

ROAD TRAFFIC LEGISLATION AMENDMENT BILL (NO. 2) 2015

Second Reading

Resumed from an earlier stage of the sitting.

MR D.A. TEMPLEMAN (Mandurah) [2.50 pm]: I would like to make a contribution to debate on the bill before the house. In doing so, I want to highlight to the house an example of this government's failure in road traffic policing, particularly in the Peel region. Some 12 months ago, in a disastrous and ridiculous decision made by, or through, the Minister for Police, the traffic unit that had been based in Mandurah for a considerable number of years was relocated to Forestdale. I was the only member of Parliament to not only protest this action, but also highlight the ridiculous nature of relocating a police traffic unit away from a highly populated and growing area of Western Australia—the Peel region—with very important road infrastructure, including the Forrest Highway. The decision to relocate the road traffic unit to Forestdale was not only a wrong decision, and a dumb decision—as I was quoted in the paper as saying—but once again demonstrated a lack of planning on police issues in the Peel region. The government has already taken away the autonomy of the Peel police district, which was an entity in its own right under the previous Labor government, and allowed it to be absorbed into the southern metropolitan area, which is a diverse policing district, to the detriment of policing right throughout the southern corridor.

Last week, appropriately during the Olympic Games, we saw a triple backflip by the Minister for Police in her sudden announcement that the road traffic unit will be returned to Mandurah. I spoke privately to a number of the police in the district, many of whom had been there for quite some time, and the feedback was that the minister and the commissioner realised that they had made a blue. It was a silly decision to take the road traffic unit away from Peel and relocate it in Forestdale. I am pleased that will be returning to the district, but this is an example of the inadequacy and poor stewardship by the minister of policing in the Peel region. It is very disappointing that the minister was not listening to the local community, including me, on that decision.

The men and women who are part of the police service in the Peel region are magnificent; I have said that on numerous occasions. We know that road traffic issues will continue to be of great concern to the growing communities right across the Peel region, from the City of Mandurah to the Shires of Murray, Boddington, and out to Serpentine–Jarrahdale and Waroona. An ongoing presence of not only general police officers but also traffic units on the road is crucial. The Forrest Highway is now carrying a large volume of traffic through the Peel region to the south west. It is important that a designated road traffic policing unit be located in the Peel region. The minister took it away a year ago and now, finally, she has realised how dumb that decision was. It was bewildering to me.

Mr D.J. Kelly: It is unforgivable.

Mr D.A. TEMPLEMAN: It is unforgivable. It was bewildering to me, the local governments and others, because it indicated that the minister did not understand the implications of the unique demographic and the geography of a policing area such as Peel. I congratulate the minister on the upgrade of the Mundijong Police Station. A tremendous expansion of the Mundijong Police Station was opened earlier this year. As we know, Serpentine–Jarrahdale is a rapidly growing part of the Peel region. We only need to drive down the South Western Highway through those burgeoning suburbs, including Byford, to see the number of houses that are appearing almost overnight. The growth is consistent. The police issues relating to that part of the Peel region are critical. Some key areas of the Shire of Murray are important. Dwellingup is a great part of the world; I still believe it is one of the most underrated places in its potential.

Mr M.J. Cowper interjected.

Mr D.A. TEMPLEMAN: I have a bike. Do I have to bring my bike—my unicycle?

Mr M.J. Cowper interjected.

Mr D.A. TEMPLEMAN: I do not know whether I want to ride with him. I want to ride with popular people, not unpopular people. I do not think that the member for Murray–Wellington should be riding with him either. That would not be a very sensible thing to do. Is he going to get out his big microbus? I digress.

I am sure that the member for Murray–Wellington would agree with me that there have always been hints and rumours about the future of the police station at Dwellingup. The reality is that the activity that takes place in Dwellingup throughout the year, not just in peak summer periods, is remarkable. Thousands of people travel on the Pinjarra–Williams Road to Dwellingup and on to Boddington. It is a very busy road. Any government that believes that the Dwellingup Police Station, for example, should be downgraded or taken away would have rocks in its head, and I am sure the member for Murray–Wellington would agree with me that that would be something we would protest very strongly against.

Mr M.J. Cowper: There are all the mining trucks and the log trucks.

Mr D.A. TEMPLEMAN: Absolutely, and the mix of traffic will always be a concern through that area. The need for police traffic patrol cars on those sorts of roads, be they the highways such as the Forrest Highway or the connecting road through to Boddington, is crucial. I listened to the earlier contributions of the member for Hillarys and one of the opposition members about the lack of the visual presence of patrol cars on the roads. It is absolutely important that people understand that one of the ways to improve road safety is to have patrol cars seen regularly on those important roads and connector roads. On the Forrest Highway, there is a bad black spot at the Greenlands Road intersection. That is still a very dangerous intersection, and it needs attention from whomever wins government in March next year. The need for a strong police presence is crucial. In the Peel, the changes proposed in this Road Traffic Legislation Amendment Bill (No. 2) 2015 seeking conviction and disqualification of drivers under the influence of alcohol or other drugs cannot be policed without the appropriate police numbers on the roads. It is all very well to bring in these sorts of bills and to beat our chest and say we are not wonderful doing this. At the end of the day, if we do not have adequate resources, particularly in the growing parts of the state, we will be setting ourselves up for failure. We know of the tragedy in Western Australia that is our road toll. In the last 48 to 72 hours we have tragically lost, I think, eight people from road deaths.

Mr R.F. Johnson: Yes. We lost eight in two days.

Mr D.A. TEMPLEMAN: We have lost 10 in four days. That is horrific. Whenever I see that sort of information on the news, I automatically think of the families who suffer from the time they have been told their loved one has lost their life. That is happening far too regularly on our roads, particularly in regional parts of the state. When large populations move around the state, as they do—Western Australians are used to moving on the roads in large numbers over relatively long distances—road safety is very crucial. There should be no deaths on our roads. It is sobering when we hear about a death on our roads, no matter who, no matter their age or no matter the circumstances.

This bill that the minister has introduced and we are debating, seeks to amend a number of acts including the Road Traffic Act 1974, the Road Traffic (Administration) Act 2008, the Road Traffic (Authorisation to Drive) Act 2008 and the Young Offenders Act 1994. As highlighted during the second reading debate and as detailed in the amendment to the road traffic legislation, a number of issues are very worthy of further scrutiny in the consideration in detail stage. When we get to consideration in detail, which I assume we will do when we resume next week, this bill will be given good scrutiny by this Parliament. We support some elements in the bill that are soundly based, but we have some questions that we will ask the minister to respond to. I understand that this bill includes provisions for mandatory blood tests of people driving who have been detained by police. I will be interested in some of those aspects.

The other aspects of this bill that I think are important and clarification of which I will be listening to with great interest, are the disclosure issues. One aspect, in clause 16, is the amendment to section 15, which refers to the capacity for disclosure by the Commissioner of Police. I am interested in some clarification on that. This bill also seeks to redefine some of the existing aspects of our road traffic legislation or to clarify some of the definitions. The bill is so important that we need to very seriously consider it.

I note in her second reading speech on the blood sample aspect that the minister quotes the State Coroner's finding on section 66 of the Road Traffic Act, which states, and I quote —

... section 66 of the Road Traffic Act 1974 provides for very limited circumstances in which a member of the Police Service may require a driver to provide a sample of blood for analysis with a view to determining whether that driver has consumed medications or illegal drugs.

I know the minister does not always like to address hypotheticals during consideration in detail but on this aspect, some hypothetical examples may be given. Clarification of the amendment to section 66 of the Road Traffic Act is important. The minister noted that the State Coroner, in commenting on a fatal vehicle crash in which intoxication may have been a factor, said, and I quote —

In a case where there has been a fatal traffic crash, it is my view that police should be permitted to obtain a sample of blood for testing from each driver involved in the crash irrespective of whether or not the police officers present are in a position to make any determination as to intoxication or otherwise.

I am assuming that this bill accommodates the State Coroner's concerns. Leader of the House, can we confirm that we will not go into consideration in detail today, as, unfortunately, our shadow spokesperson is unwell?

Mr J.H.D. Day: No; not on this bill.

Mr D.A. TEMPLEMAN: I will not take any more time on this, but with those comments, minister, I think we all understand the importance of putting a much greater effort into road safety in Western Australia. Unfortunately, too many Western Australians and visitors to Western Australia have died on our roads over the last decade or more. In the last six months, the rate of road deaths has been horrific. They have not occurred only in regional WA, although the statistics of people losing their lives on country roads are higher. It is a great

tragedy that we have lost so many people, particularly in the last six months, when that should not happen. If we had targeted the moneys from the road trauma trust fund, which was set up specifically for road safety, and spent them in their entirety, we might not be seeing some of the statistics we are now seeing, just over halfway through 2016.

MS R. SAFFIOTI (West Swan) [3.08 pm]: I rise to speak on the Road Traffic Legislation Amendment Bill (No. 2) 2015 and echo many of the sentiments made by the member for Mandurah about the impact of road trauma and road deaths on the community and on families. Every time we see a report of someone dying on our roads or injured in a serious crash, our hearts automatically leap and we feel the significant heartache and pain experienced by all the people connected to that individual. It is tragic that we continue to lose so many people on our roads given the impact that has on the entire community and their families. The issue of road safety is of paramount importance to WA Labor and we will do all we can to try to ensure that our roads are safe and that we prevent the heartache and absolute misery that road trauma and road deaths cause for Western Australians.

The transport portfolio is intrinsically linked to road safety. One of the interesting things that I had the experience of doing this year was listening to a German road engineer talk about how road design is a key part of road safety. It stuck with me when I listened to this internationally renowned engineer talk about how road design has a significant impact on the safety of our roads. Wearing both my transport and planning hat, I think it is one thing we can do better when we start to plan our suburbs and redevelop the road system in burgeoning suburbs. It really is about ensuring that the design of the road matches the use of the road.

We all have examples in our electorates of long straight roads that have lots of driveways and are used as suburban roads. They have become, in a sense, drag strips and places for hooning. When there is interaction between people exiting and entering their driveways and cars travelling at speed along these roads, very unsafe environments are created. This engineer basically said that the road has to be engineered for the speed at which the cars will be travelling. Yes, road signs can be installed to tell people that it is a suburban road, but if it does not look like a suburban road, people will not travel at the right speed. Germany has a clear delineation between the type of road that is planned and the speed at which cars will travel on that road. The point that was made to me was that the further people can see along a road, the faster they can travel. That is why a lot of councils are installing chicanes or vegetation. There are moves to paint markings on roads in the City of Vincent. Those types of small measures alert drivers that they have to keep to the speed limit. When people drive fast along a straight road, their mind starts to wander and if they do not have a trigger to make sure that they are doing a particular speed, they forget the speed that they are meant to be doing. The whole concept of road engineering, road design, road speeds and road safety is fundamentally important. I very much appreciated being there to take that in, should we win the election next year, and knowing that road design has to be appropriate to the speed we want people to travel at so that we do not have to retrofit roads with chicanes, vegetation or line markings. Road safety is paramount in how we plan and develop our suburbs.

This issue is even more relevant for footpaths and cycleways. I remember when a young child who was being put in a pram on the side of a road was hit and killed by a car that lost control. We want to make our roads, footpaths and cycleways safe for the people who use them. When I think about the scary things about hooning, I think about not only the driver, but also pedestrians and cyclists. If a driver who is travelling at speed in our suburbs loses control of their vehicle, it can have a massive impact on the pedestrians who are on the footpath minding their own business while going for a walk or a run or on cyclists and also on their families. Road design is of paramount importance.

We know that hooning continues to be a major problem in many of the suburbs we represent. I do not think we have done enough. More needs to be done with mobile cameras and other activities to try to address the issue. We have all seen reckless drivers while we are driving at the proper speed, and I am talking about seriously reckless drivers who have limited control of their car and are hitting kerbs. We need to do better and stamp that out. Again, we need to protect innocent lives from the people who blatantly disregard the road rules. Not enough focus is put on those who time and again completely ignore the road rules, drive recklessly and put other people's lives in danger.

Road traffic issues and road design issues are linked. In the planning and transport portfolio areas, I am very interested in making sure that when the roads in our suburbs are designed, they are fit for purpose and that the road design matches the road use and the road speed. That is fundamentally important.

I want to mention something more generally about road safety in my electorate. I talk quite a bit about bus infrastructure and how we plan our bus stops. Again, this links into the issue of road safety. Where we put bus stops on the side of the road and the level of protection they offer is pretty poor. Along Lord Street and Marshall Road in my electorate, there are basically sticks on the side of the road, which offer absolutely no protection from drivers. These roads are heavily congested and many drivers are travelling at speed. Unfortunately, two pedestrians have been killed by motorists in my electorate alone in the past month and

a cyclist was also killed on Marshall Road in the past few months. There is growing congestion in these developing suburbs. Cycleways have not been built or finished and there is a lack of connectivity with footpaths. A footpath might just end in the dirt, but there is a bus stop that people need to get to, so there is basically very little connectivity. As a result, people have to walk either on the road or just off the road, which does not offer them significant protection from passing motorists. When schools are built in new suburbs, there is an awful battle between the developers and the council about building footpaths to the schools. As a demonstration, a school has been built in a new estate in my electorate, but there is no safe way to walk to that school. We encourage children to walk or ride to school, but we are not giving them a safe path to connect to school through either walking or cycling. There is always people's behaviour, but it is also about infrastructure and how we can better design infrastructure to promote road safety.

On the side of the road where the young person died recently in my electorate, there are basically zero paths and absolutely zero protection from motorists. That is simply not good enough. It is simply not safe to have paths that end halfway to or do not connect with key facilities such as schools or bus stops. Again, it is a basic level of infrastructure. Different councils are approaching the issues of hooning and road infrastructure in different ways. There are always disputes by local residents about speed mitigation devices. Many do not like speed humps because of the impact that headlights sometimes have through the windows of people's homes. There are chicanes as well. A number of concerns are raised. But I think that where we can, we need to make sure that we fix our roads to try to reduce speeding.

Another point I want to make about road behaviour and speeding relates to something that has happened recently—that is, the new merging lanes on our freeways and some of our highways. Some members may have noticed them and some may not have done. There is a new approach to merging on our roads, which follows the Victorian approach. Between Canning Highway and the freeway, it has moved back to the original zipper merging lane, but primarily across the road and freeway network we have the Victorian style of merging, which is a changing lane—merging style rather than a zipper style. I raise that issue because of the road safety issues it is creating as a result of the lack of information that has gone out to the public. I asked many of my colleagues whether they were aware of the new merging process and they said, "Absolutely not!" They just think that different lines have been painted on our freeways and merging lanes. The reality is that the rules for merging have changed in many instances, but no-one is really aware of that. I went to Victoria recently and I can see that it does work when people know the rules, but Western Australians have not been informed of the rules yet. That is an important thing that needs to be done.

Mr R.F. Johnson: It works very well in the UK as well. I was over there recently and it is a great example, as in Victoria, of how to merge. I hate to say it, but a lot of Western Australians didn't have a clue on how to properly merge until the new system was put in place. I know how it works because I have studied it, but a lot of people don't.

Ms R. SAFFIOTI: I must say that I was quite sceptical about it because I am used to zipper merging, so whoever is in front gets right of way. That is pretty much the zipper style of merging.

Mr P.B. Watson: Supposedly.

Ms R. SAFFIOTI: Yes.

Ms L.L. Baker: No; who's got the bigger car.

Ms R. SAFFIOTI: The bigger car! If one is in the middle lane, one really needs to change lanes to the inner lane to allow the merging to happen. I do not totally doubt that this new style can work, but I do not think that Western Australians have been informed about it. As I said, I told my colleagues that there is a new merging system in Western Australia and they did not know that it was happening. More information needs to be given to the public on this new merging system in Western Australia.

I want to quickly touch on black spots and congested roads. One of the reasons WA Labor opposes the Perth Freight Link is that when the government spends \$2 billion on that project, it cannot then fix many of the congestion and black spots in our community. I look primarily at the growing suburbs around the peri-urban and inner suburbs where there is significant population growth. We have seen roads change from a rural nature to basically a suburban nature. There are significant volumes of traffic and we have not improved the roads to match that, which creates enormous safety issues. Lord Street in my electorate is a classic example. It is a single-lane road that carries thousands of vehicles per day. The congestion on that road now probably outstrips that on any other road across the metropolitan area—the delays are massive for those who travel on that road every day. It also creates road safety issues, because when congestion gets to that sort of point, people use rat runs. Small suburban streets are used by people who are trying to avoid the 20-minute delays on Lord Street. An enormous number of rat runs have been created throughout rural parts of Henley Brook but also even through Whiteman Park as people try to avoid the Lord Street congestion. Again, we need a properly thought-out road

expenditure program and not just one that pours \$2 billion into one project; some of that money needs to be spent on key congestion spots across the community.

The last thing I want to talk about is the road trauma trust account and the Road Safety Council and its operations. I was working in government when a third of the money raised from red-light and speed cameras was allocated to the Road Safety Council for distribution. This government has changed it to 100 per cent of funds from those sources, but it is now spending that money on things on which money was being spent anyway. The government says that it is spending 100 per cent of those funds on these measures when those measures received money in the past anyway. I think some of the claims that have been made in this space are absolutely false and misleading. Road expenditure is now being accounted for under the road trauma trust account when it never used to be. I had a quick look at the expenditure.

[Member's time extended.]

Ms R. SAFFIOTI: Tens of millions of dollars are being spent on roads and that is now being accounted for under that 100 per cent. Expenditure on road safety occurred before, but it was simply not part of the road safety spend at that time. This idea that we spent only 30 per cent of funds on road safety initiatives and that we now spend 100 per cent is absolutely false, because what is now being included in the 100 per cent was being funded before but outside that 30 per cent. The claims are false and misleading. I hate to use the term, but it is comparing apples with oranges. Expenditure is now included under the 100 per cent that occurred before. It is now funding things such as booze buses and Western Australia Police activities when they used to be funded under normal operations and not by the road safety trust account. My reading of it is that there has actually not been any extra spending; it has just been accounted for in a different way. Both the member for Hillarys and the member for Midland have made that point a number of times. There has been no real extra spending; the government has just brought in more money under the same banner and is saying that it is spending more.

I recall the independence of the Road Safety Council under the former government. It was a lot more independent in how it operated and reported. It was a continuing issue because there were some strict independents on that council. The chair of the Road Safety Council would go out and criticise the government. I am not saying that we were doing worse things than this government is doing; it is just that the council was able to criticise us because it was independent. That whole role of the independent umpire and the independent spokesperson has completely gone. Like across so many areas of this government, there is no independent assessment of things and they are purely spokespeople of the government.

Road safety is of paramount importance to the WA Labor Party. We will strive to do all we can to reduce road trauma and deaths on our roads, not only across our suburbs, but also throughout regional WA. The RAC has been running its Elephant in the Wheatbelt campaign. The number of road deaths in the wheatbelt is of continual concern.

Mr P.B. Watson: And the great southern. We are only one per cent below the wheatbelt.

Ms R. SAFFIOTI: And in the great southern, too. Of course, we are also monitoring some of the real road needs throughout regional WA. I know that the member for Albany has been pressing some of the road demands that we need to be investing in down in Albany and in the greater Albany region. In relation to the wheatbelt, we are monitoring the impact of the closure of the tier 3 rail lines on road safety throughout that network.

Mine has been just a small contribution on this bill. I think my colleague the member for Bassendean will be standing and talking soon. We need to be continually strong on reckless and hoon behaviour. I do believe that that type of behaviour is a big cause of many accidents. It also causes the loss of a feeling of safety. Driving with three young children in the back of my car has given me a heightened sense of awareness of people who are speeding close to my car or who try to intimidate me on the road because they do not think that I am going fast enough. We do not tackle enough the issue of intimidatory behaviour on our roads, particularly when that intimidatory behaviour, which is designed to encourage a person to break the rules or go faster, occurs when there are children in the car. I am very concerned about that.

MR D.J. KELLY (Bassendean) [3.30 pm]: I rise to speak about the Road Traffic Legislation Amendment Bill (No. 2) 2015. We on this side of the house support the bill, but there are a few issues I want to raise that go to the issue of road safety. As the member for West Swan just pointed out, one of the key issues about road safety is that roads should be designed to encourage safe driving and should not create circumstances that are likely to cause accidents. In that context, I want to raise the issue of NorthLink, the \$1 billion project that the government is undertaking that will involve Tonkin Highway as it runs through parts of my electorate—Tonkin Highway being the boundary of Bassendean.

The NorthLink project will see a number of new interchanges at intersections, such as Tonkin Highway and Morley Drive. As a result of the upgrade or the new interchange at Tonkin Highway and Morley Drive, Abbey Street, which was a small side street that gave residents access to Morley Drive to turn left or right, has

been closed off and has become a cul-de-sac. Residents who previously accessed Morley Drive via Abbey Street now have to use Hamersley Avenue. To get onto Morley Drive, they have to exit the suburb at a street such as Hamersley Avenue and try to turn right onto Beechboro Road North and turn right again onto Morley Drive. Anyone who knows that area—Mr Acting Speaker, (Mr I.M. Britza), you may know it well—knows that attempting to turn right from Hamersley Avenue onto Beechboro Road North during peak hours is well-nigh impossible. The \$1 billion NorthLink project is an example of the government not giving proper consideration to the impact that a road upgrade will have on surrounding suburbs. It is patently ridiculous to create a situation in which one street is closed—in this case, Abbey Street—forcing traffic that would otherwise access a main road, such as Morley Drive, to turn right, but to do that cars now have to turn right onto Beechboro Road North. There will certainly be more accidents on the corner of Hamersley Avenue and Beechboro Road North. The government is spending \$1 billion on the NorthLink project, but in doing so it has inevitably made the intersection of Hamersley Road and Beechboro Road North a death trap. It is as simple as that; that is what the government has done. I am disappointed that the government has gone ahead and closed off Abbey Street, despite the concerns raised by local residents. The government almost had deaf ears to the concerns residents raised about the local impact of the upgrade of Tonkin Highway through that area.

In addition to making representations to the Minister for Transport about the closure of Abbey Street, I have had to make representations to him about the removal of an underpass and a car park that allows my constituents to cross under Tonkin Highway so that they can drop their kids off at Hampton Park Primary School, which is on the other side of Tonkin Highway. At the moment, residents drive down Hamersley Avenue, drop their kids off in the 80-bay car parking area and use the underpass under Tonkin Highway to reach the primary school on the other side of Tonkin Highway. Without consultation with the school or local residents, under the NorthLink project the underpass was set to disappear. The plan, if I can call it that, was that all those residents would drive their kids to the other side of Tonkin Highway along Morley Drive. The proposal was completely ridiculous. After residents—I am sorry if this is a bit tedious, minister—and local members of Parliament raised the issue with the Minister for Transport, he belatedly agreed that the underpass would remain. The car park is still an issue and despite having written to the Minister for Transport about this matter twice, I have yet to get a response. There is no point having a pedestrian underpass under the NorthLink project if the 80-bay car park will be replaced with a 20-bay car park. What is the point of spending millions of dollars on a pedestrian underpass under the NorthLink project if the car park that people normally use to drop off their kids will shrink from 80 bays to 20 bays? I have been to that car park at school pick up and drop off and every one of those 80 bays is needed. What will happen next year when, despite still having the pedestrian underpass, the 80-bay car park is bulldozed? I was there a couple of days ago. The car park is still there, but every tree and blade of grass around the car park has been removed. What will happen when the car park goes? Reducing an 80-bay car park to a 20-bay car park just cannot happen. The residents who live in Abbey Street and Hamersley Avenue are being hit with a double whammy as a result of the NorthLink project. It is a triple whammy, really. The car park is being reduced from 80 bays to 20 bays, which will mean massive congestion on Hamersley Avenue and Abbey Street every school pick up and drop off. That is the first hit. The second hit is that Abbey Street has been made into a cul-de-sac so residents who want to access Morley Drive have to turn right onto Beechboro Road North, which is an absolute disaster and an accident waiting to happen. That is the second whammy. The third whammy is that their taxes are contributing to a billion-dollar project and they are going to have a hell of a time accessing NorthLink because their access is being cut off.

As the member for West Swan made clear, a lot of changes can be made to road safety laws, but if we continue to design roads in such a way that it creates circumstances in which accidents are bound to increase, we are not really saving any lives at all. The NorthLink project around Hamersley Avenue, Abbey Street and the streets that run off it is basically an accident waiting to happen. Residents in those areas have made their views known at various community forums on that project, but no solution has been found. I am staggered that whoever designed the associated interchanges for the NorthLink project did not notice that. The problems that are being created are blindingly obvious. I do not understand how clever people in the government allowed initial plans to come forward with road designs that will clearly result in more accidents. I am staggered it happened in the first place, but I am equally staggered that the relevant minister, the Minister for Transport, and the Minister for Police with her road safety hat on have not listened to the very legitimate concerns raised.

It is great for government to say that it is going to build a big road that will get traffic from Muchea not quite to the port in rapid time. It looks good. The YouTube clips look good. The minister is photographed cutting the ribbon with big scissors and all that stuff, but when we look at the detail, we see the real problems that will be created for the locals. Even the flyover video for the NorthLink project shows Hampton Park Primary School as a bit of vacant land and it completely ignores the fact that there is a primary school there. If the minister takes her role in road safety seriously, I ask on behalf of the residents of the streets around Abbey Street and Hamersley Avenue that she ask the Minister for Transport what is going to happen at the intersection of

Hamersley Avenue and Beechboro Road North in the NorthLink project. It is completely ridiculous that a whole bunch of residents will be forced at peak hour to turn right onto Beechboro North Road to access Morley Drive and the NorthLink project.

I want to raise one more issue about the congestion that will be created as a result of the decisions of this government, and that is the Ellenbrook bus rapid transit project.

Mrs L.M. Harvey: That has nothing to do with this bill.

Mr D.J. KELLY: It has everything to do with road safety. We are supporting this bill.

Mrs L.M. Harvey interjected.

Mr D.J. KELLY: I am glad the minister has woken up.

Mrs L.M. Harvey: Excuse me! I've been listening the whole time.

Mr D.J. KELLY: If she would not interject —

Mrs L.M. Harvey: I've been trying to stay awake during your speech.

Mr D.J. KELLY: So the minister has had trouble staying awake! I have been trying to explain to her the dangerous intersection that she is creating on the corner of Hamersley Avenue and Beechboro Road North.

Mrs L.M. Harvey: That's right—and Abbey Road and Hampton Park Primary School.

Mr D.J. KELLY: If the minister was actually doing her job, she would not be trying to interject on this speech.

Mrs L.M. Harvey interjected.

Mr D.J. KELLY: I have not had a go at the minister over this issue. I have raised this legitimately because her cabinet colleague, the Minister for Transport, will not answer the letters we have written. I would ask that she let me deal with this second issue and I will tell her why it relates to road safety. It is not difficult. When we create roads that are more congested, we are more likely to have people killed on those roads.

Mrs L.M. Harvey: I'm not saying that it is not relevant to road safety; I'm saying that it is not relevant to the bill before the house.

Mr D.J. KELLY: Minister, I am going to deal with this issue. If the minister wants to take a point of order, do it. But if you are interested in road safety, you just sit there and listen for five minutes and stop trying to interject. The issue that you have created in respect of the Ellenbrook bus rapid transport system —

Mrs L.M. Harvey: I will do as I am told, then! Thank you for telling me what to do.

Point of Order

Ms M.M. QUIRK: The member for Bassendean has clearly said that he is not inviting interjections.

Mrs G.J. Godfrey: He is the one throwing insults.

The SPEAKER: Member for Belmont, stop interjecting on the point of order. Does the member for Girrawheen want to finish her point of order?

Ms M.M. QUIRK: I had made the point of order. I just wanted to indicate that the Minister for Police was still interjecting after the member for Bassendean made it clear he was not accepting interjections.

The ACTING SPEAKER (Mr I.M. Britza): I accept what the member is saying, but I also accept the fact that the member for Bassendean was still taking interjections. However, if he is not going to take them, I will protect him.

Mr D.J. Kelly: No; certainly not from her.

The ACTING SPEAKER: I am not saying that; I am just saying that it was going backwards and forwards; therefore, I was not ruling. However, if you are saying that you do not want any interjections, that is it.

Mr D.J. Kelly: I do not want interjections.

The ACTING SPEAKER: That is fine. Member for Mirrabooka.

Ms J.M. FREEMAN: Maybe it would assist if I noted the state of the house so that there were members in the house to listen.

Debate Resumed

[Quorum formed.]

Mr D.J. KELLY: As I was saying before I was so rudely interrupted, I note that the Minister for Transport is in the house now so I will touch back on the issue about Hamersley Avenue.

Mr D.C. Nalder: I heard it all.

Mr D.J. KELLY: I am serious, minister. I will not go through it again if he heard.

Mr D.C. Nalder: I did hear it.

Mr D.J. KELLY: There is a serious issue on the corner of Hamersley Avenue and Beechboro Road North, where Abbey Street has been cut off. At the end of Hamersley Avenue where that car park is —

Mr D.C. Nalder: On the other side of Tonkin.

Mr D.J. KELLY: Abbey Street has been cut off as well. Abbey Street has become a cul-de-sac so people cannot access Morley Drive. To get out onto Morley Drive people have to —

Point of Order

Ms M.M. QUIRK: I am having trouble hearing the member because there are other conversations going on.

Debate Resumed

Mr D.J. KELLY: Abbey Street has become a cul-de-sac. The minister could probably google it on his phone while I am talking. In order for people to access Morley Drive and the new intersection to get onto the NorthLink project, they now have to go down Hamersley Avenue and turn right onto Beechboro Road North and then right again onto Morley Drive and then get onto the NorthLink project.

Mr D.C. Nalder: I have not seen your letter, but I have asked my office to follow it up, and we will come back to it.

Mr D.J. KELLY: It is a very serious issue and I hope the minister will address it.

[Member's time extended.]

Mr D.J. KELLY: The other issue I wanted to discuss is the Ellenbrook bus rapid transit project. It will cost \$49 million and, according to the minister, it will cut 10 minutes off the travel time from Ellenbrook to Bassendean station. We asked a question in the other place about whether the government had done any work on the number of passengers who will use that and how it will impact on Bassendean station. The answer we got was that passenger numbers at Bassendean train station had not been done. I am concerned about the congestion that will be created at Bassendean train station. Presumably, there will be more people and more buses, if the Ellenbrook BRT ever gets built, coming down through Bassendean and hitting the Bassendean train station.

Mr D.C. Nalder: Some are going to Midland.

Mr D.J. KELLY: Some might go to Midland, but the signature route that the minister has been promoting is a 10-minute reduction in time between Ellenbrook and Bassendean station.

Mr D.C. Nalder interjected.

Mr D.J. KELLY: I will just make it clear; the minister can ask me question in a minute if he wants. I cannot see the government spending any money—the minister can tell me if I am wrong—south of Marshall Road to Bassendean train station. Through Altone Road and Ivanhoe Street there will be more buses and more traffic, but no money will be spent on those roads and no accommodation has been made for the increased traffic and patronage around Bassendean station. There will be more buses, more people and more potentially dangerous circumstances. I would like to hear from the minister and he can tell me whether there is something I have missed. Of that \$49 million, is any of it being spent on the route from Marshall Road to Bassendean station?

Mr D.C. Nalder: The \$49 million is from Marshall Road back to Ellenbrook, and that is where the greatest block is currently with the traffic congestion. The 10-minute saving is during peak, but we are increasing services to other points, so they will come down there and go in alternative directions. We will have them going towards Morley and we will have them going towards Midland and Bassendean. The savings and the modelling have been around what is there now as it continues to grow. At this point, the advice I have had is that it is not required south at this point in time. They are the things we need to monitor, but the bigger take-up is going to move towards Morley and Midland than towards Bassendean.

Mr D.J. KELLY: I suppose that confirms my fear that the government will not spend any money on the route south of Marshall Road to Bassendean.

Mr D.C. Nalder: The advice I have had is that it is not necessary at this point in time.

Mr J.H.D. Day: If you just look at the title of the bill, you are a long way from the purpose of the bill.

Mr D.J. KELLY: The Leader of the House can take a point of order if he wants.

I am concerned that the large number of people who use Bassendean station, such as schoolchildren who get dropped off, are going to be impacted upon. The minister said that the advice he got was that it was not required. The question I asked in the other place was whether the minister had done any passenger numbers on Bassendean and the answer was that he had not done any. I urge the minister to look at that issue, but I thank him for clarifying that none of the \$49 million is being spent south of Marshall Road. The Minister for Police will be pleased to know that they are the only two issues I wanted to raise on this bill. I look forward to getting a sensible response from the relevant ministers on both those issues.

MS J.M. FREEMAN (Mirrabooka) [3.54 pm]: I rise to speak on the Road Traffic Legislation Amendment Bill (No. 2) 2015. I note that it covers a range of issues, including the introduction of drug and alcohol restrictions for persons providing driving instruction to learner drivers, which I think is frankly a bit of a no-brainer. It seems to me of some interest, but I understand that many parents have used that loophole over the years so that they can drink and tell their children who are learning to drive to drive them home. Frankly, having gone through a process with my son in the last couple of years, I really think that is a bit like what we keep trying to say to the community as a whole. Often many of our children take notice of what we do and not necessarily what we say. I think it is really important that it is made clear to families, friends and other people that if drinking limitations are imposed on people driving, specifically young people and learner drivers, the people they are getting up their learner hours with would also not be allowed to drink. I think that is quite important for a person accompanying a learner driver who is getting their learner hours up. It is quite interesting that in this place we have to take that anomaly away. If we as a community demand of legislators and this Parliament to put in quite strong and stringent requirements for quite a considerable time for learner drivers and P-plate drivers about drugs and alcohol in their system while they are driving, one would think that the people who are instructing them would understand that they need to demonstrate that as well. Unfortunately, human nature being what it is, people will find a loophole and they may go around that. This is obviously a welcome addition to the legislation.

It reminds me of the time I was out with a bunch of my mates and one of the husbands came to pick us up. There were not enough seatbelts for the number of people who wanted to jump into this car, so I said that I would catch public transport. They told me to get in and that I would be fine, but I said that there could not be more people than seatbelts. It was not until a year later in this house that we changed the anomaly in legislation that allowed more people than seatbelts in a car and it was not illegal for the extra person to be in the car. I could have jumped in that car that day and got a lift home with my mates, but my view was that if legislation had been made requiring seatbelts to be on everyone, I clearly should not have got in the car because I could not put a seatbelt on. But true to form, someone at some stage saw the loophole.

We talk to our communities and they tell us that they are overburdened with rules and regulations and that they are over-governed. We should use this case as a perfect example for community members that they might be over-governed, but that they should think about it. They might think that we keep making rules and regulations for them, but so many in the community stop using their commonsense, and commonsense would dictate that if that learner driver cannot have alcohol in their system when they are learning, the person instructing them should not have it in their system either. In the past people have said to me that there are too many laws. I believe in regulation around workplace safety, but I also believe that often we are overburdened by too many regulations, standards and referrals to different things, as the Minister for Police knows. I think here we have to spell in such small detail these things like the removal of an anomaly in the offence of driving without authorisation whilst under driver's licence suspension and disqualification. I gather that that means that a person suspended or disqualified from driving can almost keep driving, and it does not have a negative effect until their licence is taken away.

It seems to me that some of this bill is like a script for how overregulated we are, instead of looking at some of the big issues in road traffic, such as the Towards Zero strategy. How do we get back to the focus on what is really important about road safety and the proper design of roads for road safety or even the design of cars? Years ago, lots of cars were being broken into, so the government introduced legislation requiring people to install immobilisers. The registration of the vehicle could not be transferred unless it was fitted with an immobiliser. That changed the way in which cars were coming onto the market. We could not buy a car now without the proper security system. I do not think a car can be imported without a security system; I think the minister is having a think about that.

That is an example of the big policy issues that I thought we were going to debate when I was first elected to this house. Let us talk about what Towards Zero is going to be. Let us talk about how we can change the impact of alcohol on our community. Let us talk about all the issues around road safety, traffic and safety in our workplaces. Let us talk about the impact of drugs as a public health issue, and what sort of campaigns we could have, a bit like we did with smoking. But, no, we are going to remove an anomaly in the offence of driving without authorisation while under suspension or disqualification. Clearly, there is now the option to report a traffic crash online through the internet. We really should do better drafting, so that we can futureproof how we are going to do that, because soon we will be able to tweet something like that, perhaps, given that the police are on Twitter.

Part of the greater strategy around road traffic legislation and road crashes is about changing our mode of transport, and having the big discussion about how we deliver the public transport we need in the community. The Minister for Transport says he has delivered a visionary strategy, and everyone says that they have a visionary strategy, but nobody says where it sits in our total priorities, and how we continue to fund it into the future, so that everyone will know that. Because we do that, people get on with their lives and keep driving their cars despite the fact that in 2013 the government went to an election telling people that I represent that it would deliver an effective transport system through the Metro Area Express light rail system. Now that that has not been delivered, people will just stay in their cars, Wanneroo Road will continue to be one of the most congested roads in the area, and we will continue to police small traffic accidents through the internet—or by doing the small aspects that we are here to discuss today.

We continue, like mice in a cage, running around in a wheel, instead of dealing with the big issues. The RAC says that someone driving on a road in the country is something like 10 times more likely to have a major accident or a fatal accident. I am just quoting that off the top of my head. I remember speaking to the RAC. They cannot work out the cause of that difference. There are clearly cultural factors, road design and a whole bunch of issues around that, but just looking at that statistic must say that there should be really strong strategic points of view to deliver road safety into those areas. It is extremely important.

One issue that I want to raise is the impact of our road traffic legislation on newly arrived Australians—migrants. I have talked about that in this house before. At the moment, it is very unfortunate for people who come here as refugees from Syria. They have suffered something that none of us will ever know. Those people had our lives. Let us not mistake that. Sometimes we can turn a blind eye to African refugees because we think they live in less developed nations than ours, and therefore by bringing them here, we get some sort of saviour complex, which I think is wrong, but we say that they are lucky to be here and that sort of thing. Syrian refugees come from a war-torn country, and they are lucky to no longer be in a war-torn country seeing civilians bombed and killed and hospitals attacked, but those people are us. They are middle-class people who have had accounting practices, businesses and roads that are operating. Somalia got excited when it got its first traffic signals. That was mentioned in various publications that the member for Girrawheen and I get, and a few other members might get.

Syria probably had traffic legislation just like ours that looks at all of the issues around this. They have been operating in communities there, and then they come to Australia and suddenly it is really hard to get a licence. It is very difficult to deal with all the issues around obtaining learner plates and supervised training. I recognise that the state government funds a number of agencies in this area, and I will mention them shortly, but I thought it would be interesting to reflect on a paper that was done by the Transport Accident Commission, RAC Victoria, Kerryn Alexander Research and Comspec Services entitled “Newly arrived migrants — new Victorian drivers”, presented to the Australasian College of Road Safety conference, “A Safe System: Making it Happen!” in Melbourne on 2 September 2011. The authors of the paper were attempting to ascertain whether people’s anecdotal views about newly arrived migrants’ driving habits were valid. The general public thinks that they have more crashes and more difficulty with road rules. There is an implicit—“racism” is probably too much of a strong word—discrimination against newly arrived migrants driving on our roads, which leads to people having less tolerance. This report, I am glad to say, shows that there is no evidence that newly arrived migrants have more driving infringements, more crashes or more difficulty on our roads. That is primarily because they do not collect that sort of data and because they surveyed two groups, which showed that the behaviour on the roads of newly arrived Australians is just as poor as that of any other Western Australians. Among the findings of the impacts on Victorian drivers—I am sure they would impact also on Western Australians—is that some of the issues for newly arrived Australians driving in Victoria are limited public transport options. The need to obtain and keep employment mean that new arrivals often wish to obtain a driver’s licence. That would certainly be the case in Western Australia, I suggest, especially for people who live in the Mirrabooka area. The 2011 census, compiled by the Australian Bureau of Statistics, shows Mirrabooka is the thirteenth most diverse suburb in Australia. I do not know what the 2016 census will show.

[Member’s time extended.]

Ms J.M. FREEMAN: I know, Leader of the House, this does not go to this bill but I promoted the census to all the migrant communities in the area I represent, especially because the Somalians constantly tell me lots of Somalians are in my community. I keep pointing out to them that that does not seem to show in the census. My discussions with them indicate that they have not done the census, despite a number of them living here for a good 20-odd years. They are not particularly trustful of the census. I assured them vigorously that they could trust the census.

Mrs L.M. Harvey: For God’s sake!

Ms J.M. FREEMAN: I digress. I will get back to the point; namely, that new arrivals who come here under refugee and humanitarian programs find it very difficult to get a driver’s licence. Communities such as the Burmese communities and some of the African communities, although not perhaps Syrian communities, face

challenges including lack of experience in a motorised society; not having held a licence in their country of origin; limited experience with licensing systems and bureaucracies; language barriers in dealing with licensing authorities; sitting the test; comprehending written material; costs associated with driver's licences, especially in relation to obtaining driving lessons; access to cars and licensed supervising drivers to assist in preparation of their test; and solo driving.

The report refers also to new arrivals from less motorised countries. The evidence in Sweden and the United Kingdom show they have a higher incidence of crashes but in our communities we do not gather any of those details. However, the surveys showed that most of the newly arrived communities would prefer to use public transport but they feel the public transport options are not as great outside Melbourne and certainly are probably not as great in the areas I represent. I think that information is worthwhile knowing. When we consider updating terminology, the use of speed and distance measuring equipment et cetera, we should make sure regulations do not make it more difficult for newly arrived Australians to operate in the car-driven community of Western Australia, which we live in. In saying that, I commend the Edmund Rice Centre WA, which runs a driver education program and driver instruction training program. One of the biggest things for new arrivals is getting the very extensive supervised hours and the impact it has on many families in ensuring they can live the day-to-day lives that we enjoy because their mobility is limited.

When we started talking about immobilisers, there was a point that I did not make well enough. There are ways now to limit the speed we travel in our cars. Immobilising-type technology can be installed in cars to limit the speed of repeat traffic offenders. If Google Earth can help people find a Pokémon, I cannot see why satellite technology cannot help to limit the speed of repeat traffic offenders. I know people should take personal responsibility, but that is the same as saying people should take personal responsibility to install security systems in their cars. However, we took away that responsibility and decided it was for the sake of the broader good by making sure people could not transfer their vehicles unless they contained immobilisers. The fact is, we should be investigating some technology that goes to the issue around safety and speed, especially on country roads, given the high rate of fatalities on those roads. Bearing in mind the recent events of tourists from overseas driving hire cars, how is there not some technology in those hire cars that sounds all sorts of alarms—Warning! Warning! Get on to the correct side of the road—for people who are not used to driving on the left-hand side of the road to get on the correct side of the road? We should be looking at those sorts of things to see how we can make our roads safer. Part of the issue of technology is to have discussions with our community about the vehicles young people can drive to make sure they are not the cheapest or most dangerous on the roads. Frankly, young people are at greatest risk. The longer people are away from obtaining a licence, the lesser the probability of having a serious accident causing injury. The closer people are to obtaining a licence, the greater probability of injury, so we need to address a series of issues around the sorts of cars young people drive. In other states, young drivers are limited to certain types of cars. They cannot drive high-speed cars and have to adhere to all sorts of other regulations.

I started this conversation saying that people should be using commonsense. We should be seeking to achieve commonsense mixed with regulations providing for good policy parameters that deliver safety outcomes. I think we can do that. We just need to be a little more imaginative than removing anomalies or introducing legislation around commonsense. We need to introduce some road traffic amendments that are a bit more meaningful than that which is before us today.

MRS L.M. HARVEY (Scarborough — Minister for Road Safety) [4.19 pm] — in reply: I rise to close the second reading debate on the Road Traffic Legislation Amendment Bill (No. 2) 2015. I thank members for their contributions to the debate. Members have raised a number of issues over the course of the debate. I will not go into all those issues, because a number of those issues will need to be interrogated further through the consideration in detail stage of the bill, which will now occur next week.

A number of matters were canvassed by members. There are a few matters that I think it is worthwhile to address. There was a lot of conjecture about the expenditure from the road trauma trust account. I would like to remind members that this year, we have allocated \$148 million from the road trauma trust account to road safety initiatives. Of that amount, \$64 million will go into regional road crashes and a range of initiatives to address the recommendations of the wheatbelt highway safety review and the motorcycle safety review, as well as addressing the Towards Zero strategy to drive down the road toll in Western Australia by 40 per cent by 2020. We are on track with achieving the objectives of the Towards Zero strategy, and the road toll in Western Australia has come down by 34 per cent over the last 10 years, but particularly since the focus on road safety has been so intense with the election of the Liberal–National government.

The member for Gosnells addressed cycling safety. That is an area of high concern for the government. We recognise cyclists as part of our vulnerable road user group. That is why the government has invested a record amount of money in cycling infrastructure to try to grade-separate cyclists from motorists wherever possible. However, in those areas in which they share the road, the member for Gosnells is quite right to highlight

a couple of tragic hit-and-run incidences where motorists have unfortunately not obeyed the law by allowing a safe passing distance from cyclists and that has had a catastrophic result for the cyclist. The law in Western Australia is very clear that motorists need to pass cyclists at a safe passing distance. The penalty for failure to do so is significant. In addition, this bill increases the penalty for careless driving from \$600 to a fine of up to \$36 000, or potential imprisonment for three years, to assist in ensuring there are consequences for people who do not obey the law and as a result of their actions cause death or serious injury to a cyclist or pedestrian.

The member for Gosnells also talked about some of the great initiatives that have arisen out of the Road Safety Council and formerly the Office of Road Safety, particularly the World Day of Remembrance for Road Crash Victims. I acknowledge the member for Gosnells' attendance each year at that event at Thornlie Senior High School and other high schools in and around his area. That ties into the school drug education and road aware program, which is funded through the road trauma trust account, to ensure that our teenagers and young people are receiving the road safety and drug and alcohol education message. I also acknowledge the fantastic efforts of the students at Thornlie Senior High School, and also the victims of road trauma who come to speak and engage with youth each year, and the impact on young people when they receive a message from a person whose life has been badly impacted as a result of a road trauma incident.

The member for Mandurah addressed some of the traffic issues in the south metropolitan area. The member is right. While we were upgrading Mandurah Police Station, we did shift our traffic officers to Harrisdale. Traffic officers are still deployed from Harrisdale. However, with the expansion and upgrade of Mandurah Police Station, we have extra space for additional officers, and officers on traffic duties will now be deployed from Mandurah station.

A number of members have spoken in support of the ability to take a blood sample from people who have been involved in a traffic crash and may not necessarily be able to give consent to provide a blood sample. If an unconscious person looks or smells as though they may be over the limit, it is important that we can ascertain whether alcohol or drugs were a factor in the crash, regardless of whether the person is able to give consent.

The member for Bassendean talked about a range of issues. I acknowledge that road design is an important part of road safety. That is why we have our metropolitan intersections program and our regional run-off roads program. Those programs are designed around improving the design and layout of our roads and intersections, and putting in place passing lanes and wire barriers, to try to ensure we get the best outcomes and the safest designs for our roads so that should a driver make one of those catastrophic mistakes, they are in the best position to survive that crash.

Member for Mirrabooka, I acknowledge the issue that has been raised with me, and no doubt also the Minister for Transport, by the Edmund Rice Centre with respect to new migrants, and also people in remote Aboriginal communities, of trying to find qualified people to perform the supervision component of achieving a driver's licence. It is a requirement that before learner drivers are able to achieve their driver's licence, they must document that they have performed a certain number of supervised driving hours. That is a big issue for people who are new to Australia or live in a remote Aboriginal community and do not have a network of family and friends in possession of a driver's licence to ensure they are given a range of driving opportunities and can get the number of supervised hours up to the required level. The Edmund Rice Centre does a very good job in trying to get volunteers on board to provide that level of supervision. However, that is a problem that we have not solved as yet. Given that the road safety advice is that there needs to be a level of supervised driving hours to bring our learner drivers up to a safe level before they achieve their licence, reducing the number of hours of supervision is not the answer either. However, we are working on trying to find a solution to that issue.

I thank members for their contributions to the debate. Members have flagged a range of areas on which they would like further interrogation, and we will, no doubt, interrogate the bill in detail during the consideration in detail stage next week.

Question put and passed.

Bill read a second time.

Leave denied to proceed forthwith to third reading.