

McGOWAN GOVERNMENT — TRANSPARENCY

Motion

HON TJORN SIBMA (North Metropolitan) [10.11 am] — without notice: I move —

That this house registers its deepening concern with the McGowan government's continued and determined lack of transparency, both within the Parliament and as it relates to the decision-making, negotiation, management and implementation of a number of contracts over the course of this term.

In the course of the construction of this motion as it appears on today's business program, I did not think that I would be provided with the opportunity to again reflect on a novel circumstance in which the government's early commitment, rendered by the Premier, to run an open, transparent and accountable government would be once again dishonoured. That commitment to openness, transparency and accountability, as I, members of the opposition and members of all non-government parties have reflected upon before, has been more honoured in the breach than in the observance.

I first want to speak to the principle that underlies this motion. Very obviously, we render an important public service in this house. We are legislators and representatives. At least as far as the non-government party members in this chamber are concerned, we also have a responsibility for oversight of the executive, its decision-making, its commitments and its behaviour. The most powerful mechanism that we have to discharge that obligation and that responsibility is through this very chamber. That is done, ordinarily, in the course of questions that are put to the government, not to entertain ourselves, but to satisfy ourselves that everything in the state of Western Australia is as it should be. Unfortunately, I do not believe that to be the case. Another principle that underlies this motion is that of trust. Should the public trust this government to make decisions in an appropriate, transparent and justifiable way?

I have observed a tendency in previous Premiers, and I certainly make this observation about the current Premier, that it is very easy for them to let popularity go to their heads. When one enjoys the dizzying, atmospherically high approval ratings that the current Premier enjoys, sometimes one suffers from the absence of oxygen, a lack of clarity in thought, and a lack of a sense of prudence and judgement. We have seen this reflected in the Premier's very arrogant repudiation of any criticism of his decision-making. I reflect on the maintenance of the intrastate borders, which are being maintained out of sheer obstinacy and without even a skerrick of medical evidence being used to justify them. The Premier says, "Just take it. Just accept it. Tough luck!" Tough luck, indeed! That is unacceptable.

I want to reflect on two specific examples, particularly as they relate to contracts in this state. One is a very small value contract in the greater proportion of things, but it is an interesting one. I am pleased that the Minister for Regional Development is here with us. This is not an attempt to reflect on her conduct, but it is a reflection on the information that she has provided to this house. On Tuesday, 19 May, via my colleague Hon Peter Collier, I asked question without notice 456, which related to a contract that was awarded by the Department of Primary Industries and Regional Development with a value of \$249 999. That amount triggered some suspicion in me for the following reason. I was reminded again of the very good work conducted by the Joint Standing Committee on the Corruption and Crime Commission and the report it tabled in this place last week titled "Red Flags...Red Faces: Corruption Risk in Public Procurement in Western Australia". I cite a very useful table that is presented on page 43 of that document, which outlines thresholds of contract value and the requisite minimum governance requirements that apply to each of those levels. A threshold of disclosure and governance kicks in once a contract is valued at \$250 000 or more. The contract that I am referring to here is \$1 shy of that. I am interested to know why, but it is. When a contract is valued at over \$250 000, a competitive process is required to be gone through with an open tender, through a public advertisement, and with contract award details published on Tenders WA, if there is no common use arrangement or agency contractors available. Most agencies must involve the Department of Finance at the start of the process in accordance with any partial exemption, as they apply. In this instance, I am not sure whether the appropriate process has been followed. I say that for the following reasons. On Tenders WA it was revealed that a contract of the value cited was awarded to a company called Low Carbon Australia Pty Ltd for the provision of specialist technical advisory services in carbon farming for the regional business development directorate of that department. I looked at that and thought, "Who is the director of this company?", and up popped a name. I put the question to the minister on Tuesday. Part (1) was —

Who is the director of Low Carbon Australia Pty Ltd?

Hon Alannah MacTiernan: You are not suggesting that I have an answer to all the questions I am asked.

Hon TJORN SIBMA: The minister should just listen.

The question continued —

(2) Is or was this person a current or ex-employee of DPIRD?

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(3) If yes to (2), what was this person's job title and role within DPIRD?

The minister replied by providing the individual's name, but then quite unequivocally answered no, this person is neither a current nor an ex-employee of the Department of Primary Industries and Regional Development. When I went to this individual's LinkedIn account, it quite clearly stated that she was an employee of DPIRD.

Hon Alannah MacTiernan: It says that, does it?

Hon TJORN SIBMA: Yes, it does, so I followed it up the next day. People put things on LinkedIn accounts all the time. In fact, the Labor Party discovered this when the Darling Range by-election was run. The Labor Party cannot control what people put on there, but it should probably check it out every now and again. Nevertheless, I asked the minister yesterday whether she stood by the answers she provided on Tuesday. This information was provided by the minister's department. I understand the process; I understand how it works. The response I got was tricky, either intentionally or unintentionally. The answer was yes, the minister did stand by response she gave me the previous day—I am paraphrasing here—but she was advised that the individual in question was not employed as a public servant. But she then went on to say that this individual was on contract working for the department. This is why I am concerned, because I think potentially the minister may have been misled by her department in the answer or suggested answer that was provided. I put it to the minister that I believe that the circumstances behind the award of this particular contract might merit some investigation, because I am operating on the basis of this thesis. It is an unproven thesis, and that is why I asked these questions about the way that public expenditure is undertaken. It would appear to me that there might be a prima facie case that this individual was engaged on a previous contract providing policy services in the field of carbon farming, and when her contract came to an end doing that policy work, she applied for another contract to provide technical services back to the department to fulfil the policy that she helped to write in the first place. I just find the circumstances of this a little bit murky. I was not satisfied with the tricky answers that I was given, so I am going to continue to ask questions. It might transpire that all is above board, but where there is smoke, there is fire, and where there is smoke, I am obligated to ask questions. That is our role. We discharge this role through this house. That is one element.

There is, however, a far more substantial contract that has been amended that has a far more significant dollar value impact on the taxpayers of Western Australia, and that relates to the non-clinical services contract provided by Serco at Fiona Stanley Hospital. The present government went to the election with the following commitment. I cite here from a document called "2017 WA Labor State Election Fighting Platform". One of the pages is about privatisation and it says that WA Labor will stop privatisation. To provide further details, it says —

WA Labor will stop the privatisation of existing public sector services and where possible and —

This is important —

economically beneficial to do so bring services back into the public sector.

It is absolutely fine and appropriate for the WA Labor Party to make those election commitments. That is consistent with its philosophy. There is an understanding and obligation on the Labor Party that once it forms government, it will do its best to fulfil its mandate. We might disagree with the philosophy underpinning it, but the Labor Party is entitled to do that. However, this claim was conditional. It was a conditional pledge—conditional on when possible and economically beneficial to do so to bring services back into the public sector. That is the threshold that the government has to prove to the house. Has it proven that? I think the answer is no. The answer is no for these reasons. On or about 9 March, the Premier and the Minister for Health issued a joint media statement saying effectively that they were bringing 650 non-clinical services jobs back in-house away from Serco. Some very rubbery figures have been provided. The spend appears to be \$8 million a year for 10 years of the contract, plus a one-off transition cost of \$12.9 million. That is payable presumably to Serco, or are costs absorbed by the department, we do not know, but the end story is that the taxpayer foots the bill. To extract ourselves from this contract, we are essentially fitting up the taxpayer for at least \$93 million. The pledge was to stop the privatisation as long as it was economically beneficial to the state, so my question is: is that economically beneficial to the state?

I sought satisfaction through answers to questions in this place. I was reminded of this issue, because two days ago, Hon Alanna Clohesy, Parliamentary Secretary to the Minister for Health, tabled a notice under section 82 of the Financial Management Act, which was prepared by the minister, Roger Cook. I asked a basic question along these lines: did the government undertake any analysis of the cost of bringing services back into the public sector? Some services were brought in and some services were left out. I asked something along the lines of: what was the cost of bringing back each service into the public sector? The minister, through his parliamentary secretary, initially said, and I thank him for at least trying, that the Department of Health would have to seek legal advice about providing an answer to that question. It was a fundamental question: has the government done some analysis of the cost of this for each service line; and, if so, can it present it? The government did not, but the minister said he would get back to me. Subsequently, some two months later—I know there has been another issue—the minister

got back to me. He decided not to provide me with that information. On his reckoning he has decided that it is reasonable and appropriate not to provide information that I sought. I think this information is vital. It is important to assist the government to justify its decision. I refer to this tabled paper, to which I do not have the reference, but it was signed by the minister on 15 May and tabled in this place on Tuesday. Essentially, the minister has determined that it is not possible in all the circumstances to provide me with information, which is not information that is publicly known or capable of easily being ascertained. He has decided therefore to withhold information from this house, which is information he recognises is not publicly known or not capable of being easily ascertained. That is the very reason I asked the question. That is the very reason we put questions to ministers or their representatives in this place. I have a philosophical difference in view about the policy treatment of the Fiona Stanley Hospital non-clinical services contract, because I think that contract is in the public's best interest, as in the public's best financial interest. But if the party that wins government has a different philosophical view, it gets to implement its mandate—that is how it works. But it does not get to do so without question, it does not get to do so with impunity and it does not get to only half fulfil its pledges, because that pledge came with a very strong and clear condition—so long as it was economically beneficial to do so. That has not been proven. The government seems to be making absolutely no attempt to prove that that is the case. This is an interesting issue that I would prosecute probably a little more intently if it were not for the panoply of other things that we have to chase up and get partial answers to!

I might just end on this: this is not a one-off. There have not been two or three instances; there have been multiple instances over the last three years of the government absolutely refusing to justify its behaviour. It conducts itself as if it is beyond reproach. That is not the case. If there is a charge that I will level against the government, it is one of hypocrisy. I recall early in February 2018, when Mr Langouant, who had completed his special inquiry into a range of projects and programs undertaken by the previous government, laid down his damning analysis, how gleeful, proud and sanctimonious the Premier was about that report, yet on the very same day, I believe he was asked by journalist Geof Parry to justify or explain the expenditure to Roger Federer for taking a selfie with a quokka at Rottneest Island—before it became a quarantine camp. He refused point-blank to answer that question—a mere half-hour after releasing that report. He has not gotten any better since that moment; in fact, he has gotten worse. That is to be condemned. It is not just the Liberal Party saying this; I am sure that many other people would like to speak to this motion, because it serves a variety of purposes. As long as the government keeps refusing to answer questions, we are going to keep putting up motions like this.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [10.32 am]: It gives me a great deal of pleasure to once again expose the lack of transparency of this government, which has been consistent. I have to say that the government has been consistent in its consistency in this regard! Once again, I will read into the chamber a comment that the Premier made on 18 June 2016 —

The public interest must come first, transparency must come first, openness must come first.

I will keep reading that in because this litany of examples of a lack of transparency is profound. It started even before the government became the government, and I will talk about that in a moment with regard to the current Premier. If ever members want an example of that, they just have to look at what has happened in this institution in the last two months. Yes, the Premier has done a good job on COVID-19, but now he is drunk on power. He has been fanned by an adoring media and he now thinks that he can treat the Parliament with contempt, which he always has.

Let us look at the planning bill that the government tried to ram through the lower house yesterday. It might be a good bill and we might support it. Our spokesperson was offered a briefing and they did not even have a copy of the bill, yet the government wanted to bring it into Parliament and rush it through the Legislative Assembly. That is what the government wanted to do. It is treating this place with contempt and it is being led by the Premier. What about the future fund bill? When the future fund bill got bogged down in the Legislative Council, the house of review, rather than trying to work through the issues and have the parliamentary secretary answer the questions, the government put in this little amendment to try to make it a COVID bill to get it through Parliament. That is in the DNA of the Premier, I promise members: “Forget Parliament. Hang Parliament.” That is what we have had from day one.

Of course, all the other parties acted in good faith on the COVID legislation and we have been very accommodating in Parliament. When the government tries this nonsense on the future fund bill, it will get it back with interest! If you guys keep doing that and try to be too smart by halves, we will be saying no to every other piece of COVID legislation. What about the disgraceful CCC bill in the other place? When the Premier does not get his own way on the appointment of the Corruption and Crime Commissioner, he spits the chewie, stamps his feet and says, “I’m going to bring in a piece of legislation to put in my hand-picked candidate.” I am absolutely not questioning John McKechnie. That is not the issue. There is a decades-old process that this Parliament has used. When the Premier does not get his own way, he gets all petulant—typical—and goes back to his default position, his defence mechanism, and says, “No; that’s it. We’re going to put in a piece of legislation and we’re going to do it my way or the highway.” I cannot wait until that piece of legislation gets into this chamber, because I can tell you now,

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Madam President, that I will be using every single second of my unlimited time on that bill. It is an absolute disgrace and I hope it gets batted to the field where it belongs. It is an absolute disgrace! Our parliamentary system has existed for 800 years but we have a Premier who is drunk on power saying, “No; if I can’t get my way, I’m just going to bulldoze it through Parliament.”

This guy has form, let me tell members right now. When he was Minister for Education and Training, he treated me like a piece of dirt. The education system was an absolute disgrace.

Point of Order

Hon PIERRE YANG: The Leader of the Opposition referred to the Premier as “this guy”. He should be referred to by his correct title.

The PRESIDENT: There is no point of order. I might have missed that, but I have heard the member on his feet referring to the Premier as the Premier, so I think he has been treated appropriately.

Debate Resumed

Hon PETER COLLIER: Thank you, Madam President. That was an extraordinary point of order.

When he was education minister, every single time I tried to work cooperatively to assist in addressing the massive teacher shortage, I got that ridiculous situation in which I got the hand. I asked question after question after question in Parliament while he was education minister from December 2006 to September 2008, and in almost two years, I was told to put on notice 27 per cent of the questions without notice. I was even told to put on notice one question that asked when the Twomey report was going to be tabled. That is what we got from the now Premier at that time. As I said, his default position is defence: “Parliament is just a minor inconvenience. Let’s forget about Parliament.” At the moment, “Mr 89 Per Cent” thinks that he can walk on water, so Parliament is even more irrelevant! A perfect example of that is, once again, that disgraceful CCC bill. It absolutely incenses me that the Premier of Western Australia can try to put a piece of legislation through Parliament to put in his hand-picked candidate. I would like to think that members opposite feel the same way about that, particularly those who have regard for Parliament. There is an absolute litany of examples that I could use of the Premier telling me and the Parliament where to go. What about his trip to China? I asked him about that on 7 December 2017 and he told me to put the question on notice. I asked how much it cost and how many people went. Four months later, on 11 April, I got an answer in which he asked me to give him another month, so I got the answer back on 8 May. Why did it take him five months to answer? It was because he took 17 people with him and it cost \$250 000—at a time when he was telling everyone to tighten their belts! This is what we get. He does not have to answer to Parliament. He is above Parliament. What about this one? I referred to a “perceived conflict of industry in the western rock lobster industry” and the answer said —

It is unclear as to what the member means by a “perceived conflict of industry”. If the member could clarify the meaning of the question, I will attempt to answer it. I think there must have been a typo in the member’s question—I assume.

The Premier of Western Australia signed off on that. Give me a break! What about this one? Honestly, I could sit here all day. This guy is just the gift that keeps on giving! I asked a question about the number of members from the Premier’s office who attended a meeting with the Environmental Protection Authority. I asked who went and whether there were any briefing notes. I was told to put it on notice. Do members know why? It was because it was controversial; he did not want to have to deal with it. It just goes on and on.

As I have said, I have quoted parts of a number of speeches on a couple of occasions. I have so many examples. Perhaps during my speech on the Address-in-Reply this year, I might read them in again, given the nonsense that has gone on with the Planning and Development Amendment Bill 2020, the Corruption, Crime and Misconduct Amendment Bill 2020 and the Western Australian Future Fund Amendment (Future Health Research and Innovation Fund) Bill 2019. The big one is the CCC bill. The shadow Attorney General has been trying relentlessly to get some answers from the Premier on this. Why on earth is the Premier infatuated with reappointing John McKechnie? The shadow Attorney General has legitimately asked questions about that. I have many examples. Let us look at a couple of questions. On Thursday, 16 April, Hon Michael Mischin asked —

- (1) Who came up with the idea of appointing Mr McKechnie by name through amendment to the Corruption, Crime and Misconduct Act 2003?
- (2) Is Mr McKechnie prepared to accept the appointment on that basis?
- (3) When was the idea first communicated to the Premier, and by whom and what was discussed?

The reply was —

- (1)–(6) The Premier does not comment on deliberations of cabinet.

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I say to the Premier that it has absolutely nothing to do with cabinet. It is all in his hands, and his contempt for Parliament. Yet again, he goes back to his default position. The default position as far as this Premier is concerned is the hand—defiance and contempt. That is exactly what it is.

Hon Michael Mischin kept going and asked a few other questions. The very next day, Friday, 17 April, he asked —

- (1) Why will the Premier not say whether Mr McKechnie is prepared to accept an appointment by way of an amendment to the act?
- (2) Did Mr McKechnie propose the idea ...

The response was —

I thank the honourable member for some notice of the question. I refer the honourable member to my answer to Legislative Council question without notice 341.

Again, the Premier is claiming cabinet confidentiality. The shadow Attorney General was just asking where the idea came from, not about the cabinet deliberations. He asked —

On what occasions, in what manner and in what terms did the Premier make his preference for the reappointment of Hon John McKechnie known to each of the following ...

... the Joint Standing Committee ... Mr Matthew Hughes ... Ms Margaret Quirk ... Hon Jim Chown ... Hon Alison Xamon, MLC.

The answer given was —

The Premier made his preference known in writing ... in correspondence to the Chair of the Joint Standing Committee ...

The answer to the other questions was deemed to be “not applicable”. What about all the other members? I do not care about the joint standing committee. Did the Premier make that clear? There is a lot going on here. We are scratching, and I promise members that there is something beneath the surface.

On Hon Michael Mischin’s behalf, I asked a very long question about a letter to the Leader of the Opposition and the fact that he exposed two of the three candidates. I asked whether the nominating committee’s agreement was obtained before the Premier chose to disclose the contents of its correspondence and so on. I also asked —

Has it been government practice in the past to publicly disclose the names of the candidates the government does not prefer?

The response was —

The Premier reserves the right to discuss correspondence.

What on earth does that mean? On Wednesday, 20 May, Hon Michael Mischin asked what was meant by the response to these questions. The answer was quite straightforward —

The Premier reserves the right to discuss correspondence in answer to questions, queries or inquiries and does not require authority to do so.

That is because he is “Mr 89 Per Cent”. He is above Parliament. He does not care about Parliament. That is what this is all about—the single-finger salute to Parliament. Hon Michael Mischin asks legitimate questions and every single time, the Premier treats him and this place with contempt. Once again, members opposite, the seeds of destruction for a government are sewn in the Parliament. These guys have germinated, and it starts at the top.

HON AARON STONEHOUSE (South Metropolitan) [10.43 am]: I am delighted to speak to this excellent motion moved by Hon Tjorn Sibma. Before I jump into one particular area of a lack of transparency that concerns me, I would like to return to something that we were discussing yesterday—a motion on notice in support of the agricultural sector. During that debate, there was a lot of shouting, yelling and excitement. Members from the government benches were accusing the commonwealth government of being responsible for the tariffs on barley that China has imposed. There was a bit of back and forth here and there and some blame thrown around between parties. I believe that one of the interjections was, “Why isn’t the government leveraging its fantastic relationship with the Chinese government? Why aren’t we leveraging some of that goodwill we have fostered?” We just heard that we spent \$250 000 on a goodwill mission to China. Why are we not cashing in some of those dividends?

Hon Alannah MacTiernan interjected.

Hon AARON STONEHOUSE: Excuse me, minister, but you will have an opportunity to speak later. I have nine minutes left; I would like to use them.

During that debate, the question was raised: why are we not picking up the phone to the Chinese consul general in Perth? Well, she has gone back to Beijing. We had to find that out through some investigative journalism by

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Nathan Hondros from WAtoday. During its response to that motion, the government did not once say that it was aware that the consul general had returned to China. I wonder if it was aware at that time. It is definitely worth a question during questions without notice today.

I would like to move on. As I said earlier, what really concerns me about this lack of transparency is the rather punitive restrictions that the government has placed on Western Australians—restrictions on travel, trade and how they can conduct their business and go about their day-to-day lives. There has been a complete lack of transparency from the Premier and this government on how it is making decisions about what restrictions it has put in place and how long they stay in place. The government has not been forthcoming about health advice it has received on border closures. In fact, in an article published on the ABC website by James Carmody yesterday, Professor Paul Kelly, the commonwealth deputy chief health officer, said that national advice that states should close their borders was never issued. He is quoted as saying —

“From a medical point of view I can’t see why the borders are still closed,” ...

The Premier responded to that with some quip about not knowing who Paul Kelly was—a joke about the singer of course. That was very mature of the Premier when we are talking about people’s livelihoods, their careers and their ability to put food on the table. Some information was eventually provided. The Chief Health Officer of Western Australia, Dr Andrew Robertson, released a one-page statement yesterday. Two paragraphs at the bottom of that statement address the ongoing border closures. He says —

Until community spread is eliminated in the affected jurisdictions, which will require at least a month to confirm ... opening of the interstate borders is not recommended. If the community spread is controlled, relaxation of the interstate borders could be considered after the introduction and assessment of the impact of Phase 4.

It does not tell us what health advice that opinion is based upon. Are we working on some modelling? Are we working towards some particular strategy? It seems to be lacking here. There is not really much information about our plan. In fact, the implication that borders cannot open until coronavirus is eradicated in other jurisdictions is quite unsettling. What does that mean for our international borders? Does that mean that we will be closed off to the rest of the world until the coronavirus is eradicated across the globe? That is a really frightening prospect.

The Premier has faced calls to open up the borders. I absolutely think he should. We have shown after flattening the curve that we have the capacity to handle coronavirus cases. There are very few cases left in Australia. People need to get back to work; they need to get back to their lives. One of the people calling for the Premier to open the borders is the New South Wales Premier, Gladys Berejiklian. She has called on Premier Mark McGowan to open the borders. Premier Mark McGowan responded by saying —

“We’re not going to give in to that sort of bullying by the New South Wales Premier or anyone else—we are going to protect the health and the economy of Western Australia.”

It really says a lot about the Premier that the mildest criticism from the New South Wales Premier, Gladys Berejiklian, results in a response from the Premier that he is being bullied. I am sure that the New South Wales Premier is a very strong woman. I think she would have to be to make it through the boys’ club that is politics and work her way to the top to become the Premier of the state of New South Wales. Is she bullying Mark McGowan? The New South Wales Premier is bullying our Premier! Did she threaten him? Did she imply that she was going to smack him about or something? How on earth can a grown man, who I believe is in his 40s, be bullied by the New South Wales Premier some 4 000-odd kilometres away on the other side of the country? That is pathetic. How thin-skinned can the Premier be? What kind of glass jaw does he have that, at the mildest criticism, he goes crying to the media, “I’m being bullied? Mean old Gladys Berejiklian is picking on me, she’s being mean to me, she said some nasty words.” That is pathetic. I think the Premier should toughen up. He likes to pretend to be a strong man and pretends to be tough. Any time we start talking about borders, we see him puffing out his chest. “I’m on a high approval rating. People love it when I talk tough about the borders.” He is slagging off football teams and Premiers of other states. I remind members that we rely on interstate tourists quite a lot. There is an entire tourism industry that relies on people coming here to enjoy our state and spend their money here, and the Premier says to these people, “If you’re thinking about holidaying in Western Australia, don’t; we don’t want you.” Wow! Bravo! That is very tough talk. He is playing tin-pot dictator. He is playing this nationalist card with xenophobic rhetoric and he is absolutely drunk on power in this case. As soon as these restrictions are lifted, which I am certain will be very soon, we will be grovelling and begging people to come back. We will spend millions of dollars on advertising campaigns and to subsidise the tourism industry, and it will be harder for us to do that because this Premier, high on his own power, decided to play the strongman and be the tough guy, despite his otherwise thin skin when it comes to criticism.

Again, there is no transparency here. What is the health advice that we are acting upon? Is there health advice we are acting upon that says we should close our borders, or is it just an ego-driven policy by this Premier who is high on the power and approval he is getting from the public by appearing to be the Il Duce of Western Australia?

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HON ALANNAH MacTIERNAN (North Metropolitan — Minister for Regional Development) [10.50 am]: It is interesting to have this debate again. It is the usual standard stock-in-trade that we get, but we understand that the role of opposition is to call government to account, and we are absolutely confident that there is no substance in any of the issues raised. Nevertheless, it is part of this process. We honour and respect the parliamentary process and understand that it is here to ensure accountability. We would say that, in some cases, the processes of Parliament are used in this place to delay rather than illuminate the legislation that our government needs to proceed with to take our community forward, so I think this is a two-way street. If we absolutely want the respect of this chamber and Parliament to continue, we must make sure that the opposition does not simply seek to frustrate the legislative activities of government.

Two days ago, Hon Tjorn Sibma raised with me an issue, and I compliment the member because he is a hardworking member. He had read a report that indicated things that might suggest something needed to be investigated. The use of the figure of \$249 000 raised an alarm bell with the member about a contract that had apparently been issued by the Department of Primary Industries and Regional Development. Quite rightly, the member has asked questions about that and he wanted further investigation after he had checked out the LinkedIn page of a particular individual. But I find this a little surprising because, yesterday, I gave the member a pretty extensive explanation of the circumstances, because it was a legitimate question. But let me just put this in context. I was not aware of the contractual arrangements or even that it was a contract, but I will set the scene for how this came about.

Since we have been in government, we have been trying to deliver carbon farming opportunities for pastoralists. There are many, many forces—indeed, the deep state—that did not like this idea. It was one of the hardest things to do to try to progress what seems to be a perfectly legitimate opportunity that was available to pastoralists in Queensland and New South Wales. Indeed, those states were getting huge truckloads of commonwealth money because they were able to do it. We needed to bring in and really galvanise this work, and get some special skills involved to get this project completed. I was aware that this person was there, but I was not aware of all the contractual arrangements, so my understanding is that using one of the common-service agreements, this person was brought on to deliver that work. They had done such an extraordinary job we wanted to keep them on because there are a lot more opportunities in carbon farming in this state and we did not have that expertise. Nothing had been done under the previous government, so we were bereft, shall we say, of expertise in this area. In order for us to advance the next phase of carbon farming activities, including soil carbon, new opportunities and a whole raft of different carbon farming schemes, she was brought on under this contract. It went out to contract. I believe four people tendered and her company was selected to do this next body of work. The member has been perfectly diligent in asking these questions; they are legitimate questions. Ideally, I guess, we would love to have a person like that in the public sector, if we could afford to get her on. We have had to take her on under this contract for a year, but I can assure the member that she is doing good work, and there is no skulduggery behind this. The member, quite rightly, has been diligent.

The second issue the member raised and was concerned about was bringing back services contracts from Fiona Stanley Hospital. As the member quite rightly pointed out, it was an election commitment that we were going to look at this, and we were not comfortable with the range of services being performed by Serco. We saw many of them as being antithetical to the effective delivery of health services. It is not purely about cost, it is also about the patient experience and the efficacy and integrity of the community health system. There were 25 of those services and analysis of them was done. We looked at those services with personnel who would logically be much better to be integrated into the management of the hospital. We made a decision that a whole range of services would logically have no real benefit to the patient experience and quality of service delivery in being maintained under Serco's operation. That included security, building maintenance, supplies management, patient transport, linen and the management of medical equipment. We went through those; there was an extensive process of examining all those services and determining which ones, in terms of the benefit to the health system of integrated management, assist the patient experience. We said that a certain set could continue to be operated by Serco, but others, such as the orderly services, would much better be part of the integrated management. We cannot have nursing sisters and enrolled nurses under one set of management and the orderlies under another set of management. It does not make sense. That was the basis for selecting which services we would maintain in or bring back into Health.

As I say, it is important that we raise these issues, but Hon Peter Collier demonstrates a little bit of what we have noticed in the past. He is the “member for Hurt Feelings”. When he was the shadow Minister for Transport, he felt that he was not very nicely dealt with by the then Premier, and those hurt feelings have continued to permeate. He is deeply hostile to the Premier and is very concerned that the Premier is very popular.

A member interjected.

Hon ALANNAH MacTIERNAN: I think the Premier is popular because he has taken his responsibility seriously and has absolutely understood that we have to do all that we can to keep economic activity going at this stage, while at the same time protecting people. I think he has done an incredible job and I think the community of Western Australia believes that as well. We never shut down the mining industry. We never shut down the construction industry. We never imposed the general stay-at-home rules that have turned out to be so oppressive. We

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have had to put other regulations in place, and we are bringing those back as quickly as we can. Medical advice tells us that the overall principle is not to take everything off at once. We have to do this in a staged way. The Premier has indicated that in early June, we will be seeing the next stage, and we will continue to lift restrictions. We want the economy to get back on its feet.

The reason we introduced the Planning and Development Amendment Bill 2020 is that there is absolutely going to be a massive issue here in our community. We know that not just in Western Australia but also across the whole of Australia, the construction industry is facing a precipice. It is going to fall off a cliff. That is the general prediction across the board. This planning bill has not come out of nowhere. This has been part of a three-year consultation process. There has been immense engagement with stakeholders about what is needed in planning reform. All these measures are not just being dragged up and presented. It is true that we are bringing these forward now because we face this very precipitous situation with the construction industry, but this has been the result of a very long process of consultation and broad agreement across the industry. Of course, there is going to be some debate and controversy. Hopefully, we will have a very productive debate in this house about that, and I know that Hon Tjorn Sibma will be assiduous in examining this legislation. I have great confidence that he will not, like some other members, just engage in delaying tactics, but will bring to the fore the issues that need to be debated, discussed and understood.

Hon Michael Mischin: Does he get to see the bill first?

Hon ALANNAH MacTIERNAN: Of course he will get to see the bill first. It is going to be tabled in this house. Several members interjected.

The PRESIDENT: Order!

Hon ALANNAH MacTIERNAN: He will have a couple of weeks to read it, and we look forward to his positive contribution.

The other thing that the “member for Hurt Feelings”, Hon Peter Collier, raised is his concern about McKechnie. He describes John McKechnie as the Premier’s hand-picked candidate. This is complete and utter nonsense! An oversight panel was established, as per the legislation, led by the Chief Justice. It was the panel’s unanimous recommendation; it had nothing to do with the Premier. The panel had the choice of that person. It short-listed and interviewed a range of candidates. The panel found that three candidates were suitable, but had a very strong preference for this person. As we understand, the Leader of the Opposition supports the reappointment of that person; that is what she said. Therefore, we would think that, prima facie, we have bipartisan support for the reappointment of Mr John McKechnie. We have a legislative system. It appears that presumably, logically, some members of the committee made a decision that they do not think that Mr McKechnie is the right person for that job. Even Hon Colin Barnett, the former Premier, makes it clear that he thinks Parliament has to resolve this issue; we have reached an impasse and we need, somehow or other, to get this issue before the Parliament.

Several members interjected.

Hon ALANNAH MacTIERNAN: It is. What the Premier has decided is to give Parliament the opportunity to make a choice, so Parliament as a whole will have the opportunity to resolve this matter. Leader of the Opposition, it is quite astounding how this place can become a bit of a sheltered workshop, in which members are not seeing how other people see this. There is an investigation going on.

Several members interjected.

The PRESIDENT: Order!

Hon ALANNAH MacTIERNAN: There is an investigation going on into the “Black Hand Gang”. I wanted to bring my black gloves to talk about the “Black Hand Gang”.

Several members interjected.

The PRESIDENT: Order, members! Minister, you have finished. Sit down, please.

HON ROBIN SCOTT (Mining and Pastoral) [11.06 am]: I have a brief statement on Hon Tjorn Sibma’s non-government business. I realise that there are really important bills in the chamber at the moment, like the Corruption, Crime and Misconduct Amendment Bill 2017 and the Western Australian Future Fund Amendment (Future Health Research and Innovation Fund) Bill 2019. I am more than happy to contribute to those bills and help where I can, but I am more than happy to allow those to be handled by the big players in this chamber.

My contribution today is about questions without notice. This is the only opportunity I have to respond to the ridiculous answers I have had to some of the questions over the last few months. It seems that the government has become professional non-answerers. This is what I get all the time. For example, last week, I asked a question in two parts—(1) and (2)—and the answer I got back was nearly, sort of, kind of, answered. It never even touched on part (2) of the question. I thought, okay, I will put part (2) in the next day. I did that, and the answer I got back was exactly the same answer as I got the day before. That was just being rude. It was embarrassing and disrespectful.

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The people on the other side of the chamber may disrespect me and may not even like me, which means nothing to me, by the way, but I am representing the people of the Mining and Pastoral Region. I have a job and I have a part to play in this chamber. Members have to remember that when they answer a question, they are answering the question for my constituents, not just for me. The only comeback I have is to rudely yell out, “Answer the question!” I find that so frustrating. I would love to be able to say a lot more, but we are not allowed to because of the rules, regulations and standing orders. But I will never show anyone in this chamber disrespect. I realise that all the members here have been elected, like me, and I would like to think that the Labor government from now on would at least try to answer my questions. Thank you.

Hon Alannah MacTiernan: Is this about PFAS?

HON DR STEVE THOMAS (South West) [11.08 am]: No, not today. I am still waiting for answers on that.

Thank you, Madam President, for an opportunity to address the excellent motion from my colleague Hon Tjorn Sibma today. I am particularly interested in the first section of the motion, which states —

That this house registers its deepening concern with the McGowan government’s continued and determined lack of transparency ...

I am going to concentrate on particularly within the Parliament.

I think this is a definite trend. This has been a long trend, but it is deteriorating as we get, dare I say it, close to an election. I find that in an election year, government transparency tends to decline rapidly—exponentially downwards as we get closer to an election. Sadly, that is the case. For the first couple of years in this Parliament, I managed to get some reasonable answers out of some ministers. The Minister for Environment in particular tries very hard to get answers to parliamentary questions, and I am sure that he is embarrassed on occasions when he has to stand up and read an answer based on information supplied to him by ministers in the other place who have decided very quickly not to provide any information of substance. I want to give a few examples of that because I think it is the trend. I think we have come to the point, honourable members, at which the McGowan government is effectively in election mode. It is converting everything that occurs in the COVID-19 space to election campaigning. It is quite clever. It is quite simple. The government simply says that everything it is doing is now a COVID-19 response. Every component of what the government does, and every action it takes, is now a COVID-19 response. It is saying, “Gosh, aren’t we good.” I understand why that is. We are—what?—nine and a half months away from a state election and the government wants to build on that process. But I have seen a serious decline in the standard of answers and accountability. I could talk about iron ore. I could talk about PFAS as well because that has also been a problem, but I think I did that enough in 2019, and 2020 is my year of economics, Madam President. We will have a bit of a look at this.

Members would probably recall, because I know everybody listens very carefully to my speeches, that I have focused on a number of economic issues in the last six months, in particular payroll tax. I lodged a question on notice on 6 August, way back in the middle of 2019, asking for some information on payroll tax, in particular the payroll revenue collected in various categories going up by increments of \$100 000. I got back this answer —

The Treasurer is due to table the 2018–19 Annual Report on State Finances before the end of September 2019. This report will include audited financial outcomes, including payroll tax collected for the 2018–19 financial year.

If the member has specific questions in relation to the 2018–19 Annual Report on State Finances I would ask that they be held over until after the report is tabled.

Of course, that report does not include the breakdown of information that I asked for in my question, but just after the 2018–19 *Annual Report on State Finances* came down, the government announced its new payroll tax policy. It is absolutely the case that the government of the day, and the Treasurer, did not want to release any financial information on payroll tax before it got its press release out and announced it to the public. We can tell that is the case because I re-lodged the question on 24 October, after the dropping of that document. I got an answer back on 28 November that gave the breakdown of payroll tax revenue in all those categories. On 28 November, about a month after the government announced its policy, I got a response. It is very convenient to drop those things out.

I have asked a couple of questions more recently, one of which was about payroll tax as well. I asked why the numbers vary. I will come back to that in a minute. In a question on notice asked on 16 April this year I asked for the variations of the cost of payroll tax for different thresholds—\$1.1 million, \$1.2 million, \$1.3 million, \$1.4 million and \$1.5 million. I got back this answer —

The answers to these questions can be obtained by using the information provided in response to question on notice 2603 referred to above.

That was my original question. The answer continues —

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This response outlined the number of employers liable for payroll tax and the total revenue collected in 2018–19 for different taxable payrolls.

The answer to my actual question is not a part of that response, because a certain number of people pay in each payroll tax threshold, but at the same time there is a sliding scale because there is a calculation. It is not simply the case that figure for everybody in that threshold changes by a set amount when a threshold is changed. If a person is in the next threshold and the lower threshold is changed, they will go up a threshold. I imagine the Treasurer knew that was the case, because I asked him a question without notice on 5 December last year about the announcement of payroll tax relief valued at \$170 million, and that response did not match the information given to me by the Treasurer in October. The answer that came back is quite right. The answer stated that the benefits are not limited to just those employers with payrolls between the exemption thresholds because Treasury applies expected wages and employment growth to the payroll tax data to project future payroll tax estimates under the existing payroll tax rates scale. It then applies the proposed payroll tax scale to the projected payroll tax data. It uses a calculation that reduces the payroll tax. If we increase the threshold, we reduce the payroll tax paid by companies above that threshold.

The Treasurer answered that question in December last year. He then answered a question on notice about the impact on the budget this year, saying that the answer was in the question all the way back then. In my view, he actually misled me and misled the Parliament in his response. The Treasurer has been pretty good at providing information. Generally, in the first couple of years of this government, I could get reasonable information out of the Treasurer, but I think the Treasurer is in election mode again. I was intrigued this week when I was downstairs watching the debate. There was the usual argy-bargy, as there is in the “house that shall not be named”. The Treasurer was trying to make the point that no Liberal Party members had asked him any economic questions about COVID-19. Guess what? I have. I have been asking him questions. He might look at questions without notice 227 or 242. They are just a couple of examples. I have asked him a number of questions this year.

Hon Alannah MacTiernan: Then go down and contest a lower house seat.

Hon Dr STEVE THOMAS: Which region is the minister going to stand in? Is she going to the south west?

Several members interjected.

The PRESIDENT: Order! Member, you might want to focus on the motion before you.

Several members interjected.

The PRESIDENT: Order! We all know that interjections are inappropriate. Minister! Member, please continue your comments.

Hon Dr STEVE THOMAS: Thank you, Madam President. The Treasurer stood in the lower house and said that he had not been asked any questions about the COVID-19 economic response.

A member interjected.

Hon Dr STEVE THOMAS: It will be good when the honourable member is in Albany.

It is absolutely the case that questions on economics have been asked of the Treasurer about the COVID-19 response. I have to say that the standard of answers was as poor as the standard of that particular debate. That is a shame because I have always considered the Treasurer to be generally above the sort of party politics that other ministers engage in. It is a real shame that even the Treasurer is now in election mode. The reality is that this government has no interest in being held accountable. I think, as mentioned before, the current bill on planning that is before the Legislative Assembly is a prime example of that. In my view, not only has this bill been sprung upon the opposition and crossbench without debate, it has been sprung on them having been preset with consultation with various parts of industry. Industry has already been lined up to be a part of the government’s media campaign. Industry is already a part of that because this government is using every opportunity to hide its agenda and not be accountable and not allow the proper scrutiny of its actions.

That is not just happening in the area of payroll tax; it is also happening in the area of iron ore. It will live in my memory forever, and will be the Treasurer’s “there will be no carbon tax under a government I lead” moment, when he said in February last year that the concept of the price of iron ore remaining at \$US90 a tonne was unrealistic and therefore had not been modelled. I think that was his magic moment. He has tried to pretend all the way through that the iron ore price is not the determining factor of his budget. Then he was outed on 19 March in a lovely social piece in which he said that it is the most important phone call he gets every day, and he cannot go to sleep without it. He said that he cannot go to bed until he gets the email with the iron ore price. There were six months of obfuscation and then he released the truth finally in a local newspaper.

HON MICHAEL MISCHIN (North Metropolitan — Deputy Leader of the Opposition) [11.19 am]: Initially, I was not planning to speak on this motion, but I have been moved to do so because of the manner in which, as

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usual, any reflection, even with examples, of the government's failure to be full, frank, transparent and open about its operations is greeted with derision. Hon Peter Collier outlined some of the experiences that I have had more recently over a matter of significant importance, which Hon Alannah MacTiernan seems to have boiled down to a case of Parliament fixing up a problem regarding the appointment of the Corruption and Crime Commissioner. She thinks that it ought to just be resolved by Parliament. She seems to ignore, once again—this is reflective of this government's attitude more generally—that processes have been established, hallowed by usage, and, with good reason, followed by those who seek to be responsible governors and stewards on behalf of this state in order to ensure that things are done properly. She seems to think that a job application to a committee of a Chief Justice, a Chief Judge and a community member ought to rule the day. Then there is a parliamentary committee—the Joint Standing Committee on the Corruption and Crime Commission—occupied by two Labor members, a Labor appointee in Hon Alison Xamon and one Liberal member. This is not a criticism of Hon Alison Xamon, but that is the way that it came about; she was a Labor appointee and there was the assumption that she would do whatever Labor wanted her to do, whereas the previous committees always used to have two Labor members and two Liberal members. Oddly enough, for some reason, this government did not think that that was a good idea. Because that committee has not done what the Premier wants, Parliament has to fix a problem! No, there is a process, minister. I have tried to get answers about that process, and the Premier has simply stonewalled. Talk about black hand gangs! I do not know what you call your mob in the caucus—left right out, centre left, far left, upside down, in and out or whatever—but the reality is that there is a process.

Several members interjected.

The PRESIDENT: Order!

Hon Alannah MacTiernan interjected.

Hon MICHAEL MISCHIN: I have heard about some activities on the Labor side.

The PRESIDENT: Member, direct your comments to me. Do not be distracted.

Hon MICHAEL MISCHIN: I will keep focused on it. If the honourable member has any allegations or any proof of misconduct by me or my colleagues, she should bring forward the evidence instead of sniping from the sidelines like the Premier does. We will get to that in due course.

It is indicative of the contempt that this government has for parliamentary process. If it does not like it, it just ignores it. That has been reflected on by not only me. Hon Aaron Stonehouse has made comment on it in the past. Hon Tjorn Sibma has had the experience with the Planning and Development Amendment Bill 2020, as have my colleagues in the other place. They got a briefing in which even the public servants concerned did not have a copy of the legislation, yet as part of the process, we are expected to suddenly rubberstamp it and bring it through. It is absurd and it is disgraceful! That is the sort of corruption that was endemic back in the Burkie days with WA Inc. I am sure that an awful lot of developers who are praising this reform would stand proudly with those icons of the WA Inc days, such as Brian Burke, Laurie Connell and Alan Bond. They were all great contributors to the party back then and all sang the praises of the then Premier, just as many are now singing the praises of this Premier because they are getting their way.

We will see just how much will be disclosed about those contracts and dealings when that legislation comes here, because there is no chance in the world that it will be able to be properly explored down in the other place. Hon Alannah MacTiernan might think it is delaying the passage of legislation, but when it gets here, it will be absolutely scrutinised. We will be asking questions about the negotiations and the so-called consultation that has taken place and with whom—just as we will ask questions about the consultation and what the real deals were with things such as the East Perth power station, which was valued at a dollar, with 50 million bucks of taxpayers' money used to fix it up so that millionaires can use it as an opportunity for development. What is going on there one wonders. Are any donations going to the Labor Party as result of that little one?

What about the Australian Hotels Association? Now, the AHA has to issue a certificate to a cafe before it can open. Small businesses in this state are in thrall of an organisation dealing with hospitality. It is getting paid money in order to issue a certificate. I can go to a drive-through at McDonald's and get served a burger that has been prepared in its kitchen, but if I want to sit down in there, it has to have a certificate on the wall, and taxpayers' money is being used for that. I wonder whether a donation is coming from the AHA in due course. Will that be revealed as part of the negotiations? Before Hon Alannah MacTiernan starts throwing aspersions over onto our side of the chamber, I hope that she is prepared to answer some questions about the government's dealings with various people who will get an advantage out of the way that the government is approaching these things.

I have asked questions on many occasions about simple processes to try to get answers from our Premier, who is being held up as an icon of probity, or from our Attorney General, only to get weaselly answers or non-answers. I remind members of how I tried to find out whether the Attorney General had leaked a letter from the Clerk of

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this chamber to the State Solicitor's Office before that letter had been tabled. It took a half-dozen questions over as many days before, finally, he was caught off-guard in the other place and asked and had to admit that he had. That is what it took—yet we are supposed to rely on the probity of this government in commercial dealings? I think not! I have asked questions of the Premier about his communications with the Joint Standing Committee on the Corruption and Crime Commission and members thereof regarding the appointment of Mr McKechnie and why he has revealed the names of other nominees, to their embarrassment, and whether he had their consent to do that. All I got was that he reserves the right to discuss correspondence. I specifically asked him to table correspondence, and the blanket answer was that he reserves the right to discuss correspondence.

Then we have the Leader of the House putting that sort of nonsense forward and saying that the answer was straightforward. No, it makes no sense. That is a disgrace. She represents the Premier in this place. She should go back to him and say that that is not an answer, but she does not. We are expected to be comforted by assertions of the probity of this government in commercial dealings? The reason I got involved in politics in the Liberal Party is that I observed close-up what had happened in the Burke days. I was involved in the Rothwells task force and the prosecutions. The stuff we found going on back then was shameful. That is what moved me to join the Liberal Party. I do not say that the Liberal Party is perfect in every respect, but I know that it is the only bulwark, apart from the crossbench and other parties and this chamber, to prevent that sort of thing from happening again. I am saddened to see it happening again because of the arrogance that is being displayed by some ministers. It is not all ministers. I think that Hon Stephen Dawson, for example, is exemplary in the way that he approaches his responsibilities and his respect for this place, but I am very disappointed in some of the others. I do not have the confidence that we are being invited to have. It may be that the government thinks that it is time wasting to go through its legislation, to pick it apart to see what really underlies it, but we will continue to do that, and I will continue to do that for as long as I am able. I urge members to support this motion and to contribute to it, because it is very important that we hold this government to account, because no-one else is going to in the current climate.

HON TJORN SIBMA (North Metropolitan) [11.29 am] — in reply: I wish to thank all members who have made a contribution to the debate on this motion. My particular thanks obviously go to those who support the motion, but I always find the contributions made by the government about these demands for accountability very revealing. I again thank the Minister for Regional Development for, if not illuminating us, at least entertaining us along the way. A theme that ran through the contributions I think could be distilled into one word: respect—respect for the public, respect for the process, respect for the Parliament. That is the one thing that I think has been absent these last three years at the very least. I want to say this very clearly: I respect the majority of ministers in the McGowan government. I respect the offices that they hold, because they are offices of trust. What I hope for, though, is that those same ministers—the entirety of the cabinet, including the Premier—show respect to the offices that they hold, because I think that is the critical dimension. I am sad to say that it seems to be absent from a number of ministers, including the Premier.

I will close with one topic in the time left available to me. Reference has been made to the introduction of the Planning and Development Amendment Bill 2020. It has had an interesting genesis; I spoke to it in members' statements last night. In the attempt to ram this bill through, which was thwarted, the Premier made a revealing statement about the esteem with which he holds the Parliament. He referred to parliamentary processes as "niceties". He does not have time for niceties. This is all urgent; do we not know? That is unacceptable; that is contemptuous. That kind of pride precedes the fall, and fall he will from those atmospheric heights, as long as he continues this absolute contempt that he shows this Parliament, its members and the public at large. Lift your game, Premier.

Motion lapsed, pursuant to standing orders.