown land or other freehold land identified that was held by the government on Rottnest Island for example, there may be long-held traditional reasons to want some of that land so that might be under licence, but it is also economically probably quite fertile so there would be, I imagine, a great ambition for that to be included.

I also note that the assessments of other agencies can be equally, I suppose, troublesome if applied without the full intent of bill. The first of them in the flow diagram is a Department of Mines and Petroleum assessment of any land. The annexure states that after DMP assessment and consideration of the comments provided to the state agencies and local government, a recommendation is made. I am particularly interested in the circumstances around which DMP or any other government department can object to or prevent land being allocated, either by licence or in a freehold nature, into the Noongar land estate.

The other aspect of it is that some land is more economically valuable, obviously, than other areas, and there is an equity issue. There will be six regional corporations or Indigenous land groups, and the flow over five years of land into the control of those organisations concerns me a bit. If one organisation is more active and more able to present land for consideration or inclusion quicker, it could have a beneficial effect.

Mr C.J. Barnett: I think it goes into the overriding trust.

Mr P.C. TINLEY: That is correct, yes; the Noongar Boodja Trust. It does, but it is still land that has a geographic allocation. If we go into consideration in detail I would be interested in hearing the Premier's thoughts on the intention there was to be a geographic allocation of land that might seem biased towards one particular group or the other.

Ms J. Farrer interjected.

Mr P.C. TINLEY: The member for Kimberley made an interjection about language groups, which would also require customary access under licence to the unmanaged reserves, for example. It is particularly valuable to them in the customary sense and if the allocation had been exceeded at the expense of one over the other, that would be inherently unfair.

I will be particularly interested in annexure O, which is the land licensing arrangements, which talks about the licensor being the minister and the dispute processes. I am a little bit mystified. All this is doing is amending the Land Administration Act to allow this to take effect. There are appeals to the Governor still extant, but in the contractual negotiation process—I will not go into any detail on that here—how are disputes resolved in relation particularly to the allocation of land or between particular groups? There are a range of things to do there. The other aspect here is the changed nature of the licence area. I refer to paragraph 2.3 of annexure O, which states that the minister has —

the right to take Land under Parts 9 and 10 of the LAA —

The Land Administration Act —

or any other Law;

That is not in dispute, because this is subject to all the laws of Western Australia. It is not outside any of those laws, except where the act is superior to any objection. My question in relation to this is: with regard to any land or licence that is taken away, is there an obligation to replace it with like-for-like, and what is the process for that?

Paragraph 4.1 sets out express limitations. It talks about access to the land and the fact that people cannot camp in any one place under licence for more than 14 continuous days, and then go away and come back. Paragraph 4.1 (e) reads, in part —

return a Camping Unit to Land in the vicinity of Land in the Licence Area on which it was previously placed ...

A definition of “vicinity” will be something we can talk about here because of multiple access.

This is a land-based strategy, and the fundamental thing I also want to tease out is: where is the water-based strategy? How are coastal waters going to be treated? I know that there are traditional fishing rights; are they going to be extended under this? They are under native title. Are they going to be extended out into the waters; and, if so, how far? With regard to access to inland waterways, are they able to be subject to special licence? I imagine they would be, obviously through the same process. Noongar people have a large dispersion around the coastal areas and the intersection between the coast and the land, all the traditional activities and, let us face it, the potential economic benefit of freehold land that could be made available to them, are going to be fundamentally important. I will be very keen to see any of the issues in relation to the intersection between the coastal waters.

Another issue of interest to me is that when it goes into the Noongar Boodja Trust, I note that there is an independent professional trustee who will be required to oversee the operations of the trust in accordance with the relevant regulations and legislation. There are only a few in Australia at that level. They are tendering now; I think the tender process is almost complete, but that is no small decision. Significant fees will flow to the professional tender company. There are limits to the upper levels of its fees by percentage of the total value of the assets held, but obviously as those assets grow, it is going to be a particularly lucrative thing because it covers 12 years. I am not quite sure what will happen at the expiration of the 12-year term. I got the sense in the briefing that there are various options at this point—either their own professional trustee, or going through a different process in relation to control and ownership of the trust.

There is a significant amount of detail in the Land Administration (South West Native Title Settlement) Bill 2015, as I said at the start of my contribution. It is at the cutting edge of recognition of Indigenous people, the Noongar nation, in the south west of Western Australia. If this is to be successful it will be very ambitious and particularly difficult to apply it to other regions like the Kimberley and Pilbara, but it would be a fantastic outcome if we found that we could come to a full and final settlement and, by virtue of that, under any other name, a treaty, in effect, with all Indigenous people in Western Australia.

Debate adjourned, on motion by **Mr C.J. Barnett (Premier)**.

House adjourned at 4.35 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

TRANSPORT — TRAFFIC MODELLING

4863. Mr D.J. Kelly to the Minister for Transport:

- (1) Has traffic modelling been conducted to assess the impact to traffic flow, parking and surrounding homes and businesses at Hampton Park Primary School?
- (2) If so, will the Minister release the modelling study and results?

Mr D.C. Nalder replied:

- (1) Yes.
- (2) The traffic study and results have been discussed with the Hampton Park Primary School Working Group.

ROAD SAFETY — LONG-TERM SPEED CAMERA PLAN

4873. Mr R.F. Johnson to the Minister for Police:

In connection to your media statement dated Saturday 21 February 2015 where you announced a long term road safety camera plan, I ask:

- (a) what has been the increase in each camera category namely, red light, fixed, point to point cameras, and hours of mobile speed operations from that date until 31 January 2016;
- (b) what has been the cost of each of these cameras by individual category;
- (c) on a month by month basis, from February 2015 to 31 January 2016, how many mobile speed cameras have been in operation by the WA police; and
- (d) how many hours per month, from February 2015 to 31 January 2016, are the mobile speed cameras being used?

Mrs L.M. Harvey replied:

- (a) The increase in speed cameras since February 2015 has been:
 - (i) Red Light Speed Cameras: No Increase
 - (ii) Fixed Site Speed Cameras: An additional five cameras were acquired and went live on 21 April 2015 to operate in the existing fixed site locations 24 hours, seven days a week.
 - (iii) Point to Point Cameras: The tender process to provide point to point speed cameras closed at the end of January 2016 and evaluation is currently underway.

(iv) Mobile Speed Camera hours:

	Feb– 15	Mar– 15	Apr– 15	May– 15	Jun– 15	Jul– 15	Aug– 15	Sep– 15	Oct– 15	Nov– 15	Dec– 15	Jan– 16
Hours of Use	2,997	3,373	3,447	3,789	3,696	4,269	4,138	3,953	3,933	3,228	3,704	3,778

- (b) The speed cameras acquired cost \$85 442 each.
- (c) 26 mobile speed cameras were in operation from January 2015 to April 2015.
28 mobile speed cameras were in operation from May 2015 to February 2016.
- (d) See (a)(iv)

PUBLIC TRANSPORT AUTHORITY — BUS ROUTE 450 — LANDSDALE

4875. Ms M.M. Quirk to the Minister for Transport:

I refer to information provided in answer to supplementary question A29 of the Estimates hearing on 9 June 2015 in respect to improved bus services in the Landsdale area and ask:

- (a) when will the extension of the 450 bus route commence;
- (b) what are the reasons for the delay; and
- (c) what is the new proposed route?

Mr D.C. Nalder replied:

- (a)–(b) In 2011, the Liberal-National Government commenced the biggest investment in bus service kilometres ever experienced in this State in a condensed period. This investment has progressively grown to a point where over 13.5 million additional annual service kilometres, a measure of both service frequency and network coverage, were provided in 2014/15 representing a growth of over 26 per cent when compared to 2008/09.

This investment has continued through 2015/16 with over 800,000 additional annual service kilometres to be added to the network by the end of the 2015/16 financial year.

Whilst this remains a priority service development for Transperth, a commencement date has not been set.

- (c) The proposed extension will see the bus route 450 service extend east along Kingsway before terminating in the vicinity of Pomodora Avenue, Landsdale.

MINISTER FOR TRANSPORT — TRADESPEOPLE**4878. Mr F.M. Logan to the Minister for Transport:**

I refer to the employment of tradespeople in each department, Government Trading Enterprise, authority and agency under the Ministers' responsibility and I ask for each:

- (a) how many tradespeople are employed in terms of both FTE and headcount in each;
 (b) can the Minister please provide a breakdown of (a) by trade;
 (c) how many apprentices are employed in each; and
 (d) can the Minister please provide a breakdown of by trade?

Mr D.C. Nalder replied:**Department of Transport**

- (a) Number by headcount: 34
 Number of FTEs: 34

(b)

Trade	Number by Headcount	Number of FTEs
Motor Mechanic	22	22
Automotive or Mechanical Engineering	4	4
Motor Mechanic	6	6
Automotive	2	2

- (c) Nil
 (d) Not Applicable

Public Transport Authority

- (a) Number by headcount: 43
 Number of FTEs: 51

(b)

Trade	Number by Headcount	Number of FTEs
Electrical (including Maintenance Planners)	34	39
Mechanical	6	9
Air Conditioning and Refrigeration	1	1
Carpentry (Including Facilities staff)	2	2

- (c) Number by headcount: 3
 Number of FTEs: 6

(d)

Trade	Number by Headcount	Number of FTEs
Electrical	3	6

Main Roads Western Australia

- (a) Nil.
- (b) Not Applicable
- (c) Number by headcount: 2
Number of FTEs: 2

(d)

Apprentices	Number by Headcount	Number of FTEs
Electrical Instrumentation	2	2

Southern Ports Authority

- (a) Number by headcount: 54
Number of FTEs: 52.8

(b)

Trade	Number by Headcount	Number of FTEs
Panel Beater	1	1
Cabinet Maker	1	1
Carpenter	5	4.2
Mechanic	3	3
Fitter	16	15.6
Boiler Maker	15	15
Electrician	12	12
Plumber	1	1

- (c) Number by Headcount: 6
Number of FTEs: 6

(d)

Trade	Number by Headcount	Number of FTEs
Electrician	3	3
Boilermaker	1	1
Fitter	2	2

Fremantle Port Authority

- (a) Number by Headcount: 52
Number of FTEs: 52

(b)

Trade	Number by Headcount	Number of FTEs
Carpentry and Joinery	2	2
Electrical Fitter	21	21
Mechanical Fitter	16	16
Marine Engine Driver	13	13

- (c) Nil.
- (d) Not Applicable

Pilbara Ports Authority

- (a) Number by Headcount: 32
Number of FTEs: 32

(b)

Trade	Number by Headcount	Number of FTEs
Electrician	13	13
Boilermaker	2	2
Carpenter	1	1
Lubrication Technician	1	1
Mechanical Fitter	15	15

(c) Number by Headcount: 3

Number of FTEs: 3

(d)

Trade	Number by Headcount	Number of FTEs
Electrotechnology Electrician	1	1
Mechanical Trade Fitter and Turner	1	1
Engineering Fabrication	1	1

Kimberley Ports Authority

(a) Number by Headcount: 3

Number of FTEs: 3

(b)

Trade	Number by Headcount	Number of FTEs
Boilermakers	2	2
Electrician	1	1

(c) Nil.

(d) Not Applicable

Mid West Ports Authority

(a) Number by Headcount: 10

Number of FTEs: 10

(b)

Trade	Number by Headcount	Number of FTEs
Boilermaker / Welder	4	4
Plumber	1	1
Electrician	2	2
Carpenter	1	1
Sandblaster	2	2

(c) Number by Headcount: 2

Number of FTEs: 2

(d)

Trade	Number by Headcount	Number of FTEs
Boilermaker / Welder	2	2

ATTORNEY GENERAL — PORTFOLIOS — TRADESPEOPLE

4886. Mr F.M. Logan to the Minister representing the Attorney General; Minister for Commerce:

I refer to the employment of tradespeople in each department, Government Trading Enterprise, authority and agency under the Ministers' responsibility and I ask for each:

(a) how many tradespeople are employed in terms of both FTE and headcount in each;

- (b) can the Minister please provide a breakdown of (a) by trade;
- (c) how many apprentices are employed in each; and
- (d) can the Minister please provide a breakdown of by trade?

Mrs L.M. Harvey replied:

Corruption and Crime Commission

(a)–(d) Nil

Commissioner for Children and Young People

(a)–(d) Nil

Department of Commerce

(a)–(d) Nil

Department of the Attorney General

(a)–(d) Nil

Office of the Director of Public Prosecutions

(a)–(d) Nil

Equal Opportunity Commission

(a)–(d) Nil

Office of the Information Commissioner

(a)–(d) Nil

Legal Aid

(a)–(d) Nil

Legal Practice Board of Western Australia

(a)–(d) Nil

Legal Profession Complaints Committee

(a)–(d) Nil

State Solicitor's Office

(a)–(d) Nil

Solicitor General's Office

(a)–(d) Nil

The Department of the Registrar, WA Industrial Relations Commission

(a)–(d) Nil

WorkCover

(a)–(d) Nil

MINISTER FOR EDUCATION — PORTFOLIOS — TRADESPEOPLE

4890. Mr F.M. Logan to the Minister representing the Minister for Education; Aboriginal Affairs; Electoral Affairs:

I refer to the employment of tradespeople in each department, Government Trading Enterprise, authority and agency under the Ministers' responsibility and I ask for each:

- (a) how many tradespeople are employed in terms of both FTE and headcount in each;
- (b) can the Minister please provide a breakdown of (a) by trade;
- (c) how many apprentices are employed in each; and
- (d) can the Minister please provide a breakdown of by trade?

Mr J.H.D. Day replied:

Department of Aboriginal Affairs

(a) None.

- (b) Not applicable.
- (c) None.
- (d) Not applicable.

Department of Education Services

- (a) None.
- (b) Not applicable.
- (c) None.
- (d) Not applicable.

Department of Education

- (a) None.
- (b) Not applicable.
- (c) None.
- (d) Not applicable.

Country High School Hostels Authority

- (a) None.
- (b) Not applicable.
- (c) None.
- (d) Not applicable.

School Curriculum and Standards Authority

- (a) None.
- (b) Not applicable.
- (c) None.
- (d) Not applicable.

Western Australian Electoral Commission

- (a) None.
- (b) Not applicable.
- (c) None.
- (d) Not applicable.

TRANSPORT — KWINANA FREEWAY — POTENTIAL MANNING ROAD ENTRANCE

4894. Ms R. Saffioti to the Minister for Transport:

I refer to a potential Manning Road entrance to the Kwinana Freeway south and ask:

- (a) has the State Government investigated or commissioned a study into such a project;
- (b) if yes to (a), what is the total cost of the project; and
- (c) what discussions or negotiations have been held with the Federal Government on this project?

Mr D.C. Nalder replied:

- (a) Yes.
- (b) Final project development has yet to be completed.
- (c) No formal discussions have been held.

HOUSING AUTHORITY — PROPERTY SOLD

4922. Mr F.M. Logan to the Minister representing the Minister for Housing:

I refer to the sale of Housing Authority-owned properties since 1 May 2015, and ask for each property sold:

- (a) what was the street address of the property;
- (b) what was the date of the sale; and
- (c) what was the sale price of the property?

Mr D.T. Redman replied:

(a)–(c) The Housing Authority advises see tabled paper no 3968.

The table includes sales of all Housing Authority-owned assets over all housing programs.

MINISTER FOR HOUSING — PORTFOLIOS — PRINTED PUBLICATIONS**4925. Mr B.S. Wyatt to the Minister representing the Minister for Housing; Racing and Gaming:**

For each agency, department and Government Trading Enterprise within the Minister's responsibility since 1 July 2014:

- (a) has the organisation produced, printed and distributed/displayed any leaflets, booklets, guides, pamphlets or similar publications with a print-run of 500 copies or more;
- (b) if yes to (a):
 - (i) what was the name, title or subject of the publication; and
 - (ii) what was the cost of the publication;
- (c) has the organisation produced, printed and thereafter *not* distributed/displayed any leaflets, booklets, guides, pamphlets or similar publications with a print-run of 500 copies or more; and
- (d) if yes to :
 - (i) what was the name, title or subject of the publication;
 - (ii) what was the cost of the publication;
 - (iii) why wasn't the publication distributed or displayed after printing; and
 - (iv) was the publication stored, pulped or otherwise disposed of and if yes, how was it disposed of?

Mr D.T. Redman replied:

The Housing Authority

- (a) Yes.
- (b) [See tabled paper no 3969].
- (c) No.
- (d) Not applicable.

Department of Racing, Gaming and Liquor

- (a) Yes.
- (b)
 - (i) Liquor Control Act poster.
 - (ii) \$385.
- (c) No.
- (d) Not applicable.

Western Australian Greyhound Racing Association

- (a) No.
- (b) Not applicable.
- (c) No.
- (d) Not applicable.

Burswood Park Board

- (a) Yes.
- (b)
 - (i) Carols in the Park.
 - (ii) \$1,110 (inc GST).
- (c) No.
- (d) Not applicable.

Racing and Wagering Western Australia

- (a) Yes.
- (b) [See tabled paper no 3969].
- (c) No.
- (d) Not applicable.

MINISTER FOR TRANSPORT — PRINTED PUBLICATIONS

4926. Mr B.S. Wyatt to the Minister for Transport:

For each agency, department and Government Trading Enterprise within the Minister's responsibility since 1 July 2014:

- (a) has the organisation produced, printed and distributed/displayed any leaflets, booklets, guides, pamphlets or similar publications with a print-run of 500 copies or more;
- (b) if yes to (a):
 - (i) what was the name, title or subject of the publication; and
 - (ii) what was the cost of the publication;
- (c) has the organisation produced, printed and thereafter *not* distributed/displayed any leaflets, booklets, guides, pamphlets or similar publications with a print-run of 500 copies or more; and
- (d) if yes to :
 - (i) what was the name, title or subject of the publication;
 - (ii) what was the cost of the publication;
 - (iii) why wasn't the publication distributed or displayed after printing; and
 - (iv) was the publication stored, pulped or otherwise disposed of and if yes, how was it disposed of?

Mr D.C. Nalder replied:

Transport Portfolio Documents

- (a) Yes.
- (b) (i) Transport Portfolio Strategic Framework flyer (internal document); Transport Portfolio Go Magazine (internal document).
 - (ii) \$360 (cost split by three agencies); \$1,621 (cost split by three agencies).
- (c) No.
- (d) (i)–(iv) Not applicable.

Department of Transport

- (a) Yes.
- (b) (i) Clear Direction Post-its (internal document); Clear Direction A5 Notepads (internal document; Nautical Chart – Augusta WA 1681; Cyclone Documents (2015–16); Cyclone Documents (2014–15); Augusta-Margaret River Boating Guide; Broome-Derby Boating Guide; Bunbury-Busselton Boating Guide; Canning River Crabbing Guide ; Carnarvon Denham Boating Guide; Esperance Boating Guide; Kalbarri-Port Gregory Boating Guide; Karratha-Dampier Boating Guide; Kununurra-Wyndham Boating Guide; Leeman-Lancelin Boating Guide; Mandurah Boating Guide; North Metro Boating Guide; Port Hedland Boating Guide; Rockingham Boating Guide; Rottneest Island Boating Guide; Swan and Canning Riverpark Boating Guide; Wellington Dam Boating Guide; Best Check Safety Guidelines; Distress Beacons Safety Guidelines; Dive Safe Safety Guidelines; Flares Safety Guidelines; Lifejackets Safety Guidelines; Marine Radios Safety Guidelines; Mooring Regulation Streamline Review; Mooring Regulation Streamline Review Rerun; Navigation Lights Safety Guidelines; Paddle Safe Safety Guidelines; Ride Safe Safety Guidelines; Rules at a Glance Safety Guidelines; Drive Safe Handbook; Ride Safe Handbook; Learner Guide and Log Book; Candidates Guide/How to Pass Your Driving Assessment; National Heavy Vehicle Regulator Driver Work Diary; Bringing Your Interstate Vehicle to WA Brochure; Your Secure Identity; Overseas Drivers Brochure; Transferring Your Vehicle Licence; Getting a Heavy Vehicle Drivers Licence Brochure; The 6 Steps to Getting Your Driver's Licence; Proof of Identity Nominated Owner/Vehicle Licence Holder; Getting a Motorcycle Drivers Licence Brochure; Towed Agricultural Implements Guide; Moving to a Single Multi-purpose Taxi Dispatch Service: A better, Simpler and Safer System; Plan Before You Party 2014; Do You Drive Taxis or Other Pay-for-Hire Transport?; TUSS Voucher Member Booklet – Purple; TUSS Voucher Member Booklet – Yellow; Bike Boulevards Information Brochure; WA Ports Handbook 2014; Your Move Wanneroo recruitment flyer; Your Move Wanneroo Transperth App promotional flyer; Your Move Wanneroo Walking or Riding to Work brochure; Your Move Wanneroo Basic Bike Maintenance brochure; Your Move Wanneroo Choosing the right bike brochure; Your Move Wanneroo Guide to Geocaching ; Your Move Wanneroo NaturePlay passports.

- (ii) \$1 300; \$1 578; \$1 034.80; \$2 724; \$3 288; \$1 566; \$2 108; \$1 566; \$781; \$2 108; \$2 216; \$1 613; \$2 216; \$2 108; \$2 684; \$2 644; \$2 483; \$1 613; \$2 145; \$2 644; \$2 644; \$486; \$1 105; \$2 086; \$853; \$1 468; \$1 908; \$2 086; \$1 290; \$619.30; \$1 892; \$755; \$521; \$1 468; \$120 151.00; \$55 673.17; \$133 007.00; \$58 588.00; \$36 407.40; \$2 782.80; \$13 717.89; \$3 215.20; \$2 438.20; \$534; \$3 747; \$4 699.12; \$1 510.80; \$3 158.89; \$436; \$1 150; \$1 940; \$7 623; \$5 236; \$479.60; \$4 915; \$2 090; \$997.50; \$705; \$705; \$1 105; \$417.27; \$518.18.
- (c) Yes.
- (d) (i) Kalbarri-Port Gregory Boating Guide; Moving to a Single Multi-purpose Taxi Dispatch Service: A Better, Simpler and Safer System.
- (ii) \$1 613.00; \$436.00.
- (iii) Incorrect information on Boating Guide needed updating; information needed changing.
- (iv) Disposed (recycled); Currently stored – scheduled for disposal.

Public Transport Authority

- (a) Yes.
- (b) (i) Route 414 Bulletin - Service Change; Bus Poster - Missing Train; Bus Poster - Peace of Mind; School Bus Services – Poster; Concession Passes Brochure; School Bus Services – Flyer; Pensioner SmartRider Brochure; TransBunbury Brochure; SmartRider Student Form; SmartRider Concession Form; SmartRider Registration Form; School Bus Services - Register to use an orange School Bus – Flyer; Routes 16 and 950 Bulletin - Service Change; Bus Poster - Access All Areas; Get on Board Website Promotional Flyers; Bus Poster - Northern Suburbs Service Changes; Butler Station Brochure; Flyer - Northern Suburbs Service Changes; SmartRider Concession Form ; SmartRider Registration Form; Train Poster – Royal Show Transport Services; School Special Service Change Bulletin - Northern Suburbs; SmartRider Tertiary Form; Ticket & Fare Guide Brochure; Mandurah Service Change Bulletin; Route 564 and 565 Service Change Bulletin; Routes 81 and 381 Service Change Bulletin; Routes 583 and 604 Service Change Bulletin; Midland Service Change Bulletin; Southern Suburbs Service Change Bulletin; Cockburn Service Change Bulletin; SmartRider Form; SmartRider Form; Seniors SmartRider Brochure; A4 Fare increase / Zone Map; A3 Fares / Zone Map Flyer; Busselton Fare Guide Flyer; Bunbury Fare Guide Flyer; Kalgoorlie Fare Guide Flyer; Geraldton Fare Guide Flyer; Port Headland Fare Guide Flyer; Albany Fare Guide Flyer; Route 885 and 889 Service Change Bulletin; Tickets and Fares Guide Brochure; SmartRider Form – Autoload; SmartRider Form – Tertiary; SmartRider Form – Concession; School Changes 2015 Bulletin; TransCollie Brochure; Communication Pads; SmartRider Guide; A5 Driver Info News; Festive Season Service Information Bulletin; AvonLink Service Information Flyer; Christmas Pageant Service Information Bulletin; TransBunbury Schools Bulletin; On the Move' Service Change Bulletins; On the Move' Service Change Bulletins; On the Move' Service Change Brochure; Ticket and Fare Guide; Route 98 and 521 Service Change Bulletin; Pinjarra SHS Service Change Bulletin; SmartRider Autoload Form; SmartRider Tertiary Form; SmartRider - Cancellation of Autoload Form; Route 15 Proposed Service Change Bulletin; SmartRider Concession Form; SmartRider Student Form; SmartRider Registration Form; Routes 158 & 825 Service Change Bulletin; Routes 311, 331 and 332 Service Change Bulletin; Route 212 Service Change Bulletin; Route 458 Service Change Bulletin; Easter Service Information Flyer; Freeway Bike Hike Service Information Flyer; AvonLink Service Information Flyer; Get on Board Promotional Card; Tickets & Fares Guide; Veteran SmartRider Form; Fiona Stanley Information Flyer; ANZAC Day Service Information Flyer; Route 81 and 85 Service Change Bulletin; V8 Supercars Service Information Flyer; Canning Highway Service Change Bulletin; Routes 558 and 562 Service Change Bulletin; Routes 106 and 111 Service Change Bulletin; Routes 376 and 379 Service Change Bulletin; Routes 17 and 406 Service Change Bulletin; Routes 564 and 568 Service Change Bulletin; Routes 483 and 484 Service Change Bulletin; Phone Application Flyer; SmartRider Guide; Regional Tertiary Form; Tertiary SmartRider Form; SmartRider Concession Form; SmartRider Cancellation of Autoload Form; A3 Fares Increase / Zone Map Flyer; A4 Fare Increase / Zone Map Flyer; Paid Parking Information Brochure; Seniors Information Brochure; Get on Board Promotional Card; Cash Tray Sticker; Route 111 Service Change Bulletin; Kalgoorlie Fare Guide Flyer; Geraldton Fare Guide Flyer; Ticket and Fare Guide; Service Changes Bulletin; Concession Pass Information Flyer; Pensioner SmartRider Information Flyer; Bunbury Fare Guide Flyer; Albany Fare Guide Flyer;

Busselton Fare Guide Flyer; Port Headland Fare Guide Flyer; July Service Changes Flyer; SmartRider Concession Form; Track Closures Information Flyer; Transperth InfoNews Flyer; Baldivis Consultation Flyer; Escalator Safety – Brochure; Bike Shed – Brochure; Get on Board promotional Bookmarks; Concession Passes; Concession Passes; Seniors Card Update Pads; Concession Passes; Ticket and Fare Guide; September Service Changes Flyer; Pensioner SmartRider Brochure; SmartRider Concession Form; SmartRider Concession Form; September Service Changes Flyer; Seniors Card Information Pads; Royal Show Service Information Flyer; Routes 220, 249 and 527 Service Change Bulletin; Route 990 Service Change Bulletin; TransHedland Service Information brochure; Routes 104, 105 and 106 Service Change Brochure; Transperth InfoNews Flyer; Baldivis Service Information Flyer; Route 952 Consultation Flyer; SmartRider Guide; Bike Safety Hangers; Bike Safety Brochure; Route 380 Service Change Flyer; Kambalda & Coolgardie Service Information Brochure; Passenger Assistance Cards; TransHedland Service Information Brochure; Route 301 Service Change Flyer; Kambalda & Coolgardie Service Information Brochure; SmartRider Form; AC/DC Concert Service Information Flyer; All Schools Major Timetable Change Flyer; Route 340 Service Change Bulletin; All Schools Major Timetable Change Bulletin; Route Service Change Bulletin; Drivers Info News; SmartRider Tertiary Form; SmartRider Tertiary Form; Christmas Pageant Service Information Bulletin – Trains; Major Timetable Changes Brochure; Escalator Safety Brochure; SmartRider Form; Skyworks Service Information Bulletin; SmartRider Form; February 21 Service Change Bulletin; Ticket and Fare Guide; Right Track – A5 Urban Art Flyer ; Right Track – A5 General Info Flyer; Right Track Flyers; Right Track Flyers; City of Gosnells Right Track Dance Party Postcard Flyers; Transnews - July 2014 Edition; Transnews - August 2014 Edition; Transnews - September 2014 Edition; Transnews - October 2014 Edition; Transnews - November 2014 Edition; Transnews - December 2014 Edition; Transnews - February 2015 Edition Printing; Transnews - March 2015 Edition Printing; Transnews - April 2015 Edition; Transnews - May 2015 Edition; Transnews - June 2015 Edition; Transnews - July 2015 Edition; Transnews - August 2015 Edition; Transnews - September 2015 Edition; Transnews - October 2015 Edition; Transnews - November 2015 Edition; Transnews - December 2015 Edition; Transnews - February 2016 Edition; Edgewater Multi-storey Car Park Fact Sheet; Aubin Grove: Project Update 1; Edgewater Multi-storey Car Park Fact Sheet; Aubin Grove: Fact Sheet 1; Aubin Grove: Fact Sheet 2; A New Level of Public Transport - Flyer for School Children re Busport; Search for a New Way to Catch Your Train Booklet - 480 Bays at Edgewater Car Park; Forrestfield-Airport Link PDP Summary; Forrestfield-Airport Link Fact Sheets (4 kinds).

- (ii) \$1 905; \$460; \$474; \$502; \$764; \$565; \$720; \$660; \$505; \$1 170; \$5 270; \$562; \$514; \$570; \$570; \$524; \$1 330; \$590; \$430; \$470; \$470; \$470; \$580; \$520; \$562; \$514; \$1 960; \$710; \$880; \$450; \$715; \$475; \$475; \$475; \$475; \$500; \$2 086; \$628; \$820; \$820; \$1 060; \$813.64; \$970; \$4 240; \$850; \$3 627; \$420; \$650; \$470; \$690; \$691.73; \$3,460; \$2 837.27; \$490; \$580; \$700; \$820; \$460; \$440; \$580; \$700; \$700; \$580; \$440; \$440; \$470; \$3 737; \$6 436; \$690; \$460; \$1 870; \$410; \$694; \$7 159; \$470; \$700; \$520; \$455; \$470; \$470; \$470; \$440; \$440; \$332.50; \$3 405; \$360; \$700; \$700; \$460; \$880; \$710; \$1 420; \$2 140; \$660; \$1 030; \$460; \$487.50; \$487.50; \$2 595; \$685; \$2 080; \$2 320; \$727.50; \$487.50; \$487.50; \$487.50; \$710; \$507; \$3 712; \$850; \$400; \$2 313; \$2 642; \$790; \$2 090; \$1 550; \$3 464; \$1 090; \$2 961.48; \$610; \$2 365; \$642; \$599; \$490; \$820; \$1 983; \$560; \$460; \$1 650; \$440; \$910; \$1 220; \$565; \$3 365; \$1 890; \$790; \$440; \$560; \$450; \$560; \$580; \$560; \$655; \$1 420; \$2 160; \$460; \$650; \$509.09; \$1 020; \$422; \$588.24; \$580; \$9 594; \$980; \$642; \$580; \$696; \$585; \$2 961.48; \$1 215; \$1 015; \$240; \$153.25; \$385; \$2 630; \$2 630; \$2,630; \$2 630; \$2 630; \$2 630; \$2 300; \$2 300; \$2 610; \$2 300; \$2 530; \$2 300; \$2 300; \$2 750; \$2 330; \$2 330; \$2 330; \$2 755; \$1 457.50; \$957; \$1 501.50; \$935; \$2 732.40; \$2 310; \$6 780; \$6 032.

(c) Yes.

(d) (i) City to Surf Service Information Flyer; Edgewater Multi-storey Car park fact sheet.

(ii) \$11 522; \$1 798.

(iii) Flyer contained special event bus service information that the event organiser decided to cancel a short time before the event; Some information was incorrect and a reprint was required.

(iv) Disposed (Recycled through supplier); Disposed (Disposed through confidential bin).

Main Roads

(a) Yes.

- (b) (i) A Guide to Roadside Amenities and Rest Areas; Dongara to Northampton Coastal Route – Corridor Alignment Selection Study – Study Overview August 2015; Carine Night Works Notification - Reid Highway Works; Charles Street Bus Bridge and Busway – December-January 2016 Project Update; Clear the Way DL Brochures; Coalfields Highway Project Update September 2014; Coalfields Highway Project Update September 2015; Dongara to Geraldton Coastal Route August 2015; Dongara to Northampton Coastal Route Corridor Alignment Selection Study; Ennis Ave-Port Kennedy Drive Intersection Upgrade April 2015; Fremantle Traffic and Rail Bridges Pier Protection Works: March 2015; Gateway WA Factsheet Roe Highway/Berkshire Road Interchange; Gateway WA Interchange Factsheets; Gateway WA Newsletter August 2014; Gateway WA Newsletter October 2014; Gateway WA Newsletter December 2014; Gateway WA Newsletter March 2015; Gateway WA Newsletter June 2015; Gateway WA Newsletter and Survey September 2015; Gateway WA Newsletter December 2015; Gateway WA Survey; Gateway WA Sustainability Factsheet; Graham Farmer Freeway and East Parade Intersection Upgrade Project Overview and Works Start; Great Northern Highway: Muchea to Wubin Upgrade November 2014; Great Northern Highway: Muchea to Wubin Upgrade March 2015; Great Northern Highway: Muchea to Wubin Upgrade November 2015; Information Sheet Road Closures - Reid Highway Works; Kwinana Freeway Southbound Widening Project Newsletter #2 September 2014; Kwinana Freeway Southbound Widening Project Newsletter #3 March 2015 – Kwinana Freeway Widening; Kwinana Freeway Southbound Widening Project Newsletter #4 September 2015; Kwinana Freeway Southbound Widening Project Newsletter #5 November 2015; Kwinana Freeway Widening: Armadale Road to Russell Road June 2015; Lloyd Street Rail Corridor Grade Separation September 2014; Lloyd Street Rail Corridor Grade Separation December 2014; Lloyd Street Rail Corridor Grade Separation April 2015; Lloyd Street Rail Corridor Grade Separation September 2015; Main Roads Coalfields Newsletter; Mass Limit of Typical Heavy Vehicles Poster; Mitchell Freeway Extension Newsletter July 2014; Mitchell Freeway Extension Newsletter November 2014; Mitchell Freeway Extension Newsletter July 2015; Mitchell Freeway Extension Newsletter October 2015; Mitchell Freeway Extension Newsletter January 2016; North West Coastal Highway Project Newsletter; NorthLink WA Newsletters dated October 2014, April 2015 and March 2016 (currently in production); Pedestrian Countdown Timer Flyers; Perth Freight Link – Project Overview Leaflet; Project newsletter July 2015 - Reid Highway Works; Project Newsletter November 2015 - Reid Highway Works; Property Condition Fact Sheet - Reid Highway Works; Reid Highway Works - Fact Sheet #2; Reid Highway Works - Notification (roadworks); Roe 8 – Keeping Our Kids Safe leaflets; South Western Highway Upgrade: Vasse Highway to Walpole April 2015.
- (ii) \$4 737.70; \$9 683; \$2 024; \$3 500; \$341; \$1 566.47; \$2 651.44; \$6 933.47; \$9 683.47 (printing/postage); \$3 049.15; \$1 524.89; \$1 482.85; \$2 250; \$6 381.13; \$6 381.13; \$6 180; \$6 220.07; \$6 500.74; \$9 422.01; \$1 556; \$1 155; \$1 300; \$1 210.36 est; \$2 031.80; \$1 647.06; \$2 034.37; \$2 798.37; \$6 403; \$2 934; \$4 444; \$8 044; \$990.03; \$6 665.49; \$6 665.49; \$6 351.77; \$5 504.02; \$790.90; \$600; \$6 250 est; \$6 250 est; \$6 250 est; \$6 250 est; \$6 250 est; \$9 063; \$50 180.00; \$162; \$14 681; \$7 838.45; \$2 652.50; \$797.51; \$655; \$807.27; \$8 273.43; \$638.

(c) No.

(d) (i)–(iv) Not applicable

Southern Ports Authority

(a) Yes.

(b) (i) RePort – Port of Esperance Newsletter Issue 7; RePort – Port of Esperance Newsletter Issue 8; RePort – Port of Esperance Newsletter Issue 9; RePort – Port of Esperance Newsletter Issue 10; RePort – Port of Esperance Newsletter Issue 11; RePort – Port of Esperance Newsletter Issue 12; RePort – Port of Esperance Newsletter Issue 13; RePort – Port of Esperance Newsletter Issue 14; Sailing Ships and Settlements Brochure; Sailing Ships and Settlements Brochure (50th Anniversary Edition).

(ii) \$2 650; \$2 550; \$2 405; \$2 805; \$2 550; \$2 665; \$2 500; \$2 500; \$1 700; \$2 435.

(c) No.

(d) (i)–(iv) Not Applicable.

Fremantle Ports Authority

(a) Yes.

- (b) (i) Portfolio (5 quarterly issues of community newsletter); Code of Conduct 2015; Maritime Day Kids flyer; Truck Productivity Study 2014.
- (ii) \$78 277; \$5 486; \$2 310; \$12 049.
- (c) No.
- (d) (i)–(iv) Not Applicable.

Pilbara Ports Authority

- (a) Yes.
- (b) Ports Handbook – Port of Port Hedland 2016; Port Statistics brochure.
- (ii) \$4 125; \$434.
- (c) No.
- (d) (i)–(iv) Not Applicable.

Kimberley Ports Authority

- (a) No.
- (b) (i)–(ii) Not Applicable.
- (c) No.
- (d) (i)–(iv) Not Applicable.

Mid West Ports Authority

- (a) No.
- (b) (i)–(ii) Not Applicable.
- (c) No.
- (d) (i)–(iv) Not Applicable.

ATTORNEY GENERAL — PORTFOLIOS — PRINTED PUBLICATIONS

4934. Mr B.S. Wyatt to the Minister representing the Attorney General; Minister for Commerce:

For each agency, department and Government Trading Enterprise within the Minister's responsibility since 1 July 2014:

- (a) has the organisation produced, printed and distributed/displayed any leaflets, booklets, guides, pamphlets or similar publications with a print-run of 500 copies or more;
- (b) if yes to (a):
 - (i) what was the name, title or subject of the publication; and
 - (ii) what was the cost of the publication;
- (c) has the organisation produced, printed and thereafter *not* distributed/displayed any leaflets, booklets, guides, pamphlets or similar publications with a print-run of 500 copies or more; and
- (d) if yes to :
 - (i) what was the name, title or subject of the publication;
 - (ii) what was the cost of the publication;
 - (iii) why wasn't the publication distributed or displayed after printing; and
 - (iv) was the publication stored, pulped or otherwise disposed of and if yes, how was it disposed of?

Mrs L.M. Harvey replied:

Corruption and Crime Commission

- (a) No.
- (b) N/A.
- (c) No.
- (d) N/A.

Commissioner for Children and Young People

- (a) Yes.
- (b) [See tabled paper no 3967.]
- (c) All publications have been distributed.
- (d) N/A.

Department of Commerce

- (a) Yes.
- (b) [See tabled paper no 3967.]
- (c) No.
- (d) N/A.

Department of the Attorney General

- (a) Yes.
- (b) [See tabled paper no 3967.]
- (c) No.
- (d) N/A.

Office of the Director of Public Prosecutions

- (a) Yes.
- (b) [See tabled paper no 3967.]
- (c) No.
- (d) N/A.

Equal Opportunity Commission

- (a) Yes.
- (b) [See tabled paper no 3967.]
- (c) No.
- (d) N/A.

Office of the Information Commissioner

- (a) No.
- (b) N/A.
- (c) No.
- (d) N/A.

Legal Aid

- (a) No.
- (b) N/A.
- (c) No.
- (d) N/A.

Legal Practice Board of Western Australia

- (a) No.
- (b) N/A.
- (c) No.
- (d) N/A.

Legal Profession Complaints Committee

- (a) No.
- (b) N/A.
- (c) No.
- (d) N/A.

State Solicitor's Office

- (a) No.
- (b) N/A.
- (c) No.
- (d) N/A.

Solicitor General's Office

- (a) No.
- (b) N/A.
- (c) No.
- (d) N/A.

The Department of the Registrar, WA Industrial Relations Commission

- (a) No.
- (b) N/A.
- (c) No.
- (d) N/A.

WorkCover

- (a) Yes.
- (b) [See tabled paper no 3967.]
- (c) Yes.
- (d)
 - (i) Flyer and promotional cards titled 'Information for Injured Workers'.
 - (ii) \$700 (\$200 recouped via attendance fees at Injury Management Conference).
 - (iii) Design issue.
 - (iv) Pulped via secure disposal.

MINISTER FOR POLICE — PORTFOLIOS — PRINTED PUBLICATIONS

4936. Mr B.S. Wyatt to the Minister for Police; Road Safety; Training and Workforce Development; Women's Interests:

For each agency, department and Government Trading Enterprise within the Minister's responsibility since 1 July 2014:

- (a) has the organisation produced, printed and distributed/displayed any leaflets, booklets, guides, pamphlets or similar publications with a print-run of 500 copies or more;
- (b) if yes to (a):
 - (i) what was the name, title or subject of the publication; and
 - (ii) what was the cost of the publication;
- (c) has the organisation produced, printed and thereafter *not* distributed/displayed any leaflets, booklets, guides, pamphlets or similar publications with a print-run of 500 copies or more; and
- (d) if yes to :
 - (i) what was the name, title or subject of the publication;
 - (ii) what was the cost of the publication;
 - (iii) why wasn't the publication distributed or displayed after printing; and
 - (iv) was the publication stored, pulped or otherwise disposed of and if yes, how was it disposed of?

Mrs L.M. Harvey replied:

Western Australia Police

- (a) Yes.
- (b) [See tabled paper no 3959.]
- (c) Yes.
- (d) [See tabled paper no 3959.]

Road Safety Commission

- (a) Yes.

(b)

(i) Title of publication	(ii) Cost
12 Most Asked About Road Rules	\$2 300
Share our Roads Wallet card	\$431

(c) No.

(d) Not applicable.

Department of Training and Workforce Development

(a) Yes.

(b) [See tabled paper no 3959.]

(c) No.

(d) Not applicable.

Central Institute of Technology

(a) Yes.

(b) [See tabled paper no 3959.]

(c) Yes.

(d) [See tabled paper no 3959.]

Challenger Institute of Technology

(a) Yes.

(b) [See tabled paper no 3959.]

(c) No.

(d) Not applicable.

CY O'Connor Institute

(a) Yes.

(b) [See tabled paper no 3959.]

(c) No.

(d) Not applicable.

Durack Institute of Technology

(a) Yes.

(b) [See tabled paper no 3959.]

(c) No.

(d) Not applicable.

Goldfields Institute of Technology

(a) Yes.

(b) [See tabled paper no 3959.]

(c) No.

(d) Not applicable.

Great Southern Institute of Technology

(a) Yes.

(b) [See tabled paper no 3959.]

(c) No.

(d) Not applicable.

Kimberley Training Institute

(a) Yes.

(b) [See tabled paper no 3959.]

(c) No.

(d) Not applicable.

Pilbara Institute

- (a) Yes.
- (b) [See tabled paper no 3959.]
- (c) No.
- (d) Not applicable.

Polytechnic West

- (a) Yes.
- (b) [See tabled paper no 3959.]
- (c) Yes.
- (d) [See tabled paper no 3959.]

South West Institute of Technology

- (a) No.
- (b) Not applicable.
- (c) No.
- (d) Not applicable.

West Coast Institute of Training

- (a) Yes.
- (b) [See tabled paper no 3959.]
- (c) No.
- (d) Not applicable.

Department of Education Services

The Department of Education Services is accountable to the Minister for Training and Workforce Development for supporting the Training Accreditation Council. For its other functions the Department is accountable to the Minister for Education. The Department of Education Services is included in the response to the question from the Minister for Education; Aboriginal Affairs; Electoral Affairs.

Building Construction and Industry Training Fund

- (a) Yes.
- (b)

(i) Title of publication	(ii) Cost
Six steps to employing an apprentices	\$1 087
Schools 2 Skills - VET in Schools for construction	\$6 339
Careers in Construction	\$2 986
Tradies' Shorts	\$2 491
Encourage your Apprentice	\$1 901

- (c) No.
- (d) Not applicable.

Department of Local Government and Communities

Women's Interests is administratively supported as part of the Department of Local Government and Communities and, as such, the response will be included in the Department of Local Government and Communities' response under the Minister for Local Government; Community Services; Seniors and Volunteering; Youth.

MINISTER FOR PLANNING — PORTFOLIOS — PRINTED PUBLICATIONS

4937. Mr B.S. Wyatt to the Minister for Planning; Culture and the Arts:

For each agency, department and Government Trading Enterprise within the Minister's responsibility since 1 July 2014:

- (a) has the organisation produced, printed and distributed/displayed any leaflets, booklets, guides, pamphlets or similar publications with a print-run of 500 copies or more;

- (b) if yes to (a):
 - (i) what was the name, title or subject of the publication; and
 - (ii) what was the cost of the publication;
- (c) has the organisation produced, printed and thereafter *not* distributed/displayed any leaflets, booklets, guides, pamphlets or similar publications with a print-run of 500 copies or more; and
- (d) if yes to :
 - (i) what was the name, title or subject of the publication;
 - (ii) what was the cost of the publication;
 - (iii) why wasn't the publication distributed or displayed after printing; and
 - (iv) was the publication stored, pulped or otherwise disposed of and if yes, how was it disposed of?

Mr J.H.D. Day replied:

Department of Planning and Western Australian Planning Commission

- (a) Yes.
- (b) (i)–(ii) [See tabled paper no 3961.]
- (c) No.
- (d) Not applicable.

Metropolitan Redevelopment Authority

- (a) Yes.
- (b) (i)–(ii) [See tabled paper no 3961.]
- (c) No.
- (d) Not applicable.

Department of Culture and the Arts

- (a) Yes.
- (b) (i)–(ii) [See tabled paper no 3961.]
- (c) No.
- (d) Not applicable.

Art Gallery of Western Australia

- (a) Yes.
- (b) (i)–(ii) [See tabled paper no 3961.]
- (c) No.
- (d) Not applicable.

Perth Theatre Trust

- (a) Yes.
- (b) (i)–(ii) [See tabled paper no 3961.]
- (c) No.
- (d) Not applicable.

ScreenWest

- (a) Yes.
- (b) (i)–(ii) [See tabled paper no 3961.]
- (c) No.
- (d) Not applicable.
- (a) Yes.
- (b) (i)–(ii) [See tabled paper no 3961.]
- (c) No.
- (d) Not applicable.

State Records Office

- (a) Yes.
- (b) (i)–(ii) [See tabled paper no 3961.]
- (c) No.
- (d) Not applicable.

Western Australian Museum

- (a) Yes.
- (b) (i)–(ii) [See tabled paper no 3961.]
- (c) No.
- (d) Not applicable.

MINISTER FOR EDUCATION — PORTFOLIOS — PRINTED PUBLICATIONS

4938. Mr B.S. Wyatt to the Minister representing the Minister for Education; Aboriginal Affairs; Electoral Affairs:

For each agency, department and Government Trading Enterprise within the Minister's responsibility since 1 July 2014:

- (a) has the organisation produced, printed and distributed/displayed any leaflets, booklets, guides, pamphlets or similar publications with a print-run of 500 copies or more;
- (b) if yes to (a):
 - (i) what was the name, title or subject of the publication; and
 - (ii) what was the cost of the publication;
- (c) has the organisation produced, printed and thereafter *not* distributed/displayed any leaflets, booklets, guides, pamphlets or similar publications with a print-run of 500 copies or more; and
- (d) if yes to :
 - (i) what was the name, title or subject of the publication;
 - (ii) what was the cost of the publication;
 - (iii) why wasn't the publication distributed or displayed after printing; and
 - (iv) was the publication stored, pulped or otherwise disposed of and if yes, how was it disposed of?

Mr J.H.D. Day replied:

Department of Aboriginal Affairs

- (a) Yes.
- (b) (i) *They Served with Honour: Untold Stories of Western Australian Aboriginal Servicemen at Gallipoli.*
- (ii) \$34,942.
- (c) No.
- (d) (i)–(iv) Not applicable.

Department of Education Services

- (a) Yes.
- (b) (i) "We Are Moving" poster was developed by the Teacher Registration Board WA and distributed to all schools in the State, advising of the shift to new premises in November 2014.
- (ii) \$1,000.
- (c) No.
- (d) (i)–(iv) Not applicable.

Department of Education

- (a) Yes.
- (b) (i)–(ii) [See tabled paper no 3964.]

- (c) Yes.
- (d) (i) Aboriginal Cultural Standards Framework.
- (ii) \$866 .
- (iii) Further changes were made to the framework following feedback from senior Aboriginal Elders.
- (iv) Pulped.

Country High School Hostels Authority

- (a) No.
- (b) (i)–(ii) Not applicable.
- (c) No.
- (d) (i)–(iv) Not applicable.

School Curriculum and Standards Authority

- (a) Yes.

(i) Name, title or subject of the publication	(ii) Cost of the publication ex GST (\$)
Information Poster: 'Our Roles and Responsibilities'	\$1,063.70
2014 Brochure: The WACE – Your guide to the WACE	\$2,090
2015 Brochure: The WACE – Your guide to the WACE	\$2,970

- (c) No.
- (d) (i)–(iv) Not applicable.

Western Australian Electoral Commission.

- (a) No.
- (b) (i)–(ii) Not applicable.
- (c) No.
- (d) (i)–(iv) Not applicable.

MINISTER FOR REGIONAL DEVELOPMENT — PORTFOLIOS — PRINTED PUBLICATIONS

4939. Mr B.S. Wyatt to the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development:

For each agency, department and Government Trading Enterprise within the Minister's responsibility since 1 July 2014:

- (a) has the organisation produced, printed and distributed/displayed any leaflets, booklets, guides, pamphlets or similar publications with a print-run of 500 copies or more;
- (b) if yes to (a):
 - (i) what was the name, title or subject of the publication; and
 - (ii) what was the cost of the publication;
- (c) has the organisation produced, printed and thereafter *not* distributed/displayed any leaflets, booklets, guides, pamphlets or similar publications with a print-run of 500 copies or more; and
- (d) if yes to :
 - (i) what was the name, title or subject of the publication;
 - (ii) what was the cost of the publication;
 - (iii) why wasn't the publication distributed or displayed after printing; and
 - (iv) was the publication stored, pulped or otherwise disposed of and if yes, how was it disposed of?

Mr D.T. Redman replied:

Department of Regional Development

- (a) Yes.
- (b) [See tabled paper no 3963.]
- (c) No.
- (d) (i)–(iv) Not applicable.

Department of Lands

- (a) Yes.
- (b) (i)
 1. Wittenoom Information on the Former town of Wittenoom;
 2. Pastoral Lease Renewal Information Pack 2015;
 3. Creating opportunities and unlocking potential Land Asset Sales Program.
- (ii)
 1. \$287.10.
 2. \$5 370.66.
 3. \$9 343.95.
- (c) No.
- (d) (i)–(iv) Not applicable.

LandCorp

- (a) Yes. As a retailer of land, LandCorp produces sales materials for each land development project which are specifically related to sales. In terms of corporate leaflets, booklets, guides, pamphlets or similar publications – please see attached.
- (b) [See tabled paper no 3963.]
- (c) No.
- (d) (i)–(iv) Not applicable.

Landgate

- (a) Yes.
- (b) (i)
 1. Property Interest Report
 2. Property Interest Report
 3. Property Interest Report
 4. Property Interest Report
 5. Property Interest Report
 6. Property Interest Report
 7. Property Interest Report Guide
 8. Property Interest Report – Why I need it
 9. Property Reports
 10. Values
 11. Pastures from Space
 12. Agimage
 13. WALIS State Capture Program
 14. Partnerships in Place
 15. Title Watch
 16. Title Watch
 17. Property Sales
 18. Annual Report overview
 19. Capability Statement
 20. A Guide to Strata Titles
 21. Quantum GIS
 22. Certificates of Title
 23. Certificates of Title
 24. Gross Rental Values
 25. Putting the Focus on Your Property Valuation
 26. SLIP Services
 27. Earthmine
 28. Transform

- (ii)
 - 1. \$515
 - 2. \$420
 - 3. \$514.36
 - 4. \$380
 - 5. \$395
 - 6. \$660
 - 7. \$514.82
 - 8. \$760
 - 9. \$197.50
 - 10. \$1540
 - 11. \$197.50
 - 12. \$197.50
 - 13. \$147.50
 - 14. \$147.50
 - 15. \$380
 - 16. \$430
 - 17. \$430
 - 18. \$1170
 - 19. \$525
 - 20. \$3440
 - 21. \$253
 - 22. \$395
 - 23. \$197.50
 - 24. \$1510
 - 25. \$1250
 - 26. \$380
 - 27. \$180
 - 28. \$1030

(c) No.

(d) (i)–(iv) Not Applicable.

Gascoyne Development Commission

(a) Yes.

(b) (i) High Water and Hope: Stories of the 2010 Gascoyne Flood.

(ii) \$9 099.

(c) No.

(d) (i)–(iv) Not applicable.

Goldfields Esperance Development Commission

(a) No.

(b) (i)–(ii) Not Applicable.

(d) (i)–(iv) Not Applicable.

Great Southern Development Commission

(a) Yes.

- (b) (i)
 - 1. GSDC Bulletin #37
 - 2. GSDC Bulletin #38
 - 3. GSDC Bulletin #39
 - 4. GSDC Bulletin #40
 - 5. Great Southern Regional Investment Blueprint Overview

- (ii)
 - 1. \$681.80
 - 2. \$681.80
 - 3. \$818.80
 - 4. \$681.80
 - 5. \$3 655
- (c) No.
- (d) (i)–(iv) Not applicable.
- Kimberley Development Commission
- (a) No.
- (b) (i)–(ii) Not Applicable.
- (d) (i)–(iv) Not Applicable.
- Mid West Development Commission
- (a) Yes.
- (b) (i)
 - 1. Gascoyne Murchison Outback Pathways Trail Brochure
 - 2. Mid West Regional Blue Print
 - 3. A business Development Strategy for the Mid West
- (ii)
 - 1. \$1 946.70
 - 2. \$68,464.99
 - 3. \$2 741.82
- (c) No.
- (d) (i)–(iv) Not applicable
- Peel Development Commission
- (a) Yes.
- (b) (i)
 - 1. Peel Regional Investment Blueprint - At a Glance V2
 - 2. Peel Magazine - Winter/Spring 2015
 - 3. Peel Magazine - Spring/Summer 2015
- (ii)
 - 1. \$6 125.00
 - 2. \$8 645.79
 - 3. \$8 316.96
- (c) No.
- (d) (i)–(iv) Not applicable.
- Pilbara Development Commission
- (a)–(d) [See tabled paper no 3963.]
- Southwest Development Commission
- (a)–(d) [See tabled paper no 3963.]
- Wheatbelt Development Commission
- (a) No.
- (b) (i)–(ii) Not Applicable.
- (d) (i)–(iv) Not Applicable.

MINISTER FOR TRANSPORT — PORTFOLIOS — END OF YEAR FUNCTIONS

4943. Mr B.S. Wyatt to the Minister for Transport:

For each department, agency, commission and Government Trading Enterprise within the Minister's portfolio of responsibilities:

- (a) did the organisation's Corporate Executive/Executive Committee/Leadership Team hold a Christmas or end of year function in 2015 and, if so:
 - (i) how many persons attended;
 - (ii) where was the function held; and
 - (iii) what was the cost of the function to the organisation; and

- (b) where a Board or Committee exists, did the organisation's Boards or Committees hold a Christmas or end of year function in 2015 and, if so, for each Board and Committee:
- (i) what is the name of the Board or Committee;
 - (ii) how many persons attended;
 - (iii) where was the function held; and
 - (iv) what was the cost of the function to the organisation?

Mr D.C. Nalder replied:

Department of Transport

- (a) No.
 (b) Not Applicable.

Main Roads

- (a) No.
 (b) Not Applicable.

Public Transport Authority

- (a) No.
 (b) Not Applicable.

Southern Ports Authority

- (a) Yes.
- (i) Port of Albany customers – 110; Port of Albany Staff – 24; Port of Esperance Customers and staff – 158; Port of Esperance – 88; Southern Ports Authority – 8; Port of Bunbury – 52.
 - (ii) Albany Port Office; Boston Brewery; Port Authority Park; Bay of Isles Leisure Centre – Swimming Pool; Gordon Street Café Perth; Casellas Restaurant Bunbury.
 - (iii) \$3 708; 1 593; \$4 260; \$3 255; \$300; \$4 500.
- (b) No.

Fremantle Port Authority

- (a) Yes.
- (i) approximately 150 staff.
 - (ii) Fremantle Ports – B Shed.
 - (iii) \$3 995.
- (b) No.

Pilbara Ports Authority

- (a) Yes.
- (i) Perth Staff – 52; Dampier Staff – 52; Port Headland Staff - 65.
 - (ii) Bells Function Centre – Perth; Soul Café – Karratha; Port Hedland Yacht Club – Port Hedland.
 - (iii) \$4 970; \$4 000; \$5 732.
- (b) No.

Kimberley Ports Authority

- (a) Yes.
- (i) 64.
 - (ii) Kimberley Sands – Broome.
 - (iii) \$4 542.
- (b) No.

Mid West Ports Authority

- (a) Yes.
- (i) 89.
 - (ii) Geraldton Club.
 - (iii) \$9 082.

- (b) Yes.
 - (i) MWPA Board
 - (ii) 13.
 - (iii) Skeetas Restaurant – Geraldton.
 - (iv) \$1 343.

ATTORNEY GENERAL — PORTFOLIOS — END OF YEAR FUNCTIONS

4951. Mr B.S. Wyatt to the Minister representing the Attorney General; Minister for Commerce:

For each department, agency, commission and Government Trading Enterprise within the Minister's portfolio of responsibilities:

- (a) did the organisation's Corporate Executive/Executive Committee/Leadership Team hold a Christmas or end of year function in 2015 and, if so:
 - (i) how many persons attended;
 - (ii) where was the function held; and
 - (iii) what was the cost of the function to the organisation; and
- (b) where a Board or Committee exists, did the organisation's Boards or Committees hold a Christmas or end of year function in 2015 and, if so, for each Board and Committee:
 - (i) what is the name of the Board or Committee;
 - (ii) how many persons attended;
 - (iii) where was the function held; and
 - (iv) what was the cost of the function to the organisation?

Mrs L.M. Harvey replied:

Corruption and Crime Commission

- (a) No.
- (b) N/A.

Commissioner for Children and Young People

- (a) No.
- (b) N/A.

Department of Commerce

- (a) Yes.
 - (i) 7
 - (ii) Table 78 Restaurant, West Perth
 - (iii) Nil.
- (b) Yes.
 - (i) A combined function was held for the Plumbers Licensing Board and the Building Services Board.
 - (ii) 16.
 - (iii) Department of Commerce, 303 Sevenoaks Street, Cannington.
 - (iv) \$178.15.

Department of the Attorney General

- (a) No.
- (b) N/A.

Office of the Director of Public Prosecutions

- (a) No.
- (b) N/A.

Equal Opportunity Commission

- (a) No.
- (b) N/A.

Office of the Information Commissioner

- (a) No.
- (b) N/A.

Legal Aid

- (a) No.
- (b) N/A.

Legal Practice Board of Western Australia

- (a) No.
- (b) Yes.
 - (i) The Legal Practice Board of Western Australia.
 - (ii) 70.
 - (iii) The Legal Practice Board of Western Australia. Perth.
 - (iv) \$3,799.65 (ex GST).

State Solicitor's Office

- (a) No.
- (b) N/A.

Solicitor General's Office

- (a) No.
- (b) N/A.

The Department of the Registrar, WA Industrial Relations Commission

- (a) No.
- (b) N/A.

WorkCover

- (a) No.
- (b) N/A.

MINISTER FOR EDUCATION — PORTFOLIOS — END OF YEAR FUNCTIONS

4955. Mr B.S. Wyatt to the Minister representing the Minister for Education; Aboriginal Affairs; Electoral Affairs:

For each department, agency, commission and Government Trading Enterprise within the Minister's portfolio of responsibilities:

- (a) did the organisation's Corporate Executive/Executive Committee/Leadership Team hold a Christmas or end of year function in 2015 and, if so:
 - (i) how many persons attended;
 - (ii) where was the function held; and
 - (iii) what was the cost of the function to the organisation; and
- (b) where a Board or Committee exists, did the organisation's Boards or Committees hold a Christmas or end of year function in 2015 and, if so, for each Board and Committee:
 - (i) what is the name of the Board or Committee;
 - (ii) how many persons attended;
 - (iii) where was the function held; and
 - (iv) what was the cost of the function to the organisation?

Mr J.H.D. Day replied:

Department of Aboriginal Affairs

- (a) Yes.
- (i) Six.
- (ii) Bistro Des Artistes, 424 Hay St, Subiaco WA 6008.
- (iii) \$0. Participants paid for themselves.
- (b) (i)–(iv) None of the Department of Aboriginal Affairs statutory Boards or Committees held an end of year function in 2015.

Department of Education Services

- (a) No.
- (b) Not applicable.

Department of Education

- (a) No.
- (b) Agricultural education sites have local Agricultural Advisory Committees. The following table details the sites that provided Christmas or end of year functions in 2015:

School	(i)	(ii)	(iii)	(iv)
Western Australian College of Agriculture – Cunderdin	Agricultural Advisory Committee	14	Cunderdin Hotel	505
Mount Barker Community College	Agricultural Advisory Committee	29	Mt Barker Hotel	1,150

School councils and boards are not included in this response.

Country High School Hostels Authority

- (a) No.
- (b) Not applicable.

School Curriculum and Standards Authority

- (a) No.
- (b) Not applicable.

Western Australian Electoral Commission

- (a) Yes.
- (i) 30 people.
- (ii) Hyatt Regency.
- (iii) Nil.
- (b) Not applicable.

MINISTER FOR HOUSING — PORTFOLIOS — CONFERENCES, SEMINARS AND WORKSHOPS

4960. Mr B.S. Wyatt to the Minister representing the Minister for Housing; Racing and Gaming:

Since 1 July 2014, have any officers or board members of a each department, agency, Commission or Government Trading Enterprise (GTE) within the Minister's portfolio of responsibilities attended a conference, seminar or workshop organised by a private organisation for which attendance was paid for by the department, agency, Commission or GTE, and if yes:

- (a) what was the name of the event attended by the officer or board member;
- (b) on what date was the event;
- (c) where was the event held;
- (d) how many officers or board members attended;
- (e) what is the name of the organiser or facilitator of the event; and
- (f) what was the ticket or entry cost of attendance for each officer or board member, and what was the cost of any travel or accommodation as part of the officer or board member's attendance?

Mr D.T. Redman replied:

Burswood Park Board; Western Australian Greyhound Racing Association

No.

(a)–(f) Not applicable.

Department of Racing, Gaming and Liquor; Racing and Wagering Western Australia

Yes.

(a)–(f) [See tabled paper no 3970.]

Housing Authority

My Department advises me that answering this question will require extensive and time consuming analysis. I am not prepared to divert valuable staff resources away from other duties to undertake this task. If the Member has a specific query, I will endeavour to provide a reply.

MINISTER FOR TRANSPORT — CONFERENCES, SEMINARS AND WORKSHOPS

4961. Mr B.S. Wyatt to the Minister for Transport:

Since 1 July 2014, have any officers or board members of a department, agency, Commission or Government Trading Enterprise (GTE) within the Minister's portfolio of responsibilities attended a conference, seminar or workshop organised for which attendance was paid for by the department, agency, Commission or GTE, and if yes:

- (a) what was the name of the event attended by the officer or board member;
- (b) on what date was the event;
- (c) where was the event held;
- (d) how many officers or board members attended;
- (e) what is the name of the organiser of facilitator of the event; and
- (f) what was the ticket or entry cost of attendance for each officer or board member, and the cost of travel or accommodation as part of the officer or board member's attendance?

Mr D.C. Nalder replied:

- (a)–(f) It is not possible to provide the breakdown requested without exerting considerable time and resources and diverting staff away from their normal duties. If the Member has a specific question about an agency or a particular conference, seminar or workshop I would be happy to consider it.

The total amount paid for staff to attend a conference, seminar or workshop from 1 July 2014–17 February 2016 are as follows:

Department of Transport — \$89 041.96

Public Transport Authority — \$164 592.00

Main Roads — \$74 344.39

Southern Ports Authority — \$42 805.50

Fremantle Ports Authority — \$43 900.00

Pilbara Ports Authority — \$47 701.00

Kimberley Ports Authority — \$48 470.85

Mid-West Ports Authority — \$19 575.81

TREASURER — PORTFOLIOS — CONFERENCES, SEMINARS AND WORKSHOPS

4966. Mr B.S. Wyatt to the Treasurer; Minister for Energy; Citizenship and Multicultural Interests:

Since 1 July 2014, have any officers or board members of a department, agency, Commission or Government Trading Enterprise (GTE) within the Minister's portfolio of responsibilities attended a conference, seminar or workshop organised by a private organisation for which attendance was paid for by the department, agency, Commission or GTE, and if yes:

- (a) what was the name of the event attended by the officer or board member;
- (b) on what date was the event;
- (c) where was the event held;

- (d) how many officers or board members attended;
- (e) what is the name of the organiser or facilitator of the event; and
- (f) what was the ticket or entry cost of attendance for each officer or board member, and the cost of any travel or accommodation as part of the officer or board member's attendance?

Dr M.D. Nahan replied:

Department of Treasury

Yes.

(a)–(f) [See tabled paper no 3958.]

Economic Regulation Authority

Yes.

(a)–(f) [See tabled paper no 3958.]

Government Employees Superannuation Board

Yes.

(a)–(f) [See tabled paper no 3958.]

Horizon Power

Yes.

(a)–(f) [See tabled paper no 3958.]

Note: the attached list includes only those events where staff attended, not those events where staff were invited to speak. Given the timeframe provided, Horizon Power has answered this question on a best effort basis.

I have requested that Horizon Power put appropriate systems in place to capture this data going forward.

Independent Market Operator

The IMO Board and officers are not public sector employees under the Public Sector Management Act s3 and therefore the definition of an 'officer', does not apply to the IMO Board and officers.

(a)–(f) Not applicable.

Insurance Commission of Western Australia

Yes.

(a)–(f) [See tabled paper no 3958.]

Office of Multicultural Interests

- (a) Public Sector Women in Leadership Western Australia Summit.
- (b) 28 and 29 October 2015.
- (c) Novotel Langley Perth.
- (d) Three.
- (e) Liquid Learning Group Pty Ltd.
- (f) \$856.35 per person.

Office of the Auditor General

Yes.

(a)–(f) [See tabled paper no 3958.]

Public Utilities Office

Yes.

(a)–(f) [See tabled paper no 3958.]

Synergy

- (a)–(f) Due to changes made to Synergy's finance system as a result of integrating the two systems that existed under the former Synergy and Verve Energy into one shared platform during the period in question, Synergy's ledger is structured to include cost items outside the scope of the question.

The ledger does not distinguish between events that are coordinated and hosted internally and those run by external third parties, which means the figure will not be a true reflection of what is being requested by the member.

Other factors include conferences are booked months in advance of the event so linking travel and accommodation costs to an event is very difficult; over the timeframe requested there have been many personnel changes so it is impossible to accurately reconcile accommodation/travel costs to specific events; often, conferences are attended by multiple people on a shared ticket and there may not be accurate visibility on the actual attendee.

To manually extract all data for the required categories of the question would take considerable time and resources away from core Synergy business.

I have requested that Synergy put appropriate systems in place to capture this data going forward.

Western Australian Treasury Corporation

Yes.

(a)–(f) [See tabled paper no 3958.]

Western Power

Yes.

(a)–(f) [See tabled paper no 3958.]

Note: Western Power does not keep records on the number of employees who attended conferences, as it regularly shares tickets between staff. Given the timeframe provided, Western Power has answered this question on a best effort basis.

I have requested that Western Power put appropriate systems in place to capture this data going forward.

MINISTER FOR POLICE — PORTFOLIOS — CONFERENCES, SEMINARS AND WORKSHOPS

4971. Mr B.S. Wyatt to the Minister for Police; Road Safety; Training and Workforce Development; Women's Interests:

Since 1 July 2014, have any department, agency, Commission or Government Trading Enterprise (GTE) within the Minister's portfolio of responsibilities attended a conference, seminar or workshop organised by a private organisation for which attendance was paid for by the department, agency, Commission or GTE, and if yes:

- (a) what was the name of the event attended by the officer or board member;
- (b) on what date was the event;
- (c) where was the event held;
- (d) how many officers or board members attended;
- (e) what is the name of the organiser or facilitator of the event; and
- (f) what was the ticket or entry cost of attendance for each officer or board member and the cost of any travel or accommodation as part of the officer or board member's attendance?

Mrs L.M. Harvey replied:

Western Australia Police

(a)–(f) [See tabled paper no 3960.]

Road Safety Commission

(a)–(f) [See tabled paper no 3960.]

Department of Training and Workforce Development

(a)–(f) [See tabled paper no 3960.]

Central Institute of Technology

(a)–(f) [See tabled paper no 3960.]

Challenger Institute of Technology

(a)–(f) [See tabled paper no 3960.]

C Y O'Connor Institute

(a)–(f) [See tabled paper no 3960.]

Durack Institute of Technology

(a)–(f) [See tabled paper no 3960.]

Goldfields Institute of Technology

(a)–(f) [See tabled paper no 3960.]

Great Southern Institute of Technology

(a)–(f) [See tabled paper no 3960.]

Kimberley Training Institute

(a)–(f) [See tabled paper no 3960.]

Pilbara Institute

(a)–(f) [See tabled paper no 3960.]

Polytechnic West

(a)–(f) [See tabled paper no 3960.]

South West Institute of Technology

(a)–(f) [See tabled paper no 3960.]

West Coast Institute of Training

(a)–(f) [See tabled paper no 3960.]

Department of Education Services

The Department of Education Services is accountable to the Minister for Training and Workforce Development for supporting the Training Accreditation Council. For its other functions the Department is accountable to the Minister for Education. The Department of Education Services is included in the response to the question from the Minister for Education; Aboriginal Affairs; Electoral Affairs.

Building Construction and Industry Training Fund

(a)–(f) [See tabled paper no 3960.]

Department of Local Government and Communities

Women's Interests is administratively supported as part of the Department of Local Government and Communities and, as such, the response will be included in the Department of Local Government and Communities' response under the Minister for Local Government; Community Services; Seniors and Volunteering; Youth.

MINISTER FOR EDUCATION — PORTFOLIOS — CONFERENCES, SEMINARS AND WORKSHOPS

4973. Mr B.S. Wyatt to the Minister representing the Minister for Education; Aboriginal Affairs; Electoral Affairs:

Since 1 July 2014, have any officers or board members of a department, agency, Commission or Government Trading Enterprise (GTE) within the Minister's portfolio of responsibilities attended a conference, seminar or workshop organised by a private organisation for which attendance was paid for by the department, agency, Commission or GTE, and if yes:

- (a) what was the name of the event attended by the officer or board member;
- (b) on what date was the event;
- (c) where was the event held;
- (d) how many officers or board members attended;
- (e) what is the name of the organiser or facilitator of the event; and
- (f) what was the ticket or entry cost of attendance for each officer or board member, and the cost of any travel or accommodation as part of the officer or board member's attendance?

Mr J.H.D. Day replied:

Department of Aboriginal Affairs

Yes.

(a)–(f) [See tabled paper no 3965.]

Department of Education

Yes

(a)–(f) [See tabled paper no 3965.]

Department of Education Services

Yes.

(a)–(f)

(a)	(b)	(c)	(d)	(e)	(f)
Royal Commission Forum- Uncovering Professional and Ethical Dilemmas for the Future	16-17 October 2014	Wollaston Conference Centre, Mt Claremont	1	Anglicare	\$100
Global and National Trends Symposium	27 May 2015	Centre for Training Excellence. Northbridge	2	Centre for Training Excellence.	\$350
ANZELA 2015 Conference	28 – 30 September 2015	The Stamford Plaza, Brisbane	2	Australia & New Zealand Education Law Association	\$818 (conference) \$783 (flights) \$1,280 (accomm.)

School Curriculum and Standards Authority

Yes

(a)–(f) [See tabled paper no 3965.]

Country High School Hostels Authority

No.

(a)–(f) Not applicable.

Western Australian Electoral Commission

Yes.

(a)–(f)

(a)	(b)	(c)	(d)	(e)	(f)
Alesco WA Conference	17 September 2015	Esplanade Hotel Fremantle	1	Alesco User Group	\$168
IPAA International 2014 Conference	29 October 2014 - 30 October 2014	Perth Convention and Exhibition Centre	1	IPAA	\$1000

MINISTER FOR TRANSPORT — SPONSORED CONFERENCES, SEMINARS AND WORKSHOPS

4978. Mr B.S. Wyatt to the Minister for Transport:

Since 1 July 2014, has any department, agency, Commission or Government Trading Enterprise (GTE) within the Minister's portfolio of responsibilities sponsored a conference, seminar or workshop organised or facilitated by a private or not-for-profit organisation:

- (a) what is the name of the organisation for which sponsorship was provided to hold the event;
- (b) on what date was the event held;
- (c) where was the event held;
- (d) what form or forms of sponsorship were undertaken for the event; and
- (e) where financial support was provided, what was the amount of financial support provided?

Mr D.C. Nalder replied:

Department of Transport

No.

(a)–(e) Not Applicable

Public Transport Authority

Yes.

(a) Media Entertainment and Arts Alliance.

(b) 20 September 2014.

- (c) West Australian Academy of Performing Arts Centre.
- (d) Award category: best three news features within 70km of Perth.
- (e) \$3 000.

Main Roads

Yes

- (a) Engineers Australia; ARRB Ltd; Open Government Network (WA) Inc; Roads Australia.
- (b) 19 August 2014; 23 to 26 March 2015; 3 to 5 July 2015; 3 December 2015.
- (c) Institute of Engineers Australia WA Division, 712 Murray Street, West Perth, WA 6005; Esplanade Hotel Fremantle; Spacecubed Centre, 45 St Georges Terrace, Perth; Main Roads WA heavy Vehicle Services, 525 Great Eastern Hwy, Redcliffe.
- (d) Catering for the Structures Panel presentation; Sponsorship for the conference 'Managing Fatigue - Research and practice in transportation, resources and health – 2015'; Platinum Partner Sponsorship; Catering for Land Freight Productivity Workshop.
- (e) \$420; \$5 000; \$5 000; \$623.05.

Southern Ports Authority

Yes.

- (a) South West Young Achievers Program; South West Chambers of Commerce & Industry; South West Local Government Emergency Management Alliance; Esperance Chamber of Commerce and Industry.
- (b) 13 November 2014; 01-02 July 2015; 28 August 2015; 05 March 2015.
- © Koombana Bay Holiday Park – Bunbury; Bunbury Regional Entertainment Centre; Bunbury Regional Entertainment Centre; Esperance Civic Centre.
- (d) Financial; Financial; Financial; Financial plus Speaker at Conference and provision of a Guide for a Port Tour provided.
- (e) \$500; \$4 545, \$2 432; \$2 273.

Fremantle Ports Authority

Yes.

- (a) Customs Brokers and Forwarders Council of Australia.
- (b) 16 May 2015.
- (c) Rendezvous Hotel – Scarborough.
- (d) Financial.
- (e) \$3 000.

Pilbara Ports Authority

Yes.

- (a) Onslow Chamber of Commerce and Industry.
- (b) 23 April 2015.
- (c) Discovery Park – Onslow.
- (d) Major Sponsor.
- (e) \$3 000.

Mid West Ports Authority

Yes.

- (a) Mid West Chamber of Commerce & Industry – Economic Summit; Mid West Chamber of Commerce and Industry – Economic Summit; Mid West Chamber of Commerce & Industry – Business After Hours Seminar.
- (b) 23 September 2014; 25 August 2015; 29 July 2015.
- (c) Geraldton Branch; Geraldton Branch; Geraldton Yacht Club
- (d) Meal Sponsorship; Meal Sponsorship; Host of Event.
- (e) \$8 000; \$8 000; \$2 038.

Kimberley Ports Authority

No.

(a)–(e) Not Applicable

ATTORNEY GENERAL — PORTFOLIOS — SPONSORED CONFERENCES,
SEMINARS AND WORKSHOPS

4986. Mr B.S. Wyatt to the Minister representing the Attorney General; Minister for Commerce:

Since 1 July 2014, has any department, agency, Commission or Government Trading Enterprise (GTE) within the Minister's portfolio of responsibilities sponsored a conference, seminar or workshop organised or facilitated by a private or not-for-profit organisation:

- (a) what is the name of the organisation for which sponsorship was provided to hold the event;
- (b) on what date was the event held;
- (c) where was the event held;
- (d) what form or forms of sponsorship were undertaken for the event; and
- (e) where financial support was provided, what was the amount of financial support provided?

Mrs L.M. Harvey replied:

Corruption and Crime Commission

- (a) Institute of Public Administration Australia (WA).
- (b) 26 June 2015.
- (c) Hyatt Regency Perth
- (d) IPAA Achievement Awards. The Corruption and Crime Commission received naming rights sponsorship of the 'Corruption and Crime Commission Award - Leader of the Year Working in Local Government'.
- (e) \$4,400 (GST inclusive)

Commissioner for Children and Young People

- (a) Youth Affairs Council of WA
- (b) 10 and 11 July 2014
- (c) Crown Entertainment Complex
- (d) Financial, with following benefits
 - Logo on all printed and website promotional materials
 - Display of banner at conference
 - Insert of materials into delegate satchels
 - One full conference registration, shared by policy staff.
- (e) \$2,500 (GST exclusive)

Department of Commerce

- (a)–(e) [See tabled paper no 3966.]

Department of the Attorney General

- (a)–(e) [See tabled paper no 3966.]

Office of the Director of Public Prosecutions

- (a)–(e) N/A

Equal Opportunity Commission

- (a)–(e) N/A

Office of the Information Commissioner

- (a)–(e) N/A

Legal Aid

- (a)–(e) N/A

Legal Practice Board of Western Australia

(a)–(e) N/A

Legal Profession Complaints Committee

(a)–(e) N/A

State Solicitor's Office

(a)–(e) N/A

Solicitor General's Office

(a)–(e) N/A

The Department of the Registrar, WA Industrial Relations Commission

(a)–(e) N/A

WorkCover

(a)–(e) [See tabled paper no 3966.]

**MINISTER FOR PLANNING — PORTFOLIOS — SPONSORED CONFERENCES,
SEMINARS AND WORKSHOPS**

4989. Mr B.S. Wyatt to the Minister for Planning; Culture and the Arts:

Since 1 July 2014, has the department, agency, Commission or Government Trading Enterprise (GTE) within the Minister's portfolio of responsibilities sponsored a conference, seminar or workshop organised or facilitated by a private or not-for-profit organisation:

- (a) what is the name of the organisation for which sponsorship was provided to hold the event;
- (b) on what date was the event held;
- (c) where was the event held;
- (d) what form or forms of sponsorship were undertaken for the event; and
- (e) where financial support was provided, what was the amount of financial support provided?

Mr J.H.D. Day replied:

Department of Planning and Western Australian Planning Commission

(a)–(e) [See tabled paper no 3962.]

Culture and Arts Portfolio

(a)–(e) [See tabled paper no 3962.]

Metropolitan Redevelopment Authority

(a)–(e) [See tabled paper no 3962.]

**MINISTER FOR EDUCATION — PORTFOLIOS — SPONSORED CONFERENCES,
SEMINARS AND WORKSHOPS**

4990. Mr B.S. Wyatt to the Minister representing the Minister for Education; Aboriginal Affairs; Electoral Affairs:

Since July 2014, has any department, agency, Commission or Government Trading Enterprise (GTE) within the Minister's portfolio of responsibilities sponsored a conference, seminar or workshop organised or facilitated by a private or not-for-profit organisation:

- (a) what is the name of the organisation for which sponsorship was provided to hold the event;
- (b) on what date was the event held;
- (c) where was the event held;
- (d) what form or forms of sponsorship were undertaken for the event; and
- (e) where financial support was provided, what was the amount of financial support provided?

Mr J.H.D. Day replied:

Department of Aboriginal Affairs

Yes.

(a)	(b)	(c)	(d)	(e)
University of Western Australia Business School Centre for Social Impact (UWA-CSI)	1 - 2 December 2014	University of Western Australia Business School Perth WA	Supporting Partner to the 3rd National Indigenous Business, Enterprise and Corporations Conference 2014	\$10,000
Australian Indigenous Women in Mining (AIWIM)	27-28 November 2014	Hyatt Regency Perth WA	Diamond Sponsorship to the 3rd Annual AIWIM Conference	\$10,000
Secretariat of National Aboriginal and Islander Child Centre (SNAICC)	15-17 September 2015	Perth Convention Centre	Contribute towards cultural performances and local Aboriginal art and craft workshops and demonstrations at the event	\$4,000

Department of Education Services

- (a) Council of International Students Australia (CISA)
- (b) 7 July – 9 July 2014
- (c) University of South Australia, Adelaide.
- (d) “Silver Sponsorship”, which provided for Recognition as a Silver sponsor at Conference; Logo on Conference program; Logo and Website link on CISA website – 2014 Conference page; 1 complimentary full delegate registration; and one insert in conference satchels.
- (e) \$6,500

Department of Education

a.	b.	c.	d.	e.
Child Australia	7 – 8 August 2015	Crown Convention Centre, Perth	The Department of Education was principal sponsor of the 2015 Early Childhood Education and Care Conference and provided financial support.	\$15,000 ex GST
Secretariat of National Aboriginal and Islander Child Care	15 – 17 September 2015	Perth Convention and Exhibition Centre	The Department of Education provided financial support for the Secretariat of National Aboriginal and Islander Child Care National Conference	\$10,000 ex GST

Country High School Hostels Association

(a)-(e) Not applicable.

School Curriculum and Standards Authority

(a)-(e) Not applicable.

Western Australian Electoral Commission

(a)-(e) Not applicable.

EDUCATION — WA COLLEGE OF AGRICULTURE, DENMARK — SCHEME WATER USAGE

4996. Mr D.J. Kelly to the Minister representing the Minister for Education:

- (1) Is the WA College of Agriculture in Denmark using scheme water for its dairy farm despite having a dam specifically for this purpose?
- (2) If yes, why and how much scheme water has been used each month for the last year?

Mr J.H.D. Day replied:

- (1) The Western Australian College of Agriculture – Denmark does not have a dam specifically provided for the purpose of servicing its dairy. Scheme water has always been used for wash-down and clean-up

in the current dairy facility, as water quality is a very important health consideration in this area of operations. Most water for livestock is provided by a mix of dams and river water, however, a number of water troughs in smaller paddocks and yards use scheme water.

- (2) Farm enterprises do not have an individually metered water supply, as there is currently only one main water meter at the College. The average monthly total water consumption at the College in 2015 (including farm enterprises, residential boarding facilities and staff houses) was 1,264 kilolitres (\$8,753).

PUBLIC TRANSPORT — ELLENBROOK BUS RAPID TRANSIT PROJECT

5007. Ms R. Saffioti to the Minister for Transport:

I refer to the Government's Ellenbrook Bus Rapid Transit project and ask:

- (a) is it still the Government's intention to proceed with the project;
- (b) what plans currently exist for the project; and
- (c) when will the planning process for the project be complete?

Mr D.C. Nalder replied:

- (a)–(c) The Department of Transport and Main Roads Western Australia have been refining transport options for the north east growth corridor to provide solutions for traffic and public transport. Once finalised a proposal will be put to Government for consideration.

TRANSPORT — METROPOLITAN CYCLE ROUTES — MAPS

5010. Mr C.J. Tallentire to the Minister for Transport:

- (1) Is it Government policy to encourage commuter and recreational cycling?
- (2) Does the Government publish up-to-date hard-copy maps of the metropolitan cycle routes:
 - (a) if not, why not;
 - (b) when was the decision taken to only publish the Department of Transport's cycling maps and guides online; and
 - (c) what would be the at-cost price for printed cycle maps, similar to the BikeWest maps, per unit?
- (3) Does the Government consider the current electronically available maps useable for people using hand held electronic devices?

Mr D.C. Nalder replied:

- (1) This governments record of providing commuter and recreational cycling infrastructure stands for itself. Over the past seven years this Liberal Government has invested \$112.8 million in cycling networks throughout WA resulting in 246km of off-road shared paths and 74km of on-road bike lanes. Over the next four years another \$75.1 million has been allocated to improve safety and bike network connectivity for all West Australians. I welcome the members support of the Government's policy in this important transport space.
- (2)
 - (a) The current cycling demographic prefers electronic maps and guides.
 - (b) Approximately two years ago.
 - (c) Costs are not available as there are no plans to revert to hard copy maps.
- (3) The Department of Transport is working towards an online journey planner and is currently updating the data for local shared paths.

DEPARTMENT OF COMMERCE — INDUSTRY AND TECHNOLOGY SERVICE — STAFFING

5014. Mr P.C. Tinley to the Parliamentary Secretary representing the Minister for Commerce:

I refer to the Department of Commerce's Industry and Technology service and ask:

- (a) how many employees (full time equivalents) were allocated to this service in each of:
 - (i) 2010–11;
 - (ii) 2011–12;
 - (iii) 2012–13;
 - (iv) 2013–14; and
 - (v) 2014–15; and
- (b) how many employees (full time equivalents) were budgeted to be allocated to this service for 2015/16, and what is the current number of employees?

Mr P.T. Miles replied:

The full time equivalents (FTE) figures stated below are inclusive of a corporate support component consistent with reporting on annual budget papers.

(a) Numbers based on actual FTE figures as at 30 June for each financial year:

- (i) 87;
- (ii) 98;
- (iii) 100;
- (iv) 38; and
- (v) 19

(b) Budgeted FTE: 17; current FTE: 20.6.

The number of FTE allocated to the service has been impacted by several factors over the course of the period, including the transfer of 15 FTE related to science aspects of the service to the Department of the Premier and Cabinet in 2013 to establish the Office of Science.

DEPARTMENT OF COMMERCE — INDUSTRY AND TECHNOLOGY SERVICE

5015. Mr P.C. Tinley to the Parliamentary Secretary representing the Minister for Commerce:

I refer to the Department of Commerce's Industry and Technology service and ask:

- (a) what programs, services or projects were budgeted for in 2015/16; and
- (b) for each program, service or project, what amount was budgeted in 2015/16?

Mr P.T. Miles replied:

(a)–(b) [See tabled paper no 3971.]

DEPARTMENT OF COMMERCE — INDUSTRY AND TECHNOLOGY SERVICE

5016. Mr P.C. Tinley to the Parliamentary Secretary representing the Minister for Commerce:

I refer to the Department of Commerce's Industry and Technology service and ask:

- (a) what programs, services or projects were budgeted for in 2014/15; and
- (b) for each program, service or project, what amount was budgeted and what was the actual expenditure in 2014/15?

Mr P.T. Miles replied:

(a)–(b) [See tabled paper no 3972.]

PUBLIC TRANSPORT — B-SERIES THREE-CAR SETS — MANUFACTURING

5033. Ms R. Saffioti to the Minister for Transport:

I refer to the statement made on page 160 of the 2015/16 Government Mid-Year Financial Review, *In total, 10 additional B-Series three-car sets (30 railcars) will be procured*, and ask:

- (a) what company will be manufacturing the railcars;
- (b) where will the railcars be manufactured; and
- (c) what is the expected level of local component for the manufacturing of the railcars?

Mr D.C. Nalder replied:

- (a) EDI Rail-Bombardier Transportation Pty Ltd.
- (b) Maryborough, Queensland.
- (c) In accordance with the current supply contract, passenger seating and interior window filming is supplied here in Western Australia (WA). The final fit out and commissioning of the railcars is also completed in WA and railcar maintenance is then undertaken locally.

ATTORNEY GENERAL — PORTFOLIOS — MINISTERIAL OFFICE —

AVESTRA ASSET MANAGEMENT, BRIDGE GLOBAL CMC AND ZENITH CITY INVESTMENTS

5048. Mr W.J. Johnston to the Minister representing the Attorney General; Minister for Commerce:

- (1) Since 1 July 2014, has the Minister, and/or any staff member or placement within the Minister's Office, had contact with representatives of the companies Avestra Asset Management, Bridge Global CMC or Zenith City Investments?

- (2) If yes to (1):
- (a) what were the dates of the contact(s);
 - (b) did the contact(s) occur by telephone, email, meeting or other means;
 - (c) what was the nature or subject of the contact;
 - (d) where the contact was by phone or email, who within the Minister's office participated in the contact; and
 - (e) where the contact was by email, what are the names of all persons present at the meeting?

Mrs L.M. Harvey replied:

- (1) Nil.
- (2) (a)–(e) N/A.
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