Parliamentary Debates
(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2024

LEGISLATIVE ASSEMBLY

Wednesday, 19 June 2024

Legislative Assembly

Wednesday, 19 June 2024

THE SPEAKER (Mrs M.H. Roberts) took the chair at 12 noon, acknowledged country and read prayers.

SOLID WASTE DEPOT — ALEXANDER DRIVE, MIRRABOOKA

Petition

MS M.J. HAMMAT (Mirrabooka — Parliamentary Secretary) [12.01 pm]: I have a petition from 1 443 petitioners couched in the following terms —

> To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.
>
> We, the undersigned, say
>
> The Community vigorously opposes the proposal to operate a Solid Waste Depot, classified as 'Industry-Noxious' at **Lot 821, House Number 501 Alexander Drive Mirrabooka WA 6061**. The proposal in this highly urbanised area presents unacceptable risk of detrimental health effects (including mental health), irreversible damage from environment contamination and pollution (including asbestos), and impacts from financial loss and/or hardship.
>
> Now we ask the Legislative Assembly
>
> To use its powers to object to the drastic 'change of use classification' from the current Parks and Reserves to Industry-Noxious Solid Waste Depot. The Community expects that the safety, health and wellbeing of people and the environment is protected NOW and also safeguarded into the FUTURE.

[See petition 59.]

PAPER TABLED

A paper was tabled and ordered to lie upon the table of the house.

BILLS

Notice of Motion to Introduce

1. Education and Care Services National Law Application Bill 2024.

Notice of motion given by **Ms S.E. Winton (Minister for Early Childhood Education)**.

2. Control of Vehicles (Off-road Areas) Amendment Bill 2024.

Notices of motion given by **Ms H.M. Beazley (Minister for Local Government)**.

KING'S BIRTHDAY HONOURS LIST

Statement by Minister for Culture and the Arts

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [12.04 pm]: A number of incredible Western Australians have been recognised in this year's King's Birthday honours list, including four wonderful Western Australian recipients within my portfolios. I would like to acknowledge the significant impact each has had on their community across the sport and recreation, international education, and culture and the arts landscapes.

Suzanne Maree Ardagh has been recognised for significant service to business, the arts and the community. She has served on numerous boards over the last 20 years, including the Perth Symphony Orchestra, Perth Festival and Musica Viva Australia. Currently, Ms Ardagh is deputy chair of the board of West Australian Ballet, a board member of the WA Cricket Foundation, a patron of the Western Australia–Vietnam Business Council and a non-executive director at the West Coast Fever. During her time with the Fever, it has cemented its position as a leader in elite women's sport and reached the grand final in 2018, 2020 and 2022.

Michael Nicholas Litis has been recognised for service to the community through sports organisations. He is a life member of the Karoonda Junior Football Club, the Hellenic Football Club, and Hellenic Lawn Bowling Club, as well as a 50-year member of Royal Perth Golf Club. Mr Litis has held multiple committee and executive positions across these sporting clubs, profoundly improving outcomes in our community sporting landscape.

Leonard Arthur Randell has been recognised for his service to sailing and to naval architecture. He is known for his designs and boats ranging from the simple Pelican dinghy to the STS *Leeuwin II*, along with many foot skiffs that were sailed to national championships during the 1950s. In 1952, at the age of 27, he became the only naval architect in Perth as part of the Royal Institution of Naval Architects. Mr Randell joined the South of Perth Yacht Club in 1951 and continues to be an active member. He has helped to shape the sailing landscape around Western Australia and the world.

Evelyn Mona Robinson has been recognised for service to netball as an administrator, coach and athlete. This amazing lady has been integral to the development of netball within the City of Belmont and Western Australia. In addition to her experience in the state team as a player, captain and coach, she has taken on many volunteering roles, becoming a founding member, inaugural president, coach and life member at the Belmont Netball Association. Ms Robinson is also a life member of the South Belmont Netball Club and Netball WA, and the grounds in Belmont are named after her in rightful recognition of her lifetime of contribution to the wonderful sport of netball.

It is wonderful to see long-serving volunteers recognised. We congratulate all those King's Birthday honours list recipients.

CLIMATE ADAPTATION STRATEGY — CREATING CLIMATE RESILIENT RIVERS

Statement by Minister for Water

MS S.F. McGURK (Fremantle — Minister for Water) [12.07 pm]: I rise to inform the house that the Cook government commenced a four-year program focused on enhancing the resilience of rivers across the south west of our state to address the impacts of climate change. The new $1.5 million program, Creating Climate Resilient Rivers, is funded under the climate adaptation strategy and will be led by the Department of Water and Environmental Regulation.

Since the 1970s, rivers across south west WA have shown declines in streamflow of up to 80 per cent. In the last two years, rainfall and water levels have been the lowest on record, falling to critical levels in several areas in this important region. The Creating Climate Resilient Rivers program will identify priority locations for protection and enhancement, as well as undertaking a range of on-ground projects to help improve river health and climate resilience. This includes supporting an innovative new project to breathe life into the Harvey River. Nine fish hotels will form prime real estate through a 500-metre section of Harvey River near Riverdale Road, an area that was historically de-snagged to increase drainage. The fish hotels, which look like small wooden pyramids, will sit on the riverbed and serve as the perfect location to attract and retain aquatic wildlife. Species that will benefit from these fish hotels include freshwater catfish, nightfish, pygmy perch, western minnow, marron and shrimp. The new fish hotels will also boost habitat for turtles, waterbirds and rakali, which are water rats.

The fish hotels were constructed by Waroona Community Men's Shed and students from the Western Australian College of Agriculture in Harvey using locally sourced timber. I greatly enjoyed attending the fish hotels launch on the Harvey River with the honourable Robyn Clarke, the member for Murray–Wellington, and the opportunity to meet students and project partners who have supported this project. I look forward to receiving further updates on the Creating Climate Resilience Rivers program in the coming years, and eagerly await some five-star guest reviews for the fish hotels and their new inhabitants.

WORLD ELDER ABUSE AWARENESS DAY

Statement by Minister for Seniors and Ageing

MR D.T. PUNCH (Bunbury — Minister for Seniors and Ageing) [12.09 pm]: I am pleased to advise the house that World Elder Abuse Awareness Day is globally recognised on 15 June, and this year the Cook government recognised WEAAD from Monday, 10 June to Saturday, 15 June. Elder abuse is a significant issue in our community. Momentum is growing for action at local, national and international levels. Research by the Australian Institute of Family Studies shows that 15 per cent of Australians aged 65 years and over who live in the general community have experienced elder abuse.

The theme "Wise Up, Rise Up Against Elder Abuse" focuses on how the community can support older Western Australians to find out more about elder abuse and to recognise the signs, and in accessing support and taking action in their own lives and communities to prevent it from happening. Buildings and landmarks across WA were all lit up in the colour purple—the symbolic colour of WEAAD—including the Bell Tower, Elizabeth Quay, Matagarup Bridge, Fremantle Prison, Karratha's Red Earth Arts Precinct and the Kununurra Magistrates Court.

Members will also have noticed the Purple Road installations here in Parliament House last week, which marked a significant achievement, with the community artwork reaching 100 metres. The Purple Road is a collaborative initiative developed by the Northern Suburbs Community Legal Centre's Older People's Rights Service, with thousands of handcrafted purple flowers representing an older person's unique story. The Cook government is providing funding of up to $3 000 for local governments and registered not-for-profit organisations to host a range of activities across WA, including in Narrogin, Karratha, Kambalda, Kellerberrin, Collie, Fitzroy Crossing, Mandurah, Carnarvon, Broome and Denmark, amongst many other locations.

I want to take this opportunity to thank the organisations in our community who hosted WEAAD events, and for their dedication and advocacy in supporting older people and raising awareness. Elder abuse is a complex social, health and human rights issue that is experienced and carried out by people of all backgrounds. Please take the time to listen to the older people in our lives about what is important to them, whether they feel safe and valued, and take action to support older Western Australians.

If you or anyone you know is experiencing elder abuse, please contact the WA Elder Abuse Helpline and information service on 1300 724 679.

RESOURCES SECTOR — GOLD

Statement by Minister for Mines and Petroleum

MR D.R. MICHAEL (Balcatta — Minister for Mines and Petroleum) [12.12 pm]: I would like to inform the house about a recent report highlighting the significance of Australia's gold sector in shaping the nation, and the critical role it will play in the emerging industries that will drive global decarbonisation efforts. The Minerals Council of Australia report *Golden: The rise of industrial gold* highlights that in 2022–23 Australia's gold exports generated $24.4 billion in revenue and that gold is the country's third-largest mineral export. Direct employment in Australia's gold sector totalled about 26 000 people in 2022–23, whilst an additional 55 000 jobs were supported indirectly.

In Western Australia alone, gold sales were valued at $18.6 billion, delivering $436 million in royalties to the state, while employing an average of 29 257 full-time equivalents in 2022–23. According to the commonwealth Department of Industry, Science and Resources, 72 per cent of Australia's gold production came from Western Australia in 2022–23, totalling 216 tonnes. Importantly, exploration expenditure of $953 million in Western Australia accounted for 72 per cent of the nation's total gold exploration expenditure. This will help ensure that the pipeline of gold resources projects in Australia remains strong.

Australia is the second-largest gold producer in the world, with Western Australia the fourth-largest gold miner in the world in its own right; WA will therefore be an important player in resourcing the new energy future. Gold's importance has extended well beyond a store of wealth and jewellery, with increasing awareness of gold's role in the evolution of technologies; space exploration; telecommunications; advanced manufacturing; electronics; and modern medicine, including cancer treatments. It is because of gold's unique properties of malleability, conductivity and resistance to corrosion that it is able to be used in applications such as solar panels, wind turbines, battery storage, electric vehicles and carbon capture and storage, which will be crucial to our net zero emissions future.

COLLIE COAL (GRIFFIN) AGREEMENT AMENDMENT BILL 2024

Introduction and First Reading

Bill introduced, on motion by **Mr D.A. Templeman (Leader of the House)** on behalf of the Minister for State and Industry Development, Jobs and Trade, and read a first time.

Explanatory memorandum presented by the Leader of the House.

Second Reading

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [12.15 pm]: I move —

That the bill be now read a second time.

The purpose of this bill is to amend the Collie Coal (Griffin) Agreement Act 1979—which I will refer to as "the state agreement act"—to ratify an agreement that I will refer to as "the variation agreement", made on 30 May 2024 between the state and the Griffin Coal Mining Company Pty Ltd, which will be referred to as "Griffin".

This bill will provide for a 12-month extension of the term of the state agreement, the underlying coalmining leases, and associated coalmining operations to 30 June 2026. Without this extension, the current term of the state agreement will expire on 30 June 2025. If this were to occur, it would be likely that Griffin's mining operations at the Ewington mine would cease, which would impact on the state's coal supply. The Collie coalmines continue to be of strategic importance to Western Australia's energy security, domestic industries and broader economy.

On 1 December 2023, the government announced it would allocate $220 million to support continued operations at Griffin until June 2026. On 1 May 2024, the Minister for State and Industry Development, Jobs and Trade approved the extension of the state agreement for a further 12 months, from 1 July 2024 to 30 June 2025, pursuant to clause 49(3) of the state agreement. This variation agreement aligns with the government's funding intentions and commitments to June 2026, and will help deliver certainty for the mine workforce, industry and the community for the next two years.

I turn now to summarise the key provisions of the bill and the variation agreement. These are outlined in more detail in the explanatory memorandum, which has been tabled for the consideration of members. The provisions of the bill primarily amend the state agreement act to ratify the variation agreement, referred to in the bill as the "2024 Variation Agreement", and schedule a copy of the variation agreement to the act.

I will now outline the key provisions of the variation agreement by reference to its impact on the state agreement. Clause 21(2a) of the state agreement will be amended by inserting new clause 21(b) to extend the term of each coalmining lease granted to the company, pursuant to clause 21(1), by 12 months, to 30 June 2026, subject to the sooner determination of the state agreement. New clause 49(4) will be added to the state agreement and acknowledges the recent extension of the term of the state agreement, pursuant to clause 49(3), to 30 June 2025, and further deems the term of the state agreement to be extended by 12 months to 30 June 2026, subject to the sooner determination of the state agreement.

New clause 11A(4) will be inserted into the state agreement and obliges Griffin to submit new additional proposals for the financial year ending 30 June 2026 for the exploration and development of the coal resource contained within Griffin's coalmining leases and other relevant matters.

New clause 11A(5) will also be added to the state agreement to allow the minister to approve variations to approved proposals during their implementation, which is a standard provision in more modern state agreements. New clause 17(8) will be added to the state agreement to allow Griffin, for the term of the state agreement and with the consent of the minister, to enter into arrangements with third parties to provide access and connection to Griffin's Ewington rail infrastructure for the transport of goods, including goods other than coal. This will provide a basis for third parties interested in such access to engage with Griffin.

A "minimalist" approach to the negotiations was again adopted in the amendments to the state agreement. No amendments have been included that may amount to an alteration of other rights and obligations of the parties under the state agreement on the basis that such amendments are more appropriately negotiated as part of a longer-term solution. Ratification of this bill by Parliament will allow Griffin to continue operating to 30 June 2026. The variation agreement also supports the government's commitments under the Just Transition policy to manage the transition away from coal and maintain energy system security across the south west.

I commend the bill to the house.

Debate adjourned, on motion by **Ms M.J. Davies**.

FAMILY VIOLENCE LEGISLATION REFORM BILL 2024

Introduction and First Reading

Bill introduced, on motion by **Mr J.R. Quigley (Attorney General)**, and read a first time.

Explanatory memorandum presented by the Attorney General.

Second Reading

MR J.R. QUIGLEY (Butler — Attorney General) [12.23 pm]: I move —

That the bill be now read a second time.

Since coming to office in 2017, Labor has demonstrated a strong commitment to protecting the victims of family violence and improving community safety. Amongst other things, the Labor government invested in improved monitoring devices that use GPS technology to provide near real-time monitoring and locational tracking, which enables conditions to be imposed that restrict the wearer to particular areas; enhanced the powers of courts to order electronic monitoring as part of bail and sentencing; and, as part of the most comprehensive family violence law reform package ever seen in WA, introduced serial family violence offender declarations with a requirement that courts and the Prisoners Review Board must consider imposing electronic monitoring whenever these offenders are subject to community supervision; and increased the penalty for interfering with the operation of an electronic monitoring device imposed under the High Risk Serious Offenders Act 2020.

Indeed, protecting victim–survivors of family violence was a key focus in the 2024–25 state budget, which announced that $96.4 million will be invested into initiatives, including: $53.8 million for family and domestic violence response teams to expand operations to seven days a week and rolling out additional community corrections officers, $14.2 million to fund the operations of a new family and domestic violence one-stop hub in the Perth metropolitan area, $6.2 million to establish a dedicated organisation that will support and develop family and domestic violence–informed workforces, and $4 million to increase crisis accommodation capacity across the state through the addition of supported accommodation to two rapid rehousing programs.

The Labor government commissioned an investigation into the viability of using GPS tracking devices on a wide cohort of offenders. Following the review of the result of the trial, the government has resolved to mandate the use of electronic monitoring for repeat and high-risk family violence perpetrators in Western Australia. Under this bill, when an eligible person is being considered for a relevant order by a judicial officer, a court or the Prisoners Review Board, they must be subject to a mandatory electronic monitoring condition unless exceptional circumstances exist.

Three groups or cohorts of persons are captured by this bill. This means that they will be subject to mandatory electronic monitoring unless exceptional circumstances apply. The intent of this is to ensure that repeat and high-risk family violence offenders are subject to electronic monitoring at bail, following sentence, if released into the community, and/or following release from prison. This will not apply to children.

Cohort A is those persons who are subject to a family violence restraining order and who are subsequently accused or convicted of a family violence offence, category A, committed against a person protected by the family violence restraining order. Cohort B is those persons who are subject to a serial family violence offender declaration and are subsequently accused or convicted of a family violence offence, category B. Cohort C is those persons who are released from prison under an early release order—specifically, a parole order, a re-entry release order or a post-sentence supervision order for a family violence offence, category A, and who are bound by a family violence restraining order; or a family violence offence, category B, and subject to a serial family violence offender declaration.

It is estimated that these reforms will see 550 offenders from these cohorts subject to electronic monitoring. To define the cohorts within the scope of this bill, the term "family violence offence" in the Bail Act 1982, the Sentence Administration Act 2003 and the Sentencing Act 1995 has been modified. The current definition of "family violence offence" will be renamed "family violence offence, category B". A new category will be introduced for the purpose of this reform called "family violence offence, category A", which is the same as family violence offence, category B, but excludes offences against the Restraining Orders Act 1997. This is necessary because it is not intended that a breach of a restraining order alone will be captured by these reforms.

Cohorts A and B will be subject to electronic monitoring under the following orders: bail, pre-sentence orders, community-based orders, intensive supervision orders and conditional suspended release from imprisonment orders. Cohort C will be subject to electronic monitoring under the following orders: early release orders, parole and re-entry release orders, and post-sentence supervision orders.

It is intended that electronic monitoring be imposed unless there are exceptional circumstances. A finding of exceptional circumstances is a very high threshold and will be determined on a case-by-case basis. The bill does not define what constitutes exceptional circumstances. This will be left to the court and the Prisoners Review Board, which are very well versed at applying such provisions.

I will now go over some of the nuances around bail in this reform. Under clause 3F of schedule 1, part C of the Bail Act, a presumption against bail exists for cohort B. The court must request that a community corrections officer prepare a report about the accused's suitability to be subject to a home detention condition, as well as factors relevant to the victim. This report can take up to three weeks to prepare. The court will then make a decision as to whether bail should be granted with a home detention condition. Under the bill, if bail were to be granted, the provisions would be expanded so that regardless of whether a home detention condition is imposed, electronic monitoring must be imposed unless there are exceptional circumstances.

Cohort A is persons who are granted bail under the current provisions. The only policy shift contemplated by this bill is that cohort A must be subject to electronic monitoring if bail is granted. A suitability report will not be required for cohort A, but the Bail Act allows a judicial officer to request more information about the accused and remand them in custody for up to 30 days until that information is received. The bill also provides that the judicial officer may ask a community corrections officer to provide a list of conditions that may be applied to the accused while the accused is subject to an electronic monitoring condition.

This bill will create new offences related to the operation of electronic monitoring. It will be an offence for a person subject to electronic monitoring to fail to wear an approved electronic monitoring device, fail to permit the installation of an approved electronic monitoring device at the place where the offender resides or at any other specified place, fail to charge the electronic monitoring device to ensure that the device is operational at all times, and to enter an exclusion zone without reasonable excuse. These offences will be punishable by up to three years' imprisonment and a fine of up to $36 000. Importantly, these new offences will be serious offences for the purposes of the Criminal Investigation Act 2006. This means that the police will be able to arrest a suspect without a warrant in the interests of victim safety and wellbeing.

This bill also makes provision for police to access the Department of Justice's electronic monitoring system in near real time to enable officers to take swift and appropriate action. Importantly, police will also be able to use the electronic monitoring information for any reasonable purpose in the performance of their functions. This means that the electronic monitoring information may be used by police to investigate any matter, even if it is not connected to family violence. This will provide an enhanced level of safety for not only the victim–survivor, but also the community as a whole.

It should be noted that the new offences related to electronic monitoring will also be serious offences for the purposes of the Bail Act. This means that if a person is charged with committing one of the new offences under this bill while on bail for another serious offence, a presumption against bail will apply. These measures will significantly strengthen the approach to addressing family violence and protecting victims.

I now turn to the amendments to the Restraining Orders Act 1997. Last year, the government committed to a phased approach to criminalising coercive control, and this bill will deliver the legislative component of the first tranche of reforms. In response to recommendation 9 of the 2023 report *Legislative responses to coercive control in Western Australia*, the definition of family violence in the Restraining Orders Act will be enhanced to include a reference to the patterned nature of coercive control behaviours and their cumulative effect. This will require justice professionals to consider the impact of multiple acts over a period, ensuring that these insidious behaviours are better recognised as family violence.

On addressing gender-based violence, the state government remains committed to stopping the deaths of and ending the violence against women and children. The measures in this bill align with national cabinet's agenda, as well as efforts under the *National plan to end violence against women and children 2022–2032* to strengthen accountability and consequences for perpetrators, improve police responses to high-risk and serial perpetrators of family violence and improve information sharing about perpetrators across systems.

In conclusion, this bill demonstrates the government's commitment to protecting victims and the community and builds upon the government's strong track record of delivering legislative and other reform in this area. That record includes the introduction of the High Risk Serious Offenders Act 2020, which has enabled high-risk serious offenders to be detained and supervised beyond the duration of their sentence when appropriate, new offences and measures targeting perpetrators of family violence, over $400 million of investment into family violence initiatives and, relevant to the bill at hand, amendments to expand the use of electronic monitoring at all touchpoints within the criminal justice system. I remind the chamber of our earlier reforms in March that mean that interfering with or removing an electronic device will result in a mandatory six-month term of imprisonment.

This bill will greatly enhance the safety of victim–survivors by ensuring greater perpetrator accountability by mandating the imposition of electronic monitoring conditions, which will allow their whereabouts to be monitored around the clock, facilitate police surveillance of perpetrators by allowing police direct access to the Department of Justice's electronic monitoring data system and further empower police to respond swiftly to the commission of new electronic monitoring related offences by perpetrators, such as entering exclusion zones established for the safety of victim–survivors.

I commend the bill to the house.

Debate adjourned, on motion by **Ms M.J. Davies**.

CRIMINAL CODE AMENDMENT (PROHIBITION ON DISPLAY OF NAZI SYMBOLS OR GESTURE) BILL 2024

Introduction and First Reading

Bill introduced, on motion by **Mr J.R. Quigley (Attorney General)**, and read a first time.

Explanatory memorandum presented by the Attorney General.

Second Reading

MR J.R. QUIGLEY (Butler — Attorney General) [12.40 pm]: I move —

That the bill be now read a second time.

Nazi symbols are deeply offensive and inflammatory hate symbols associated with extreme right-wing authoritarianism, extremism, genocide and racial hatred. Although they are closely associated with anti-Semitism, the Nazi salute and Nazi symbols have often been used in vilifying and intimidating vulnerable groups within our community, including Aboriginal and Torres Strait Islander people, religious communities and LGBTQIA+ support groups. For instance, neo-Nazi protesters performed the Nazi salute outside the Victorian Parliament in March last year in an attempt to intimidate transgender rights supporters. Earlier this month, the ABC reported that a resident of Melbourne was shaken to find graffitied across her driveway Islamophobic and xenophobic slurs, which included multiple Nazi hakenkreuz, simply for having a "Free Palestine" sticker on her car. Last week, and closer to home, a fellow member of the Western Australian Parliament reported that their suburban neighbours' property had been defaced with anti-Semitic graffiti, including the swastika. Such incidents are, unfortunately, not isolated and appear to have grown in frequency throughout Australia, particularly since the war in Gaza. This bill will take a strong stand against such vilification and will deprive extremists of the potent hate symbols they use to intimidate the public, causing division and fear.

The bill will amend the Criminal Code to make it a crime to publicly display or graffiti Nazi symbols and to perform the Nazi salute in public. It will also create a Nazi symbol removal scheme to alleviate the harm caused by the display of Nazi symbols by removing them promptly.

Nazi symbols will be defined to mean the Nazi hakenkreuz, which is colloquially known as the swastika; the Nazi flag; the double-sig rune, which is commonly known as the SS bolts; the Nazi eagle; and depictions of the Nazi salute. Importantly, a swastika would be considered a Nazi hakenkreuz only if it was used in connection with the Nazi Party, the Third Reich, neo-Nazism or Nazi ideology. It is not intended that public displays used in connection with Buddhism, Hinduism or Jainism, for instance, be captured by the proposed new laws.

The bill will provide for other Nazi symbols to be prescribed if the Attorney General is satisfied that the symbol is widely known as being solely or substantially representative of the Nazi Party, the Third Reich, neo-Nazism or Nazi ideology. This will enable other items based on Nazi symbolism to be prohibited, should they be employed by hate movements in the future.

Two key types of crimes involving the use of Nazi symbols are in this bill: the display of Nazi symbols, "display offences", and the application of Nazi symbols without consent, "graffiti offences".

In relation to display offences, the bill will make it unlawful to display a Nazi symbol in a public place. For the purposes of such crimes, the person will be taken to display the Nazi symbol if the person wears, carries or otherwise possesses or controls a Nazi symbol in a manner that would be visible to another person. Importantly, it will also include the display of a tattoo that comprises a Nazi symbol and is left uncovered in a manner that would be visible

to another person. It would be unlawful to display a Nazi symbol in a private place if it would be visible to someone from a public place. For instance, a person will not evade the prohibition simply by flying a Nazi flag prominently on their front lawn instead of on the public pavement. The maximum penalty for this offence will be imprisonment for five years, or imprisonment for two years and a fine of $24 000 upon summary conviction. Significantly, the penalty recognises the harm caused by the use of such hate symbols and the community's denunciation of it.

This bill will also prohibit the application of Nazi symbols to public property or to the property of another person without the consent of that person. This is aligned with the offence of damaging property by graffiti in the Graffiti Vandalism Act 2016, but it will impose a higher maximum penalty of five years' imprisonment if the person is convicted on indictment, or two years' imprisonment and a fine of $24 000 upon summary conviction. The availability of a penalty that is higher than that available for a simple offence under the Graffiti Vandalism Act 2016 recognises the greater harm caused when the notorious hate symbols are used to vandalise property and cause fear.

The bill will also make it a crime to perform the Nazi salute in a way that would be visible to another person in a public place, regardless of whether the person performing the Nazi salute is physically in that public place. This offence will recognise that the Nazi salute is not only a means of causing fear and vilifying others, but also a potentially powerful tool in recruiting people who are attracted by the sense of belonging to a collective that may be projected by the synchronised performance of the Nazi salute. As a safeguard to avoid inadvertently capturing innocent gestures, the offence will apply if it is established that the person intended the gesture to be a Nazi salute. This will mean that a person who stretches an arm out momentarily to hail a taxi, for instance, would not be captured by the offence.

Other safeguards that will apply more generally include the defence that may apply to the display offences, which is that the person's conduct is engaged in reasonably and in good faith for a genuine artistic, academic, religious or scientific purpose, or a purpose that is in the public interest. A defence may also apply if the conduct is engaged in to make a fair and accurate report or analysis of an event or matter in the public interest. The bill also provides for a defence if the person is acting reasonably and in good faith in opposition to the Nazi Party, the Third Reich, neo-Nazism or Nazi ideology.

The bill provides for the timely removal of Nazi symbols from public display through the use of notices issued by police. If a senior police officer reasonably suspects that a Nazi symbol is being publicly displayed, that officer may issue a Nazi symbol removal notice, addressed to the owner, lessee or occupier of the place where the Nazi symbol is located, requiring the symbol to be removed within 14 days. The requirement to remove the Nazi symbol does not necessarily mean that it will have to be physically taken away. For instance, if SS bolts are painted on a fence, it may be sufficient to paint the fence rather than replace it altogether.

The display of the Nazi symbols and the performance of the Nazi salute in public are abhorrent to our community. This bill will align Western Australia with other Australian jurisdictions that have passed legislation in recent times. It will send a clear message to all that the use of hate symbols and gestures to spread fear and/or division in our multicultural society is completely unacceptable and will not be tolerated by the Cook Labor government.

I commend the bill to the house.

Debate adjourned, on motion by **Ms L. Mettam (Leader of the Liberal Party)**.

FIREARMS BILL 2024

Council's Amendments — Consideration in Detail

The following amendments made by the Council now considered —

No 1

Clause 4, page 3, lines 16 and 17 — To delete the lines and insert —

(e) to prevent access to firearms by persons who pose a risk of violence, family violence or intimidating behaviour;

(ea) to prevent access to firearms by persons who pose a risk of misuse of firearms;

No 2

Clause 5, page 5, after line 31 — To insert —

family violence has the meaning given in the *Restraining Orders Act 1997* section 5A;

No 3

Clause 29, Page 25, lines 13 to 15 — To delete the lines and insert —

(3) A firearm can be authorised for more than 1 licence purpose.

No 4

Part 2 Division 5 Subdivision 1 heading, page 39, line 19 — To delete the line.

No 5

New Clause 66A, page 41, after line 7 — To insert —

66A. Requirements for Collector Licence for firearms

(1) A Collector Licence for firearms must not be granted to a person unless the Commissioner is satisfied that —

(a) the person is a student of arms; and

(b) the firearm, or each of the firearms, to which the licence applies is within the scope of the person's interest as a student of arms; and

(c) the person is a member of an approved society of firearm collectors; and

(d) no firearm to which the licence applies is a handgun manufactured within the preceding 50 years.

(2) A ***student of arms*** is a person who can demonstrate a prolonged and genuine interest in the study, preservation or collection of firearms.

No 6

Clause 68, page 41, after line 19 — To insert —

(1A) Subsection (1B) applies in relation to authorising possession of a firearm that is a handgun or a firearm of category C.

(1B) A Collector Licence for firearms must not authorise possession of a firearm unless the Commissioner is satisfied that the firearm has significant historical value because of the special significance that the firearm, or any firearm of the same or a related kind, has in connection with a particular period in history.

(1C) Subsection (1) applies in relation to authorising possession of a firearm that is neither a handgun nor a firearm of category C.

No 7

Part 2 Division 5 Subdivision 2 heading, page 42, line 16 — To delete the line.

No 8

Clause 69, page 42, lines 17 to 29 — To delete the clause.

No 9

Clause 154, page 78, line 5 — To insert after "violent" —

behaviour, family violence or intimidating

No 10

Clause 198, page 98, lines 23 and 24 — To delete the lines.

No 11

New Clause 198A, page 98, after line 24 — To insert —

198A. Mandatory suspension if police order in force

(1) In this section —

police order means an order made by a police officer under the *Restraining Orders Act 1997* Part 2A Division 3A.

(2) The Commissioner must suspend a firearm authority if the Commissioner is satisfied that —

(a) the holder of the firearm authority is bound by a police order that is in force; or

(b) a person who holds a relevant management position in the body corporate or partnership that holds the firearm authority is bound by a police order that is in force.

(3) The suspension remains in force while the police order remains in force.

No 12

Clause 199, page 98, line 27 — To delete "may suspend a firearm authority if" and insert —

must suspend a firearm authority if the Commissioner is satisfied that

No 13

Clause 199, page 99, line 19 — To insert after "Commissioner" —

under subsection (5)

No 14

Clause 199, page 99, lines 21 and 22 — To delete the lines.

No 15

New Clause 199A, page 99, after line 26 — To insert —

199A. Mandatory suspension: supplementary provisions

(1) None of sections 198 to 199 prevents the cancellation of a firearm authority as required or authorised under Division 8.

(2) A suspension of a firearm authority under any of sections 198 to 199 does not affect a requirement to suspend the firearm authority under any other of those sections and, to the extent of any overlap between the respective periods of suspension, the suspensions run concurrently.

No 16

Clause 345, page 170, lines 5 to 16 — To delete the lines and insert —

(3) A power of a police officer to enter and search a place under this section may be exercised without a warrant if (and only if) subsection (4) or (5) applies.

(4) This subsection applies if the police officer reasonably suspects that —

(a) there is an immediate threat of harm to a person; and

(b) the delay that would be involved in obtaining a warrant would be likely to increase the risk or extent of that harm.

(5) This subsection applies if the circumstance that justifies seizure under section 344 is the circumstance under section 344(1)(d).

(6) A police officer who exercises a power under this section to enter and search a place without a warrant must give the Commissioner, after the power is exercised, a written report in the approved form explaining, as the case requires —

(a) the reason for the suspicion referred to in subsection (4); or

(b) the reason for the opinion under section 344(1)(d).

No 17

New Clause 480A, page 226, after line 28 — To insert —

480A. Section 71 amended

(1) Delete section 71(4)(b) and insert:

(b) that the order prohibits the restrained person from being in possession of a firearm item; and

(2) In section 71(6) delete "item, except as permitted under the firearms order," and insert:

item

Mr P. PAPALIA: I move —

That amendment 1 made by the Council be agreed to.

This amendment will ensure that any decision-making or administration of the bill additional to considerations of public safety also places specific emphasis on preventing access to firearms by any person posing a risk of family violence or intimidation. Although public safety could be interpreted to cover such concepts, in response to the tragic events in Floreat, the government's position on family and domestic violence is to be reflected in this space to prevent access to firearms by perpetrators of family violence. By placing this within the objects of the bill, it will flow to each decision point within the bill, particularly the considerations of a person's fit and proper status by the commissioner or any other court or tribunal.

It is worth noting, as we will when we get to the amendment to clause 5, that the intent is to define "family violence" as it is understood under section 5A of the Restraining Orders Act 1997 so that considerations are given not solely to physical violence, but also to coercive or controlling behaviours in a family relationship. This will make it abundantly clear that the suspension or cancellation of a firearm authority or the seizing of firearms can be done if it is in aid of preventing access to firearms in a situation involving family violence. The use of the term "intimidating behaviour" here will capture when a person is not in a family relationship but demonstrates a history of, or tendency towards, intimidating behaviour of others. In both circumstances, evidence of such behaviour is likely to be demonstrated through Western Australia Police Force intelligence holdings, such as incident reports or body-worn camera footage.

Some concern has been raised regarding vexatious family violence reports, and it must be made clear that when a family violence incident is reported, it is important to take every report seriously to best ensure the safety of all parties involved. As such, it is best to remove firearms to reduce the risk of harm from incidents of family violence in accordance with these principles and objects of the bill. Any report of family violence will be investigated and, should it be on false grounds for vexatious reasons, this will be uncovered in due course and the firearms will be returned if appropriate.

Mr R.S. LOVE: The Legislative Council considered the minister's raft of amendments last night, but I understand that only a few of them were discussed. I think this was one of the amendments that were discussed. There were probably three in total that were discussed, and the rest were just put one after the other. Why was that necessary, given that the minister gave an undertaking in this place at the conclusion of the debate and also at the commencement of the consideration in detail stage that all the processes of both houses would be allowed to run their course? I can quote from *Hansard* if he would like. I will briefly quote from *Hansard* —

> I also make the observation that we will forward this legislation to the Legislative Council's Standing Committee on Uniform Legislation and Statutes Review for three months.

It goes on to say —

> It will be for the normal amount of time for that process in the other place. We are not constraining it in any way. It will go there and be afforded all the normal practices and processes of that place, and it will be debated in that place. Both houses of Parliament, as is the normal practice, will debate the bill.

Is it normal practice to curtail the discussion at a very early stage of the consideration of the detail of a bill and to force the amendments to be put? I am just asking whether that is the minister's idea of a normal process.

Mr P. PAPALIA: I think the Leader of the Opposition is fully aware of the fact that the normal process was not really followed in the other place. In the course of considering this legislation, we effectively had a 10-year process. It began in 2014 with the two-year process by the Law Reform Commission, followed by the creation of a report from the Law Reform Commission—I think it was project 105. Subsequently, for four years, there was no action by the Leader of the Opposition's government, which received the report. In the first four-year term of this government, there was consideration by a working group in the other place. This particular process in this term of government has been two and a half years in the making. Firstly, there was consultation right around the state over the better part of two years and then a consultation paper was produced. There was a three-month consultation process and submissions were received. They were addressed in the final paper and a bill was brought to Parliament.

There were 20 hours of debate in this house, and a week and a half of the Parliament's time was taken in the lower house before it went to the Standing Committee on Uniform Legislation and Statutes Review for consideration for a month and a half—45 days. Then we saw a disgraceful performance by a collection of various players from the opposition and crossbench in the other place seeking to delay any actual consideration of the bill for the better part of three weeks. What happened in the other place was that people who chose not to consider the bill spent three and a half weeks of the Parliament's time debating this bill. In all, 30 hours were dedicated to debate in the upper house. The vast majority of that time was not spent considering the bill, not because the government chose to prevent any debate or prevent consideration, but because people on the Leader of the Opposition's side of Parliament and on the crossbench chose to grandstand and talk about all manner of subjects unrelated to the bill. As a consequence, they finally got to consider the detail of the bill in the dying moments of yesterday. They may have started a day before, but a very long period was essentially spent debating clause 1 of the bill. Again, it was not really about discussing the nature of clause 1; it was just grandstanding, diversion and avoiding the subject, until there was some debate yesterday.

The point is that there was no truncation of consideration. There was no restraint or restriction on the opportunity for the Leader of the Opposition's side of politics to make points. Members of his party put on the supplementary notice paper a range of amendments, all of which sought to completely undermine the bill and prevent it from being enacted. If we passed the opposition's amendments to the legislation, there would be no point having the legislation. For 50 years, successive governments failed to rewrite the act. Our government undertook that task, and the opposition has again failed to participate. The opposition has failed to provide leadership and has not stepped up to the mark. All it has done is undermine the process. It has been considered enough.

Ms L. METTAM: Thank you, minister. My question is on the first amendment, but perhaps it will relate to the other amendments as well. Can the minister go through the consultation process that made him determine that these amendments should be put together in light of the tragedy at Floreat? One of the concerns raised by Ariel Bombara and others was that it was not necessarily a matter of the legislative framework not being in place, but the enforcement of the legislative framework. I am keen to understand what engagement happened to inform the amendment to clause 4. This explanation might capture the other amendments to clauses as well. Also, more broadly, how will we ensure that the proposed amendments here will be effectively enforced?

Mr P. PAPALIA: As the member knows, the nature of the reports by Ariel's mother and Ariel to police seven weeks before the tragic murders occurred in Floreat are subject to a police investigation. The detail around that and the

nature of the actual engagement between police and Ariel and her mother is yet to be fully investigated. In terms of the consultation process, after those tragic events, the Premier asked me and the Commissioner of Police to assess everything about the Floreat tragedy and determine whether further amendments could be made to the bill that sat before the house at that time to ensure that particular matters or events could have been mitigated in some way, and that happened. Police came back to us with an assessment of some measures that could prevent a repeat of that incident.

On the matters of reporting and police response, there is a degree of discretion under the current legislation when applying for and receiving a police order and whether or not a firearm can be seized if it is involved in that type of circumstance. We are removing that discretion; that is the response here. When a violence restraining order is applied for under the current process, firearms are seized. There is discretion under police orders, and we are removing that.

Ms L. METTAM: The amendment to clause 4(2)(e) refers to persons who pose a risk of violence or intimidating behaviour. Can the minister explain how that would be determined? I assume it is to be determined by a police officer.

Mr P. Papalia: Sorry?

Ms L. METTAM: The amendment to this clause makes reference to persons who pose a risk of violence, family violence or intimidating behaviour. Can the minister further clarify how that is to be determined? That would be a matter of a police officer's discretion, would it not?

Mr P. PAPALIA: When I refer to discretion being removed, that is in respect of removing firearms. There will be no discretion when firearms are involved. They will be removed. We are removing any ambiguity around that. Regarding the nature of the risk of violence, family violence or intimidating behaviour, we are reflecting the definitions in the Restraining Orders Act to ensure clarity for any police officer considering the matter.

Ms L. METTAM: How will persons who pose a risk of misuse of firearms be determined?

Mr P. PAPALIA: This provision is already within the bill that we are amending; it was just separated from the previous one as a subclause in this amendment.

Ms L. METTAM: That relates to this question more broadly and to the minister's comments that this will remove the discretion around the removal of firearms. What investment will be made to ensure that what these changes represent is properly communicated? It is probably a question the minister has answered before.

The ACTING SPEAKER (Ms M.M. Quirk): There are about four questions there, member. I am not surprised the minister looks rather confused.

Mr P. PAPALIA: For operational matters, the Commissioner of Police creates operational directives to make it clearer. Regulations will be written post the legislation, and beyond that operational directives are issued by the commissioner on matters of that nature. The point is that when we talk about the risk of the misuse of firearms, it is very broad. The intent is to be broad so that if there is any risk that someone will misuse a firearm in any way, that can enable the police to seize the firearm.

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

Mr P. PAPALIA: I move —

> That amendment 2 made by the Council be agreed to.

As touched upon in the amendment to clause 4, the understanding of family violence within this bill is to be based on the definition within the Restraining Orders Act 1997. This definition is essential to the considerations of granting, refusing, suspending or cancelling a firearm authority. This definition considers not only physical violence towards a family relation, but also any other behaviour that coerces or controls a family member to be fearful. "Family violence" has an existing definition under section 5A of the Restraining Orders Act 1997, providing myriad specific examples of what can constitute family violence. This provides clear instruction on what behaviours must be considered under this definition in relation to the principles and objects of the bill. Such behaviour should preclude a person from holding a firearm authority, removing the likelihood of them using a firearm against a family member or possessing it in a way to intimidate or threaten. Prohibiting persons with a tendency towards family violence from having access to firearms will reduce the likelihood of intimate partner homicide. Like the term "violence", it was determined that "intimidation" does not require a definition as the common understanding of the concept is sufficient for the purposes of the bill. Police will use their discretion and reasonable judgement to determine whether behaviour is intimidating based on the common understanding of the word—for example, whether the behaviour is frightening, bullying or threatening.

Ms L. METTAM: What was the thought around this amendment? What feedback was provided? Is it just for further clarification?

Mr P. PAPALIA: Yes, it is, noting that the bill refers to "violence" but does not refer to "family violence" and, particularly post the tragedy in Floreat, it was determined that we would adopt the definitions and terminology that are in the Restraining Orders Act 1997.

Mr R.S. LOVE: The minister referred again to the tragedy at Floreat. But again, the issue was presented as a family situation. The police on the day refused—apparently, it is said—to accept those concerns. I accept that having these definitions in here will may make it clearer that this is a matter to be taken more seriously. But, when there is not a restraining order in place at the time there is a situation, is the minister confident that, after this change in the legislation, the police will treat the situation any differently from the way they did in the lead-up to those events?

Mr P. PAPALIA: I will again remind the member that there is an investigation into the matters he is referring to. That is yet to be concluded and it will provide more clarity around the nature of the interactions between the police and the people reporting. That aside, the whole intent of a number of these amendments, collectively, is to lower the bar for police taking action to remove firearms in an incident in which there is concern around family violence. That is the intent, and I am confident that, having done that, that will provide the ability and the means for police to act pre-emptively and expeditiously in the event that they have a report made to them of family violence and they become aware that firearms are involved; they will seize the firearms and, in some respects, sort it out later, because that is what will happen.

If the member is asking whether I am confident that that will be the practice of the police, what normally happens and what will happen in this case is that regulations define the application of the law. There will also be operational directives from the commissioner that tell his officers how they should respond in particular situations. With respect to this, it will be very clear.

Mr R.S. LOVE: The minister has spoken about directives from the commissioner that will back up this change. The commissioner said his officers followed policy, so is the minister expecting that there will be changes to the policies that the WA police act under at the moment?

Mr P. PAPALIA: We are changing the law, so yes. The law is changing; therefore, the practices of the police will reflect the law.

Mr R.S. LOVE: I thank the minister, but the power to remove firearms already existed in the Floreat case and there were concerns around domestic violence but they were not acted on. Is the minister confident that this move will of itself make sufficient change in the direction the police take when they are confronted with a situation in which there is not an order in place but there is a situation they need to assess?

Mr P. PAPALIA: The current act does not mention family violence. We are changing the law to reflect the amendments that are before us now. We are specifically focusing on "family violence" as a definition and replicating what is in the Restraining Orders Act 1997 and, as I have said, affording the police the ability to remove firearms at the earliest possible moment. Having become aware of a domestic situation and firearms being involved, they will be able to seize the firearms. We are giving them powers to do that.

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

Mr P. PAPALIA: I move —

That amendment 3 made by the Council be agreed to.

During the course of this house's consideration of the bill, matters concerning clause 29(3) were raised. Clause 29 deals with the purposes for which a firearm under an individual licence can be licensed and clause 29(3) limits the firearms for being licensed for both competition and hunting purposes. The intent of this clause is to replicate the policy in place under the 1973 act to limit a firearm in a similar way. Following further consideration and consultation on this subclause, the bill is to be amended to replace the subclause with this amendment. This will enable an individual licensee to possess a firearm licence for the dual purposes of competition and hunting if it meets the necessary requirements. This will minimise the burden on a licence holder being able to licence one firearm for multiple purposes. Regarding the overall numerical limit, the proposed amendment will enable an individual licensee to licence five firearms for hunting and competition purposes and the remaining five solely for competition, meeting the overall limit of 10.

Ms L. METTAM: Obviously, this amendment was flagged through the second reading debate. We have asked plenty of questions on this and it reflects the feedback from consultation, so we will certainly be supporting this amendment.

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

Visitors — Alkimos Primary School

The ACTING SPEAKER (Ms M.M. Quirk): Before you start speaking, minister, I welcome the students from Alkimos Primary School. Welcome to Parliament.

Debate Resumed

Mr P. PAPALIA: I move —

That amendment 4 made by the Council be agreed to.

As part of the amendments to the collector licence, the subheading "Subdivision 1 — General" is required to be deleted as subdivision 2 is being deleted also. This will combine the provisions of the collector licence under one division.

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

Mr P. PAPALIA: I move —

That amendment 5 made by the Council be agreed to.

It has been proposed to better define the circumstances under which a collector licence can be obtained, particularly for a handgun. This amendment will require all collector licensees to be a student of arms and a member of an approved society of firearm collectors. Noting the common understanding of "collector", it no longer seems reasonable to allow the collecting of firearms, noting their inherently hazardous nature, without the legislation requiring explicit, prolonged interest in the study or preservation of such things. Handguns pose a significant risk to public safety due to the concealable nature of such items and their ease of use. Accordingly, the government proposes to ensure that any collection of such things is held for a greater degree of genuineness made explicit by the bill. It is intended to prohibit the collection of any handgun manufactured within 50 years before the date of application. This is to prevent collectors from obtaining higher capacity modern handguns; for example, if a person were to apply for a handgun in 2024, that person could not collect a handgun manufactured any time between 1974 and 2024. This date would move each year; for example, a handgun applied for in 2030 could not have been manufactured between 1982 and 2030. A collector may still collect such a handgun if it is rendered permanently inoperable and would not require a licence.

These concepts have been incorporated following further consideration of the National Firearms Agreement in relation to collectors and WA Police Force concerns over the proliferation of firearms held under collector licences. A collection of functional firearms, particularly handguns, is a serious matter, and the majority of those engaged in collecting understand this and have a prolonged interest in studying or preserving such things in relation to a particular historical period. These provisions more accurately reflect this position.

As stated in the bill and the amendment, a student of arms is a person who can demonstrate a prolonged and genuine interest in the study, preservation or collection of firearms. This may be demonstrated by an existing active membership with an approved society of collectors in which a person regularly attends and participates in meetings about firearms prior to collecting a physical firearm, or the demonstration of previous study within a field related to firearms, such as history, forensics or criminology et cetera. This is not an exhaustive list of ways a person may demonstrate their status as a student of arms but provides members with some examples.

Mr R.S. LOVE: Can the minister explain how this amendment will provide additional restrictions as opposed to the original bill that passed through this house? As part of the raft of amendments that the minister is proposing, he will also be deleting clause 69, which refers to a student of arms and the provision that a firearm to which the licence applies is a handgun manufactured within the preceding 50 years. Those provisions were already in the bill. In addition, there was a date of 1946, which I assume meant that World War II memorabilia would be collectible, but after that there would be an additional consideration. Can the minister explain how this amendment further tightens the provisions? In some ways, collective with the deletion of clause 69, page 42, lines 17 to 29, which comes later, the amendment seems to broaden the ability for the collection of those handguns.

Mr P. PAPALIA: Firstly, the restriction on collecting a firearm that is less than 50 years old is not currently in the act. Secondly, on the other matters, we are being very specific. We recognise that there are people who are genuine collectors, and we are defining very clearly the requirements for people in the future to collect firearms. That is the intent. It was specifically in response to the nature of the tragedy in Floreat. The member will be familiar with the public reports of the firearm used in those horrific murders being a relatively modern handgun.

Mr R.S. LOVE: It is also a fact that provisions in this bill already cover those matters, and they are being removed.

Mr P. Papalia: Which ones?

Mr R.S. LOVE: Clause 69 of the existing bill, which will be somewhat diminished, already covers these matters. Why is this change necessary?

Mr P. PAPALIA: In the current bill, the restrictions the member refers to are applied only to post-1946 firearms. This amendment will apply the restriction to all collectors; therefore, a collector of any firearm will be subject to these obligations.

Mr R.S. LOVE: Why the change to 50 years instead of 1946 as being the relevant year? That is really what I am getting at.

Mr P. PAPALIA: Essentially, it is on advice from the Western Australia Police Force. As I understand it, at the time of the National Firearms Agreement—John Howard's wonderful initiative in 1997 that resulted in hundreds of thousands of firearms being recovered from the Australian community—the 1946 date was focused on those bring-backs from the First and Second World Wars when service people brought back firearms as souvenirs. It

was intended to try to remove those firearms from the community. The 50-year window is on advice from the Western Australia Police Force. Obviously, it is intended to ensure that when firearms are collected, they are of some historic value, and they are certainly older than 50 years at least.

Mr R.S. LOVE: Could we, for instance, contrast the restriction that new clause 66A will provide as opposed to the soon to be defunct clause 69?

Mr P. PAPALIA: As I said, it will apply to all firearms, so it will apply to all collectors; that is a difference. In addition, the 50-year time frame is the other change.

Mr R.S. LOVE: The main change, then, is that in collector licence category the entirety of those weapons will be subject to the 50-year rule, not just handguns.

Mr P. Papalia: Handguns?

Mr R.S. LOVE: I will let the minister answer.

Mr P. PAPALIA: Sorry; we are conflating the two. Essentially, the 50-year window will apply to handguns, and the requirement for a person to be a student of arms and all the other obligations, will apply to every collector.

Mr P.J. RUNDLE: Was any consideration given to making high-value handguns—let us say, for argument's sake, they are 48 years old—totally inoperable but allowing someone to continue to collect them?

Mr P. PAPALIA: The point is, and we said this, that if a firearm is rendered innocuous, it will be able to be retained. It will not be licensed. It will no longer be considered something that needs to be licensed. The owner cannot render it. It has to be done via a manufacturer in an approved fashion. If a firearm is rendered innocuous, it will not be subject to these rules. I encourage anybody who may be a collector to consider doing that. Once they do that in an approved fashion and demonstrate to police that it is innocuous, they will not be subject to any requirements. They will not have to license it. They will basically be in possession of a bit of metal and wood.

Mr P.J. RUNDLE: Given the example of a 48-year-old collectible, has any consideration been given to the buyback scheme for when a collectible is very valuable? Will there be any alteration to the buyback scheme to replace the collectible or give it the value that it deserves rather than $200 or $300 or whatever it might be?

Mr P. PAPALIA: If somebody is compelled by these amendments to lawfully dispose of a firearm, they will be able to sell it. If it is valuable, they will be able to sell it elsewhere; however, they will not be able to sell it in Western Australia. The buyer may not be in Western Australia. We will not compel them to receive only the amount available via the buyback; however, the buyback will be available. I encourage everybody who is impacted by any part of the law to consider their circumstances and the impact of the new laws and consider that there is a buyback underway that ends at the end of August. If they retain their firearms and choose not to take the opportunity to avail themselves of the buyback, when the law commences they will not be able to get money and they will not be able to retain their firearms. Also, if they are then in possession of firearms that are unlawful, then they will not be a fit and proper person; therefore, all of their firearms would go.

It is a good point to make at this moment to encourage people to consider their circumstances, look at the laws and how they will be impacted—not necessarily collectors, but that is something to consider. I will take the opportunity now to bring the law to the attention of people who are not primary producers and not competition shooters and who may be in possession of a firearm. Their only genuine reason may be a letter they may have purchased or obtained somehow and they may not necessarily have future access to land to go hunting; seeking out a hunting licence is a genuine reason. They should consider the buyback scheme that is now underway.

Mr P.J. RUNDLE: Firstly, does the minister have any idea of how many collectors will be affected? Secondly, how will the government communicate this to those collectors, for argument's sake, as I understand implementation will be in March next year?

Mr P. PAPALIA: Firstly, with regard to communication, the Western Australia Police Force has been in communication with the president of the Western Australian Arms and Armour Society, which will directly communicate with all of their collectors licence holders. We answered this in the upper house yesterday. It is in the order of 2 700 collectors; however, I can get the exact number for the member. We gave the answer to someone in the upper house yesterday or last week; I cannot remember. I think it was just under 3 000.

Ms M. BEARD: The minister may have already answered this. Can he explain, what will happen when members get that letter about the buyback? Who will decide the value and how will the value of that piece of property be determined?

Mr P. PAPALIA: Perhaps the buyback is a little confusing in that regard. The buyback has been underway for some three months now. It is a set rate of payment for different types of firearms depending on their age and the type of firearm. The state is not going to buy a collectors' item—the member for Roe referred to some that may be potentially valuable. My observation is that people will not be able to keep them if they do not comply with the legislation. They can either take what is offered by the buyback in Western Australia, or they can seek to dispose of them lawfully by selling them elsewhere. That way they may obtain the value that they attribute to the firearm, but we will not be changing the values that are offered under the buyback.

Ms M. BEARD: To clarify, if a collector, for instance, had purchased a firearm at a certain price, despite what that price was, would they need to accept what was offered if they were to go into the buyback pool?

Mr P. PAPALIA: Yes. In fact, they have already done it. I was at the Hillarys Police Station last week. A collector came in with some 40 firearms in one day, some of which were quite old. The vast majority of the firearms that have been handed in are not of that type. He accepted the money that was on offer for those types of firearms based on the rate that we provided.

I now have the number for the member for Roe. He is absent, but members can tell him that there were 2 477 collectors licences at 6 June. That is the number of people.

Ms M. BEARD: This is my last question. This is a question that I have had from someone. If firearms are handed in and the owner is remunerated for handing in the firearms, will the government then sell them? What will the government do with those firearms?

Mr P. PAPALIA: They will be destroyed. With respect to the value of the firearms, a lot of the newer ones are quite expensive. They are not going to get what they paid for them if they utilise the buyback. Again, they can potentially seek the opportunity to sell them elsewhere. So long as they are disposed of lawfully, that will be fine. There is some time for them to do that. Alternatively, they can comply with the legislation and assume that they will not get the amount of money that they paid.

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

Mr P. PAPALIA: I move —

That amendment 6 made by the Council be agreed to.

For both handguns that are capable of being carried, concealed and fired from one hand, and category C firearms that are capable of firing in quick succession, a collector licence may apply only if the applicant can satisfy the Commissioner of Police that the firearm has significant historical value. This will be done by being part of an approved society of collectors and by producing some evidence of the historical value—for example, through a certificate of authenticity. This amendment will mean that an applicant for a handgun or a category C firearm will not be able to collect these firearms under the concepts of it having thematic or commemorative value. It is reasonable to expect a person seeking to possess firearms of a higher risk to cause harm to do so genuinely for study or preservation of that firearm due to its significant connection to a particular historical period. This means that a person who is a student of arms could collect only if they provided some authenticity that it was used in or manufactured for a particular historical event—for example, seeking to collect a handgun used by the Anzacs during the First World War or, alternatively, a handgun used in the Battle of Little Bighorn in the United States. There has to be a very narrow, genuine reason for collecting these higher risk firearms, and this should directly link to the study of arms as part of history.

This was not initially incorporated into the bill during its drafting, as concerns over the genuineness of collections under the current scheme did not come to the fore until after the events in Floreat. Prior to this, the Western Australia Police Force had identified a significant number of firearms under the 1973 act collectors' licences, with discussions held with the WA Arms and Armour Society over the concerns with the validity of the firearms held under a collector's licence. Note that a person could still collect a handgun or category C firearm having thematic or commemorative value as long as they were rendered permanently inoperable in an approved manner.

Mr R.S. LOVE: This would make it very difficult for a person to possess a handgun that was relatively powerful and not held for a very significant reason, so a collector would not be able to have a Glock or some other gun in their collection just because they liked to collect that type of pistol; is that right? We are making it very clear that there must be a very significant reason to have a handgun.

Mr P. PAPALIA: Yes—bearing in mind the 50-year window that would prevent them from collecting a Glock.

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

Mr P. PAPALIA: I move —

That amendment 7 made by the Council be agreed to.

With the proposed consolidation of collector's licence conditions and the intent to remove clause 69, this subdivision heading was removed.

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

Mr P. PAPALIA: I move —

That amendment 8 made by the Council be agreed to.

This will remove clause 69. Given the renewed conditions relating to the restriction on collecting handguns if they were manufactured within 50 years of an application, the incorporation of the requirement to be a member of an approved historical society and the significant historical value being the sole purpose for obtaining a handgun, this clause is no longer considered necessary and should be removed.

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

Mr P. PAPALIA: I move —

That amendment 9 made by the Council be agreed to.

Following on from the focus on preventing family violence and intimidation through the possession or use of firearms in the principles and objects of the bill, it is proposed that this clause will incorporate such concepts. This clause forms part of the matters that may form sufficient grounds to find a person not being fit and proper. Although the Commissioner of Police is not limited in what matter can be considered regarding a person's fit and proper status, it is necessary that the bill make explicit that a person's history of or tendency towards family violence or intimidation be contemplated as part of the assessment. Initially, this clause focused on violent behaviour, relating it to the risk of a person misusing a firearm; however, the commissioner should be able to refer to such intelligence information available to determine whether the person behaves in an intimidating, controlling or coercive way. The commissioner then in assessing an application or an ongoing fit and proper status will be informed by incident reports of police officers having attended circumstances involving family violence or intimidation, body-worn camera footage or the existence of any police order issued against a person. To be clear, this check will be done on application for a firearm authority and may be undertaken throughout the term of the licence. Further, the inclusion of these concepts in the fit and proper considerations flows on to wherever an opinion needs to be formed on a person's fit and proper status—for example, under the proposed amendments for mandatory suspensions or for a police officer conducting a search and seizure of a person's firearms. This amendment will make abundantly clear that a person with a history of or tendency towards family violence or intimidation will likely be unsuccessful in obtaining a firearm authority and access to firearms; this is in line with the amendment to the principles and objects of the bill.

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

Mr P. PAPALIA: I move —

That amendment 10 made by the Council be agreed to.

This amendment will remove clause 198(3). This provides that the clause dealing with mandatory suspension during interim disqualification will not prevent the cancellation of a firearm authority under the previous division dealing with cancellations. This is to be moved to proposed new clause 199A.

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

Mr P. PAPALIA: I move —

That amendment 11 made by the Council be agreed to.

The introduction of this amendment will make it clear that if a police order is issued under the Restraining Orders Act 1997 against a firearm authority holder, their authority will be suspended for the term of the police order. The intent of this provision is to delegate this authority to any officer issuing a police order so that the order, once served, also serves as a suspension of firearm authority. Once this occurs, it is intended that any firearms in the possession of the authority holder can be immediately seized by the officer, removing them from the situation until a further determination is made. At the end of the police order, the commissioner must determine whether to continue the suspension under clause 199 by assessing whether the person remains fit and proper or whether their authority should be revoked. This suspension will also apply when a person holding a relevant management position in a body corporate or partnership is served a police order—the intent continuing to be to remove firearms from situations involving family violence. This was not incorporated into the draft initially, as such a matter would have been discretionary grounds under clause 199 to suspend an authority or to commence an assessment of the authority holder's fit and proper status. It has since been decided that the bill should explicitly provide for the mandatory suspension of an authority should a police order be placed, thus aligning it to the overarching principles and objects of the bill.

Ms L. METTAM: The minister has already explained that the purpose of this amendment is to shift from a discretionary approach to a mandatory approach when it comes to suspension orders. Does the minister have any idea how many mandatory suspension orders could be imposed —

The ACTING SPEAKER: Is that rhetorical, member?

Ms L. METTAM: — and what implications that would have?

Mr P. PAPALIA: I think I witnessed a bit of the debate when that question was posed in the upper house by upper house members. We do not have a projected number. It is a very difficult thing to determine or model. Police received some 60 000 family and domestic violence call-outs and some 100 000 notifications, about 40 000 of which, I understand, are multiples for an individual incident. The Commissioner of Police has also indicated the police have provided 60 000 FDV responses. I cannot tell the member how many of those involved firearms. As I have said on many occasions, we are utilising our legacy information technology management system for the licensing of firearms. It does not enable interrogation of the data to the extent that we can answer that question. The future system that we are spending tens of millions of dollars on building right now will enable that sort of data to be extracted from the licence information. At the moment, I cannot give the member an answer.

Ms L. METTAM: Does a mandatory suspension for police orders exist in other states? Is the minister aware of any precedent in this area?

Mr P. PAPALIA: I am informed that, no, not that we know of. The other element of this is that, yes, it is directly related to police orders, but it is also the first indication of a domestic situation or a report that will allow for firearms to be removed as an immediate measure. That is not done anywhere else that we are aware of.

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

Mr P. PAPALIA — by leave: I move —

That amendments 12 to 14 made by the Council be agreed to.

The amendments to clause 199 focus particularly on making the current discretionary suspension a mandatory suspension when the commissioner has reasonable grounds to believe that the firearm authority holder may no longer be fit and proper. This means that when the commissioner or their delegate has reasonable grounds to believe that a person may no longer be fit and proper, they must suspend the person's firearm authority. This removes the discretion previously held in this clause to ensure that when a person may pose a risk with a firearm, their authority must be suspended. The reasonable grounds informing this belief will likely be based on incident reports, body-worn camera footage, being immediately following the term of a police order, or any other intelligence holdings held by the Western Australia Police Force. Once a person is again found to be fit and proper, the suspension will lift. Alternatively, if an adverse fit and proper finding occurs, their authority must be cancelled. To determine whether a person remains fit and proper, the commissioner has a range of provisions to require the person to provide any relevant information, to attend a health assessment or to attend an interview with a member of the police force. It remains open to the affected person to seek a review of the decision by the State Administrative Tribunal.

Question put and passed; the Council's amendments agreed to.

Mr P. PAPALIA: I move —

That amendment 15 made by the Council be agreed to.

The inclusion of this new clause will support clauses 198 and 199 to make it explicit that a suspension does not prevent the cancellation of the authority during the term of the suspension. Noting that the mandatory suspension tied to a police order is likely to be reasonable grounds for a mandatory suspension, this amendment enables clauses 198 and 198 to operate concurrently. This means, as previously stated, that the finishing of a police order likely will not result in the authority no longer being suspended. The intent remains that a person with a suspended authority either be deemed fit and proper or have the authority cancelled.

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

Mr P. PAPALIA: I move —

That amendment 16 made by the Council be agreed to.

This amendment is intended to enable a police officer, when they form the opinion that a person may no longer be fit and proper, to have the authority to search the place where they reasonably suspect the firearms to be and to seize them. This additional power is required when a police officer attends an incident or issues a police order and can form an opinion that a person is no longer fit and proper and remove the firearms from that situation. Noting the incorporation of the concept of family violence within the fit and proper provisions, if an officer attends a family violence incident involving a firearm authority holder, the officer may search a vehicle or place to seize the firearms. This may be done only where the officer reasonably suspects the firearms to be, which will include but not be limited to the approved storage location of the authority holder's firearms. When an authority holder is no longer fit and proper, even temporarily, the firearms are to be removed from the premises to prevent any access to or misuse of them. Such circumstances may include when a police order has been issued against the person; when the person has temporarily been removed from the place where the firearms are, perhaps due to a health episode; or when a person reports the occurrence of family violence but are themselves removed from the place. Wherever firearms are involved and a police officer forms a reliable opinion on a person's fit and proper status, it should be the intent that the firearms are removed until the person can once again be deemed fit and proper. It should be noted that after the power is exercised, the requirement remains with the officer to provide a written report to the commissioner explaining the reason for forming such an opinion.

Ms L. METTAM: It sounds like this clause will strengthen and make more explicit the removal of firearms when a police officer is concerned about the extent to which a firearm authority holder is a fit and proper person. Can the minister explain to what extent this adds value to the legislation currently before us?

The SPEAKER: Minister, given the time, I will interrupt the business of the house. Perhaps you can put that question on notice for when these proceedings resume.

Debate interrupted, pursuant to standing orders.

[Continued on page 3236.]

DEPUTY CLERK OF THE LEGISLATIVE ASSEMBLY — APPOINTMENT

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [2.00 pm]: While that is happening, in the minute before question time, I have a very important statement for the house. I am delighted to advise the house that I will be formally recommending to His Excellency the Governor the appointment of Ms Liz Kerr to the position of Deputy Clerk of the Legislative Assembly from 29 June 2024. Liz's appointment comes after a competitive advertising and selection process. Liz joined the Legislative Assembly in 2000 as a research officer and became principal research officer in 2004. In 2007, she became our Sergeant-at-Arms and in 2008 was promoted to Clerk Assistant, a position she has performed with distinction for 16 years. In 2022, Liz was appointed Acting Deputy Clerk of the Legislative Council for three months, where her approachable style and expertise was so well received that she was invited back by the Council to undertake a further three-month appointment as Acting Deputy Clerk in 2023. We did not hold that against her! I am sure that Liz's wealth of parliamentary knowledge and depth of experience will stand her in good stead in her new role as Deputy Clerk.

Congratulations, Liz.

[Applause.]

QUESTIONS WITHOUT NOTICE

NICHELIVING

420. Mr R.S. LOVE to the Deputy Premier:

I refer to a radio interview today on 6PR with distressed Nicheliving customer Jackie Barnett, whose house has not even reached lock-up, and the hundreds of Nicheliving customers like Jackie who are trapped in limbo awaiting answers.

(1) What does the Deputy Premier say to customers like Jackie who have been crying out for the government to intervene for years?

(2) What specifically will the Deputy Premier do to help them?

Visitors

The SPEAKER: Before I give the Deputy Premier the call, I have some brief acknowledgements to make. I acknowledge on behalf of the member for Kimberley the Shire of Broome and Shire of Derby–West Kimberley representatives here today, and on behalf of the member for Bateman I would like to recognise the schools and parents and citizens board representatives who are here from across the electorate of Bateman. Welcome to Parliament today.

Questions without Notice Resumed

Ms R. SAFFIOTI replied:

(1)–(2) I thank the member for the question. We are taking very, very seriously the issue of those people who have not had homes completed in a reasonable time as a result of the performance of the builder. That has happened as a result of the disruption in the construction market because of COVID. We understand the anxiety of and feel for those individual home owners who want to move into the home that they signed up for and deserve. As a result, we have introduced a number of measures. We changed the land tax provisions to ensure that people did not have to pay land tax on a property because it was not built through no fault of their own, and we were the first state to introduce the builders' loan facility. We are working through that to support those who had small builders building homes but whose homes have not been completed within a reasonable time. Nicheliving is a big builder. It is engaged with the Minister for Commerce and the relevant agency on its performance. The minister met with Nicheliving on Monday to work through the issues that have been raised. We are very much aware of the anxiety and the lack of fairness for those people who rightly signed up for a house and deserve a house. We understand that. We are working within the parameters to see how we can help support families get into their homes given that Nicheliving is a large builder. As I said, that brings with it a set of unique circumstances that is not covered by the builders' loan facility.

NICHELIVING

421. Mr R.S. LOVE to the Deputy Premier:

I have a supplementary question. Does the Deputy Premier now have any idea of the quantity of unfinished houses that Nicheliving is yet to deliver, and can the Deputy Premier provide any clear timeline for those hundreds of Western Australian families who are awaiting some certainty?

Ms R. SAFFIOTI replied:

As I said, the Minister for Commerce met with the head of Nicheliving on Monday to work through those issues and see how, as a government, we can ensure that we can help, if possible, to make sure that those home owners get into their homes. There is a whole range of different circumstances, including the length of time and the stage at which those homes are completed. We are looking at what happened elsewhere in times past when builders were not

able to finish building homes. We are currently exploring a number of options. As I said, we are very, very aware of what is happening and we are very, very concerned for those individuals involved and are working to see what model we can have in place to support home owners in this instance.

FAMILY VIOLENCE LEGISLATION REFORM BILL 2024

422. Dr K. STRATTON to the Attorney General:

I refer to the Cook Labor government's commitment to tackling the scourge of family and domestic violence.

(1) Can the Attorney General outline to the house how the government's legislation introduced to Parliament today will further hold family and domestic violence perpetrators to account?

(2) Can the Attorney General advise the house how these laws will also better protect victims and survivors of family and domestic violence?

Mr J.R. QUIGLEY replied:

(1)–(2) I thank the member for Nedlands for her question on the important subject of the protection of primarily women and children in domestic violence settings. Today we have introduced and read into the chamber a bill that will provide for electronic monitoring to apply to anyone who commits a family violence offence whilst subject to a violence restraining order or who is a serial family violence offender who commits a family violence offence. They will be mandatorily affixed with a GPS tracking device. When a family violence restraining order is in place, all family violence perpetrators released from prison, who are on parole or under a post–sentencing supervision order, which is often put in place at the time the sentence is struck, will be required by the Prisoners Review Board to wear a GPS tracking device either whilst they are on parole or under a community supervision order. Similarly, if a person who is subject to a family violence restraining order is charged with a family violence offence and pleads not guilty and applies for bail, they will have to have affixed to them a GPS tracking device.

The bill will make it easier for victim–survivors to get a restraining order when they are complaining of coercive control. Coercive control is usually a precursor to more extreme family violence. It starts with controlling the partner and, when that wears thin, it escalates into something more pernicious and violent. The Restraining Orders Act will be amended to make it clear that coercive control is pattern behaviour. Each individual instance of it might not be enough to justify a family violence restraining order. I will give an example of a man who does not want his partner going out and socialising with a certain group of women or friends. He usually catches public transport to work but, knowing that she is using the car to go out and socialise, he takes the car to work on that day. Some might say that is inconvenient or inconsiderate, but a week later he knows that she has a medical appointment and he decides to take the car on that day. Those little instances build up to control and coerce the partner into conduct to which the perpetrator wants to confine her. It will be much easier now for the judiciary to recognise that pattern behaviour of incidents that are inconvenient or innocuous at first sight but which, looked at cumulatively—hello, this person is controlling his partner—ultimately and almost inevitably leads to acts of violence. It can also be the controlling of finances or there could be repeated emotional abuse or psychological control of his partner. That can also lead to a family violence restraining order being made and conferred. It is very important that this pattern of behaviour is recognised by the judiciary.

I have already received confirmation from the Leader of the Opposition that the opposition in this chamber will facilitate the legislation's early passage; we had an exchange of letters in that regard some time ago. It is another case, Leader of the Opposition, in which this Parliament will unite across the aisle, as we did the other day with dust diseases. We get together and deliver good outcomes for the people of Western Australia. In this case, we will be delivering further laws to secure the safety of women and children in our society. I thank the Leader of the Opposition for his early indication of the opposition's support.

Once these laws have passed through this Parliament, they will be the most extensive and toughest laws in Australia for protecting women and children from the scourge of family violence. Of course, it will fit in with a lot of other laws we have introduced, such as the laws I brought in against partial occlusion of airways, and laws providing for mandatory imprisonment for removing a tracking device. We have now also introduced a new offence for failing to obey the directions of a community corrections officer. The direction might be: make sure each night you plug the device in and charge it up so that it is transmitting. If they do not, there will be a penalty of a couple of years' imprisonment available to the courts. I thank the member for Nedlands for her important question.

HEALTH — YOUR VOICE IN HEALTH SURVEY

423. Ms L. METTAM to the Minister for Health:

I refer to the 2023 Your Voice in Health survey, which astoundingly highlighted that only 28 per cent of workers in the health sector felt that they were valued and respected, and that only 25 per cent felt that their organisation

cared for their health and wellbeing. Given that it is now 12 months since the release of the 2023 survey, has the 2024 survey been undertaken; what were the outcomes of the survey; and will the results be made public before the rise of Parliament for the winter recess?

Ms A. SANDERSON replied:

WA Health has undertaken an enormous amount of reform over the last two to three years. Much of that reform was driven by the healthcare workforce and clinicians. I have to say, WA Health is an attractive employment prospect. We have seen 4 400 nurses employed over the last two to three years across WA Health. Of course, there can be pockets of improvement in any workforce of 60 000 people; there is always work to do with improvements. We saw that recently with the workplace survey for this place. Whenever we go into a workplace and survey the culture and staff, we always see that there is work to do. But the hallmark of this government is that we are listening to staff; we are listening to our employees, who are the most important part of our healthcare system. We listened to the Australian Nursing Federation when it put in its log of claims for nurse-to-patient ratios, and we are implementing nurse-to-patient ratios. We listened to junior doctors when they said that they cannot get access to overtime and are struggling with the workplace culture, and we are putting in place the necessary structures and supports for our workforce.

It is WA Labor that supports the healthcare workforce by employing healthcare workers in the public sector and ensuring strong public sector jobs. We are not privatising their jobs to large corporations and uncertainty. WA Labor has ensured permanency across the public sector. It is this government that ensured that that was the case in WA Health. Of course, there will always be more work to do. It was actually this government that implemented the survey because we want to hear from our employees. We want to hear the experiences of staff. If we do not listen to them, we cannot act on it. That is exactly the value of that survey, and our record speaks for itself. We are implementing ratios, listening to our clinical workforce and making the reforms that matter to them.

HEALTH — YOUR VOICE IN HEALTH SURVEY

424. Ms L. METTAM to the Minister for Health:

I have a supplementary question. Given the value of the survey, has it been undertaken; and when will it be published?

Ms A. SANDERSON replied:

There are ongoing surveys. Health service providers engage with their workforce on an ongoing and regular basis. We also have the ministerial advisory panel, which has representation from all the relevant unions and clinical workforces, meeting with us regularly. We are working through the results of the former survey and implementing the changes and recommendations. We are working through those improvements, and that is what we will continue to do.

FAMILY VIOLENCE LEGISLATION REFORM BILL 2024

425. Ms C.M. ROWE to the Minister for Prevention of Family and Domestic Violence:

I refer to the Cook Labor government's reforms of family and domestic violence laws.

(1) Can the minister outline to the house how the legislation introduced to Parliament today will respond to coercive control?

(2) Can the minister advise the house how these reforms were developed in collaboration with the community sector?

Ms S.E. WINTON replied:

I thank the member for the question and for her ongoing advocacy for not only the women and children in her community, but also the important service providers in her electorate who do an incredible job each and every day.

(1)–(2) The Cook government's commitment to the prevention of family and domestic violence is unmatched. We have been consistent, including through record investment, for the entire term of this government—that is some nearly eight years of putting the prevention of family and domestic violence front and centre of all that we do. We have made critical investments in programs and services that not only support victim–survivors, but also provide opportunities for perpetrators to change their behaviours. That is a really important plank of the work we do. In fact, in this year's budget, there was a 30 per cent increase in funding for services for perpetrators to challenge them and to look them straight in the eye and say, "We'll give you the support and the opportunity to change your ways." That is a really important thing we do.

Of course, alongside those important investments in programs each and every day is our legislative reform agenda, which is also unmatched. The Attorney General today introduced the Family Violence Legislation Reform Bill 2024, through which we are basically putting perpetrators on notice. They will be held to account. Their behaviour will not be tolerated by this government, and it is not tolerated by the community. Women have the right to be safe.

> As part of the legislation, we are making really important changes that will amend the definition of "family and domestic violence" to recognise, as the Attorney General just referred to, the pattern nature of coercive control. It is a pattern of behaviour and a cumulative series of behaviours that seek to control women. It is a critical first step in our government's commitment and approach to a staged criminalisation of coercive control. It is really important that everybody understands our approach, and we have broad support from people who know this stuff the best—the experts in the field, including the Commissioner for Victims of Crime. I would like to highlight an important report from November last year, *Legislative responses to coercive control in Western Australia: Consultation outcomes report*. The commissioner stated —
>
> > … immediately introducing a new stand-alone criminal offence of coercive control would not be effective without this much needed systemic reform …
>
> She referred also to education programs. It is really important to put that on the record. Likewise, the Centre for Women's Safety and Wellbeing, in its submission to the review, stated —
>
> > … improved understanding of coercive control across the domestic and family violence response system would better enable those working in the justice system to implement and enforce existing legislation more effectively …

I know that previously, and importantly, the Attorney General briefed the family and domestic violence task force on the reforms we introduced today. There is broad support for our approach. It is great to hear from the Attorney General that the Leader of the Liberal Party supports the bill that was introduced by the Attorney. I welcome that.

Coercive control is a really insidious and dangerous form of abuse. It is often the beginning of what turns into abuse and violence towards women. It is often invisible. Seemingly small behaviours have that cumulative and long-lasting effect. The bill will insert a reference to the "pattern" nature of coercive control and its cumulative effect into the Restraining Orders Act 1997. That will mean that when courts decide whether to issue a restraining order, they will be required to take into account the fact that family violence may be demonstrated by multiple acts that, over a period of time and when considered cumulatively, coerce control or cause a person to be fearful. But, of course, just because we put it into legislation does not mean it will be so. Those people in the justice system and the police actually need to be supported through education programs so they fully understand coercive control.

In this year's budget, some $585 000 was committed to ensure that we support the important work that needs to happen on our path towards criminalising coercive control. Back in November, we committed $2.1 million as part of the education program that needs to happen in our court system and our judiciary so they fully understand what coercive control is and support the women seeking restraining orders in the future on that basis.

SOUTH COAST MARINE PARK

426. Mr P.J. RUNDLE to the Minister for Environment:

I refer to the petition tabled in the Legislative Council on 13 June 2024 by Hon Colin de Grussa, calling for a halt to the south coast marine park, an inquiry into the Cook Labor government's adherence to statutory processes, the extent of influence wielded by external lobby groups on the planning process and the lack of scientific and socio-economic data and research to underpin the indicative management plans for the four proposed marine parks.

(1) In light of the almost 6 000 signatories to the petition and the ongoing rallies against the marine park in Esperance, does the minister accept the need for a review of the entire marine park planning process?

(2) Is this just another example of this arrogant Labor government ramming through an ideologically driven policy at the expense of regional communities?

Mr R.R. WHITBY replied:

(1)–(2) I could start by talking about consulting communities with a reference to what was announced for Collie overnight. With absolutely no contact with the community—just in the dead of night—it is getting a nuclear power station! That is the standard of consultation and collaboration with the community that we see from the other side. I could talk about that. Maybe I will talk about it later.

What a cheek! Honestly, what an absolute cheek the member has, coming in here today after what he and his partners proposed for Collie. Without even visiting the town or conducting any consultation whatsoever, a nuclear power station will be built in the middle of the community. Done deal. That is how the member consults. Okay, we do it differently. We have bent over backwards, and we are very happy to do so, on the extent of consultation in the south coast marine park process. I do not know what the Nationals WA are protesting about because we are not at the end of the process. They are not able to see the outcome. They are obviously frozen by ideology, so they are going to oppose it and condemn it no matter what.

There is a process. It has run for a month longer, in terms of public comment that is statutorily required. It has been done in a period to ensure we miss Christmas and the new year, so we have moved it forward and extended it. We have opened shopfronts in Esperance, which the member would know about. We had

experts from the Department of Biodiversity, Conservation and Attractions and we invited the community into an office where they could look at a big screen and get into the granular detail of what the proposal looks like. There has also been enormous contact through public information and social media at all levels. We did not put misinformation out in a leaflet like the member did with his mate, Hon Colin de Grussa, misrepresenting what was being proposed and stirring up the angst of local community members who were writing to me in protest at what they were doing.

There is a process. I am very proud of the process. Yes, there are emotions. Yes, there are people who have alternative views. There are some people who simply do not want a marine park. This government is committed to getting the right balance and the best possible outcome. I want a marine park that works for the community. It will bring the member's community great benefit in the long and short term.

As we saw in Exmouth with the Ningaloo Marine Park, there was $100 million of economic activity and businesses flourished. We would be hard-pressed to find anyone up there prepared to question the presence of that marine park. Things got pretty ugly in Exmouth 20 years ago. People rammed the DBCA office and waved nooses around; they were angry. I am sure people up there were stirring up that anxiety unnecessarily. Twenty years later, we would not find anyone who would talk down the marine park. It is successful; it protects biodiversity and business; and it encourages business.

The south coast marine park will provide an amazing opportunity to protect a unique biodiverse environment, the likes of which does not exist anywhere else on the planet. Businesses will have opportunities to thrive. We are working very closely with commercial fishers and abalone fisheries. We are looking at the granular detail. We are looking at the maps. People are coming to us and talking to our officers, saying, "If we move that there, I will be able to go in there and I will be happy with that." It is a matter of give and take, it is constructive and it is about striking the right balance.

I do not have the letter in front of me but a long list of business owners in Bremer Bay wrote to me recently, saying, "We like what the proposal looks like now; please don't reduce the sanctuary zones any further." These are owners of caravan parks, bait and tackle shops, earthmoving businesses and accommodation providers—people involved in a range of businesses in Bremer Bay—who realise the value of the marine park and want those values protected.

I will not jump the gun. I will not pre-judge this. We had enormous input to the public comment process, with about 20 000 submissions—an indication that people have had plenty of opportunity to have their say. We will get the right balance for business, community, conservationists and traditional owners—everyone.

SOUTH COAST MARINE PARK

427. Mr P.J. RUNDLE to the Minister for Environment:

I have a supplementary question. Is the minister aware that commercial and recreational fishers based in the metropolitan area are now actively watching the south coast marine park process to see what is in store for them with the Marmion Marine Park extension in the event that the Labor government wins another term in office?

Several members interjected.

The SPEAKER: Order please, members.

Mr R.R. WHITBY replied:

I am aware of an opposition that fails to come up with its own policies, does not value the environment and will always cause and stir up anxiety in the community. I hope it does not do it with the Marmion Marine Park proposal as it has with the south coast marine park.

We will have a measured approach, we will always be inclusive and we will always strike the right balance.

EVENTS AND TOURISM STRATEGY

428. Mrs M.R. MARSHALL to the Minister for Tourism:

I refer to the Cook Labor government's always-on events strategy, which is helping to drive Western Australian tourism.

(1) Can the minister advise the house of the government's success in securing unique exclusive events, such as the new Perth International Football Cup?

(2) Can the minister outline what these events mean for visitors to WA, local jobs and local businesses?

Ms R. SAFFIOTI replied:

(1)–(2) I thank the member for the question. Of course, our tourism focus is really three key things, including international links, which is why we are very excited to welcome back a direct link to China with China Southern Airlines, for example, starting in November. It is also, of course, making sure that we continue to support facilities and tourism infrastructure around the state. We are really excited about what

is happening with tourism down in the member for Collie–Preston's neck of the woods, whether it is trails, incredible portraits like on the dam wall or continuing to support new camping and other facilities. I am not sure what a nuclear reactor will do to the tourism potential of the south west or how it will appeal to tourists in that area.

Then, of course, there are events. We are very much focused on how we can continue to support a range of events. Members might recall people telling us to go for the Commonwealth Games. We saw a state that went for the Commonwealth Games, and I think it is costing them $600 million not to deliver the Commonwealth Games. We have created an events budget for much less than the sunk costs from Victoria. That is looking at the whole range of events that are out there, noting that the market has changed a lot over the 20 years. All those who are into what is happening on social media know that the global reach of things like World Wrestling Entertainment, Ultimate Fighting Championship and international football. It is completely different. Attracting these types of events with the incredible social media coverage, with its streaming and the coverage they get around the world, completely makes sense for a state like WA. We need to continually introduce ourselves to the rest of the world and introduce ourselves to people who normally would not come to Western Australia. That is why we should attract events like WWE, UFC and international football.

Of course, we have also really backed in the women's game, in particular, when it comes to international football. That is why we brought the Matildas here, and that is why we changed the venue to Optus Stadium, and that is why we have created for the first time in Australia an international football cup, the Perth International Football Cup, for women's football. Three of the top English Premier League teams in the United Kingdom—West Ham United, Leicester City, Manchester City—and Paris Saint-Germain, which is a very big brand, will come for that. Those women's teams have a lot of Matildas players playing for them. We have already seen a lot of excitement with a lot of preregistration as people are getting excited about coming to the event. There will be two games during the week at HBF Park, and then there will be two games at Optus Stadium, with the two winners playing each other for the final and the other two playing in the lead-up game.

Our strategy is to continue to deliver events that support tourism but also support the local community. As I have said in relation to sport, activating young people through all the other different measures we are doing, including investing in facilities and the KidSport vouchers, are all about making sure we are supporting not only more people coming into WA, but also the local community.

MINING TENEMENTS — HIGH COURT DECISION

429. Ms M.J. DAVIES to the Minister for Mines and Petroleum:

Before I ask the question, I thank the minister for the briefing by his department this morning on the matter that I am about to ask him about.

I refer to the minister's media statement from last week advising that the government had approved draft mining amendment legislation to address security of tenure issues following a decision in the Forrest and Forrest v Wilson and Ors case.

(1) Can the minister confirm that the substantive matter of validation for those impacted by the 2017 decision will not be addressed in this term of Parliament?

(2) Given this issue emerged in 2017, why has it taken seven years for this government to act, albeit just on procedural matters in the stalled Mining Amendment Bill introduced in 2018?

Mr D.R. MICHAEL replied:

(1)–(2) I thank the member for the question. Obviously, this follows up a question the member asked on these issues a month or so ago. It is something that I know this government has taken seriously for some time—that is, the Forrest and Forrest v Wilson and Ors decision of the High Court and addressing the uncertainty from that decision. The state, under the former minister, committed to validating past grants of tenure as well as ensuring security of future grants. The member would be aware that validating past grants requires amendments to the national Native Title Act through the commonwealth. The state government continues to work with the commonwealth government on this and we continue to seek its assistance on this. We took the decision, as per the media statement, to deal with this issue for future grants so we are not adding to future issues, as well as to deal with some of those other matters on which the mining sector has been asking for some reform, based on some other legal issues, to assist with the security of tenure, which I know the member would have been briefed about today, like Blue Ribbon and some of those other issues, to do this legislation rather than wait for us to get an agreement from the commonwealth. We will continue to seek that agreement from the commonwealth. The member will note that in the last term of government, we introduced the Mining Amendment (Procedures and Validation) Bill 2018 to signal our intention to do that. We will continue to work with the commonwealth, and we know how important this is. We took the decision to do what we can now rather than hold up the process.

MINING TENEMENTS — HIGH COURT DECISION

430. Ms M.J. DAVIES to the Minister for Mines and Petroleum:

I have a supplementary question. Can the minister guarantee that the amended legislation, or new legislation, that the minister has approved for drafting will be introduced and passed before November, when this house rises?

Mr D.R. MICHAEL replied:

I guarantee that we will work closely with the industry, which is why we made the announcement prior to going through cabinet. Given that a lot of the legislation comes from that piece of legislation that the former minister put through in 2018, I expect some of the amendments should be relatively minor. My hope is that we can get that done, but I will not guarantee it.

ENERGY POLICY

431. Ms J.L. HANNS to the Minister for Energy:

I refer to the Cook Labor government's commitment to delivering reliable and affordable energy for Western Australians.

(1) Can the minister update the house on this government's sensible approach to Western Australia's energy transition?

(2) Can the minister advise the house if he is aware of any illogical or reckless alternative energy proposals that are a risk to WA's future?

Mr R.R. WHITBY replied:

(1)–(2) Thank you, member for Collie–Preston. My thoughts are with you today given what the member has had to wake up to this morning.

Where do I begin? There is so much material here in front of me. I will try to get through it. Every election period, it seems that our friends opposite come up with wackier and zanier energy policies. If we go back to 2017, they wanted to flog off Western Power. Imagine where we would be today if we had done that. We are the envy of the country in terms of the security and the certainty we have with a publicly owned utility allowing us to roll out renewable energy. The east has enormous problems on the National Electricity Market because of the different private ownership of the utility network. We avoided that and we dodged that bullet. Last election, they even went one better. The opposition said, "Let's get out of Collie coal" in less than six months' time from now actually. They said, "Let's pull the cord on Collie and get out of coal; we'll be fine. We have these hydrogen plants; it will all be fine." A couple of weeks ago, the opposition got its new policy, which is to kick the can down the road and keep Collie going for as long as possible. It will have to be for an eternity from what we heard this morning. They said, "Let's cross our fingers and hope it all works out."

The Cook Labor government will always deliver clean, affordable and reliable power to the people of Western Australia, and that is why we oppose the federal opposition's plan. This is not about ideology for us. It is about ideology for the other side. It is steeped in ideology and wishful thinking. It prays for a simple answer to very complex issues. Hopefully it will sucker enough people to buy what it is trying to sell. For us, this is economics and common sense alone. That is our way forward. That is how we decide on our energy policies. This is why we oppose this plan on economics—commonsense and practicality.

The member is right: what we heard announced today would be costly and reckless. It is up to members opposite, I have to say, to tell everyone in this state whether they stand with Peter Dutton or they stand with Western Australia. Which is it? Who do they support? Do they support Peter Dutton or do they support Western Australia? It is a very stark and obvious choice to me. Who do you support, members—Western Australia or Peter Dutton?

Several members interjected.

The SPEAKER: Order, please!

Mr R.R. WHITBY: The Leader of the Liberal Party and Hon Dr Steve Thomas have acknowledged that nuclear power does not stack up in WA. They have said that. I think they have said it again today. They need to stand up to Peter Dutton and tell him that directly. Are they going to end the madness and stand completely against Peter Dutton's plan?

Government members: Crickets!

Mr R.R. WHITBY: Crickets! Are they going to acknowledge —

Several members interjected.

Mr R.R. WHITBY: Hello, National Party members are piping up. Can I ask them about their state conference endorsing nuclear power?

The SPEAKER: I ask the minister to get back to answering the question, please.

Mr R.R. WHITBY: Will members opposite acknowledge the CSIRO's finding that nuclear power is the most expensive form of energy in the world? Will they admit that? Will they admit that even in autocratic countries such as the United Arab Emirates, in which there is no public consultation whatsoever—a bit like Peter Dutton's strategy in Collie—it took 13 years to build a nuclear power station? Will they acknowledge that nobody in Collie has asked for this to be built? Will they acknowledge that there has been zero consultation on this major project? Will they also acknowledge that we need firming energy that allows renewables into the system? We do not want nuclear power; it has one speed and does not let renewables into the system. What the Liberal Party is proposing would be devastating to the investment markets that want to invest in renewable energy, because there is no place for renewables when one has a nuclear power station. The other point is that Western Australian households and businesses would pay a huge amount more. There would be a massive increase in bills with nuclear power.

The other thing that is very important to remember is that on the radio this morning, Senator Hon Michaelia Cash said that we would probably get a nuclear power station in Western Australia by 2050. That will really help with emissions reductions to net zero! Net zero by 2050—we might turn on the nuclear power station by then! The state policy would be to keep Collie burning coal for the next 25 years in the hope that we would eventually get a nuclear power station. We now know that the timeframe is at least 2050, so we are talking about another 25 years of Collie coal. Where has the Liberal Party factored in getting all this coal from, given that resources down there are finite and that millions and millions of dollars would need to be spent to get more coal or it would need to be imported from somewhere else? Has the Liberal Party factored in the fact that the power stations down there are old and need replacing? Is it the Liberal Party's plan to invest hundreds of millions of dollars in new coal-fired power generation—billions of dollars, probably—to then turn it off in 25 years' time when the nuclear power station starts there?

The SPEAKER: Minister, can I just remind you that question time will be finite as well.

Mr R.R. WHITBY: Thank you, Speaker.

What we heard today was nonsense. It is driven by ideology. It is the wackiest and weirdest instalment of energy policy yet from members opposite. Who thought it could get even worse, but it has! They need to stand up and defend Western Australia's position.

PUBLIC TRANSPORT — COSTS

432. Dr D.J. HONEY to the Minister for Transport:

I refer the minister to her repeated but misleading claim that the massive blowout in public transport costs and public subsidies is due to the government's various fare incentives.

(1) Is the minister aware that since 2016–17 until the latest budget, the net cost of the public subsidy for metropolitan region public transport will have risen by 90 per cent, despite the fact that patronage numbers are still below those achieved in 2016–17?

Ms M.M. Quirk interjected.

The SPEAKER: Member for Landsdale, please do not interject.

Dr D.J. HONEY: I will continue.

(2) Is the minister aware that even after allowing for the drop in fare revenue over that period due to lower patronage and the capping of fares, the subsidy still rises by a massive 84 per cent, showing that fare subsidies are responsible for only a small part of the massive cost blowout?

(3) Does the minister have any cogent explanation for such a massive blowout in public transport costs that she has overseen?

Ms R. SAFFIOTI replied:

(1)–(3) Once again, the Liberal Party is opposing public transport and opposing us subsidising public transport.

Dr D.J. Honey interjected.

Ms R. SAFFIOTI: That is what I heard; it is opposing the subsidy for public transport.

Dr D.J. Honey: No; I am asking you to explain the blowout.

Ms R. SAFFIOTI: I will talk about what we have been doing over the past few years, in case the member did not notice. We have been expanding the network. We have built new train lines, such as the whole new train line to the airport, just in case the member did not notice. We have added bus kilometres. The cost of public transport has of course gone up because we have expanded the system. The second reason, of course, is in relation to the capping of fares. There has been a difference between expenditure and revenue increases because we have subsidised it more. We have said it; we have subsidised public transport more. Another key point is that the cost of running particular buses is linked to the price of diesel. We have seen the price of diesel increase by about 165 per cent, as

I recall. That is the explanation. We have had more kilometres of trains and buses, we have capped fares, we have had fare-free Sundays and fare-free summers, we have capped fares at two zones, we have provided free public transport to students and the contracts are based on diesel prices. The good thing is that we are moving to electric buses; that will provide a saving because all the forecasts for diesel over the next number of years show a significant increase after the significant increase that we have already had over the past two years, primarily driven by some external factors. That is the reason.

Dr D.J. Honey: That doesn't explain the difference.

The SPEAKER: Order, please!

Ms R. SAFFIOTI: If the Liberal Party wants to cut that, it will probably increase fares and cut services. That is what it is going to do. The member should stand up and tell us which bus services the Liberal Party is going to cut and how big the price increases are going to be. I mean, what is it going to do? If the Liberal Party thinks the subsidy is too high, what is it going to do?

Dr D.J. Honey: What you are not doing—manage it!

Ms R. SAFFIOTI: Oh, manage it!

Several members interjected.

Ms R. SAFFIOTI: As I said, there are two key routes—to cut services or increase fares significantly. That is pretty much it. Is the Liberal Party going to cut the wages of bus drivers? What are the other costs? Will it not maintain the buses? Will it not clean them? Will it not put fuel in them while they are still diesel? Is it going to cut the wages of bus drivers? Tell us what you are going to do. What are you going to do? Liberal governments do not support the subsidisation of public transport. We understand that. That is their policy. Our policy is that we support the subsidisation of public transport because it is a public good that supports the cost of living and allows people to get connected to jobs and opportunities and to travel. That is what we do. That is what we have done. We have capped the annual increases in public transport fees; the other side did not. What is the member going to do? He said that the costs are too high. What is he going to do? We are seven or eight months out from an election.

Mr W.J. Johnston: It is 262 days.

Ms R. SAFFIOTI: It is 262 days! Tell us your public transport policy. I remember that we came out with Metronet probably about a year and a half from the election. We had a strong public transport policy. Tell us what you are going to do.

PUBLIC TRANSPORT — COSTS

433. Dr D.J. HONEY to the Minister for Transport:

I have a supplementary question. Does the minister make any effort whatsoever to understand and control the massive cost blowouts in her portfolio or does she simply rely on spin and bluster to hide this incompetent management of public funds?

Mr W.J. Johnston interjected.

The SPEAKER: Thank you, member for Cannington. We did not need that contribution either. Minister, this is another opportunity for you to respond.

Ms R. SAFFIOTI replied:

Let us go through it again! I went through some key components of the subsidy. As I said, it is bus kilometres and train kilometres, basically. It is cost of diesel, which has an impact, because the contracts are linked to the price of diesel and bus kilometres. As I said, there is also fare revenue.

Several members interjected.

The SPEAKER: Order, please.

Ms R. SAFFIOTI: Yes, we have made a deliberate attempt to reduce the price of public transport for Western Australians. That has increased the subsidy. Yes, that is right. I said it and I will say it again. We are deliberately subsidising public transport more in this state because we believe supporting public transport is a public good for a number of reasons. For the environment, what is the best way of reducing emissions? It is mass transit. More people using buses and trains means far fewer emissions out there in the community. It is affordable. Again, we have made comparisons between a car and public transport going from, let us say, Yanchep, member for Butler, to, for example, working at the hospital at Queen Elizabeth II Medical Centre. It is much more affordable, and again, the most affordable in the nation. It is all about connections. Members opposite may not care, but we all do, about young people and older people in our community who want to be able to access jobs and opportunities, to maintain a social network and to feel like they are connected. It is also about supporting new land use and more densification of housing. We are making sure we support new densification of housing.

The Liberal and National Parties' record on public transport in this state is there to see. They shut down the Fremantle rail line. They shut the Midland Workshops, which meant they basically disenfranchised whole communities. People used to get training in those jobs, and now they wonder why people are not qualified across the system. It is because the Liberals and Nationals killed training every time they were in government. They privatised Westrail freight. Remember, it was called Transform WA. The Nationals WA, to get their little tummy tickled, basically sold off all the regional Western Australian rail lines to support this thing called Transform WA, which, at the time, was about —

Point of Order

Dr D.J. HONEY: I have a point of order, Madam Speaker.

Several members interjected.

The SPEAKER: Order, please, members! Points of order are heard in silence. Member for Cottesloe.

Dr D.J. HONEY: Madam Speaker, my question was clearly about public transport not the general freight rail network.

Several members interjected.

The SPEAKER: You did not ask a narrow, direct question as your supplementary. The member for Cannington's interjection, although disorderly, was actually correct in his commentary. Minister, I do like to have brief supplementary questions and brief answers.

Questions without Notice Resumed

Ms R. SAFFIOTI: The member is so unaware of what is happening in regional Western Australia, he does not understand that trains like the *Australind*, *MerredinLink* and *AvonLink* actually are forms of public transport that use a privatised rail line, which sometimes makes it very difficult because the opposition sold it off. Coming to the 2017 election, the opposition had Metro Area Express light rail. What year was it? In 2008, they promised the Ellenbrook rail line, as we all know. They doubled down on it in 2013. After eight and a half years, they did nothing. On MAX light rail, the then Minister for Transport said, "Go and buy land along the route". We know members opposite hate public transport.

Mr W.J. Johnston: They closed the Fremantle line.

Ms R. SAFFIOTI: I started with that one, actually.

The SPEAKER: Order, please. Minister, I am keen to give the call to the member for Dawesville.

Ms R. SAFFIOTI: Sure. The member for Dawesville's constituents very much benefit from the two-zone fare cap. Thank you for mentioning that!

One day, members opposite will have to have a policy on this. We cannot wait. Obviously, they believe they want to significantly cut the subsidy. There are a couple of routes—cut services, do not pay bus and train drivers, do not maintain the trains, or increase fares. Whatever option they take, please tell us as soon as possible.

POLICE RECRUITMENT

434. Mrs L.A. MUNDAY to the Minister for Police:

I refer to the Cook Labor government's commitment to supporting the growth of police offices in Western Australia.

(1) Can the minister advise the house what measures have been taken to increase the number of police recruits at the Western Australia Police Academy?

(2) Can the minister please also update the house on the recruitment of experienced officers from other jurisdictions, both interstate and overseas?

Mr P. PAPALIA replied:

(1)–(2) I thank the member for her question. Both of those questions are related. The response to trying to get more police officers into the Western Australian police force is—she will probably be familiar with it—a campaign called "Let's Join Forces", which was launched by Madam Speaker when she was the Minister for Police. It has been incredibly successful, drawing some 2 600 applications at last count from local communities to join the Western Australia Police Force. However, two and a half to three years ago, we saw the need to try to broaden the base from whom we could recruit. As soon as the current federal government was elected, I went over to Canberra and met with the Minister for Immigration, Citizenship and Multicultural Affairs and sought a labour force agreement. We received it within a couple of weeks. Western Australia leads the nation in seeking to recruit from like police forces around the world. For the United Kingdom, Ireland and New Zealand, we achieved a labour force agreement that enables us to bring in something in the order of 150 experienced police officers from those police forces each year. I can report that it has been incredibly successful. Not surprisingly, there has been a lot of interest from the UK. At the last count, 1 889 experienced police officers had applied to join our police force from overseas, predominantly the UK but some from Ireland and a few from New Zealand. We are also attracting interstate police officers because this is a place of opportunity. It is probably one of the very few jurisdictions

in the country where a police officer can aspire to buy their own home in the capital city, by comparison to some of the other jurisdictions where it is impossible. At the moment, 387 officers are training at the academy. Of those, 105 are international transition officers. They have a minimum of three years' experience. They do a half-length course and they get out there and bolster our numbers, and provide additional experience to the force.

The number of international recruits who have graduated since 1 January 2023, when this started, is 109. I will be going to a graduation on Friday, I think, or very shortly, where another 40 are graduating. We have also bolstered the capacity at the academy. They are pushing through something in the order of 1 000 recruits in a 12-month period. There are 17 intakes, including the internationals and the locals, over a 12-month period. Since the current financial year began, 742 officers have commenced; 546 of them are locals; 179 are internationals; and 17 are re-engaging.

There is no shortage of people wanting to join the Western Australia Police Force. That is because it rightly has a world-class reputation for delivery of service. Contrary to the attacks and denigration that has been sent the way of the Western Australia Police Force by the Liberal Party and Nationals WA who, whenever they talk about police, do nothing except criticise them, our police are excellent. They provide, if not best practice in the world, equal to best practice in the world. We should be very happy to receive that service from them.

The SPEAKER: The Leader of the Opposition with the last question.

BUNBURY REGIONAL PRISON — REPORT

435. Mr R.S. LOVE to the Minister for Corrective Services:

The Office of the Inspector of Custodial Services exposed the dire conditions at Bunbury Regional Prison in the report tabled yesterday. The facility has struggled with inadequate staffing and infrastructure to support its growing population. There are reports of extended wait times for health treatment, failed rehabilitation programs, significant decline in support for prison staff and an increase in bullying, intimidation and threats. This report is damning and goes back over a period of time.

What has the minister done to address the concerning situation at Bunbury Regional Prison?

Mr P. PAPALIA replied:

I thank the member for his question. The thing about reports like the one tabled by the Inspector of Custodial Services is that they are only snapshot assessments; they are retrospective, so they look backwards. It is a rear-vision mirror report on something that was the case some time ago. Despite the member's interpretation of the report, conditions at Bunbury Regional Prison are not so dire. That aside, the claims about personnel complaints, complaints of bullying and things of that nature are historical; therefore, the member's claims about Bunbury prison are not current.

BUNBURY REGIONAL PRISON — REPORT

436. Mr R.S. LOVE to the Minister for Corrective Services:

I have a supplementary question. The minister has held the corrective services portfolio for over a year now. Why does the prison system seem to be deteriorating rather than improving under his leadership?

Mr P. PAPALIA replied:

It is not. That is an interesting observation that the member has made. Based on what evidence is he making that claim?

Mr R.S. Love: Last week you dismissed some of the findings of the Office of the Inspector of Custodial Services. You do not seem to believe what they are saying.

Mr P. PAPALIA: No, the Inspector of Custodial Services —

Mr R.S. Love interjected.

The SPEAKER: Order, please.

Mr P. PAPALIA: The Inspector of Custodial Services fulfils a wonderful purpose—independent oversight of our corrective services system. It means he reports to me and then Parliament about the status of corrective services sites right across the state on a regular basis. He conducts regular reviews and inspections, and he also does short-notice, out of session–type inspections and reports. He provides an invaluable service. He has a range of volunteer prison visitors who also provide advice to me about the situation in the prison system. I value greatly everything that he provides and his insight. I meet with him regularly and I respect his views and observations.

With this particular report, the member is talking about something that was the situation some time ago. It is no longer the case. There is always more to be done at every corrective services site. I am very comfortable that the government has appointed an excellent Commissioner for Corrective Services. He is addressing a range of challenges right across the corrective services portfolio and he is doing a really good job. The prison and corrective services system is in far better hands now than it was.

Mr R.S. Love: In your hands?

Mr P. PAPALIA: I am talking about the Commissioner for Corrective Services. The member may recall that we moved his predecessor on. The current commissioner is doing a good job, and I am optimistic that conditions will improve as he gets his work done.

The SPEAKER: That concludes question time. I note that that last supplementary question was a much broader question than the original question, which is not as it should be. It should be a simple, direct question that relates to the original question, not a broad question, because part of the issue with that is that it invites a broader response.

LEADER OF THE LIBERAL PARTY

Minister for Health — Comments — Personal Explanation

MS L. METTAM (Vasse — Leader of the Liberal Party) [3.03 pm]: Under standing order 148 I would like to provide a personal explanation to the house.

The SPEAKER: Just before you start, it is the convention in this house that personal explanations are heard in silence.

Ms L. METTAM: This is in relation to the suggestion made by the Minister for Health yesterday during the matter of public interest that the parents of the late Ashleigh Hunter were suggesting that I was making unwelcome contact with them and that I had not stopped calling them. I reached out to the parents and they provided the fact that that could not be further from the truth. They have provided a clear explanation —

The SPEAKER: Member, I am going to ask you to stop there. There is a specific standing order for personal explanations and it says that they are not an opportunity to enter into debate or to challenge what anyone else has said. It is for you, and you alone, to make a personal explanation about what you have said or something involving yourself. It is not an opportunity to run a commentary on another member at all. I do not accept that what you have said so far fits within the standing orders for a personal explanation and I will ask you to sit down.

FIREARMS BILL 2024

Council's Amendments — Consideration in Detail

Resumed from an earlier stage of the sitting.

Debate was interrupted after amendment 16 made by the Council had been partly considered.

Mr P. PAPALIA: I think the member for Vasse had a question that we were addressing. Can the member repeat what she asked?

Ms L. METTAM: My question is really about the purpose of this amendment. I assume that under the previous legislative framework if someone was considered not a fit and proper person, the police officer would already have the power that is outlined in amendment 16.

Mr P. PAPALIA: Under the current law, a police officer in these circumstances would be required to seek a warrant. This amendment is a change from the current provisions as it adds another means for an officer to search for and seize firearms. The current bill requires an immediate threat of harm and the time to get a warrant, which would increase the extent of harm. The amendment adds the ability for an officer to do this if they reasonably form an opinion that the person is not fit and proper. This acts as a circuit breaker to remove firearms from circumstances involving violence, family violence or intimidation.

After the exercise of this power an officer must provide a report to the commissioner about what formed their reasonable opinion. When any of these serious circumstances arise, it is paramount to remove any access to firearms, mitigating any harm that could be caused. The intent is to remove the firearms at the first available opportunity.

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

Mr P. PAPALIA: I move —

> That amendment 17 made by the Council be agreed to.

The inclusion of this amendment will rectify a consequential amendment to the Restraining Orders Act 1997 to ensure that the Commissioner of Police notifies any other person licensed to a firearm that is also licensed to a person to whom a disqualifying order applies and who is prohibited from possessing a firearm. This is underscored by the amendment to section 71(6) of the Restraining Orders Act 1997, which includes an offence for any person licensed to the firearm allowing the previously licensed, now disqualified, person access to or use of the firearm. This was identified during consideration of the amendments dealing with family violence and deemed a necessary amendment because the Restraining Orders Act will no longer allow discretion in allowing the possession of firearms by a person to whom a violence restraining order or family violence restraining order applies, noting that such persons will be disqualified from holding an authority under this bill.

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

The Council acquainted accordingly.

PRIVACY AND RESPONSIBLE INFORMATION SHARING BILL 2024

Consideration in Detail

Resumed from 18 June.

Debate was adjourned after clause 198 had been agreed to.

Clauses 199 to 203 put and passed.

Clause 204: Privacy and Responsible Information Sharing Advisory Committee —

Mr R.S. LOVE: This clause will establish the Privacy and Responsible Information Sharing Advisory Committee. Subclause (2) states —

> The committee consists of the following members —
>
> (a) the Chief Data Officer;
>
> (b) the Information Commissioner;
>
> (c) at least 2, and no more than 5, other members appointed by the Information Sharing Minister.

Must any of those people hold a particular degree or qualification? Subclause (3) refers to them as having appropriate qualifications, but do we have an idea of who those two individuals may be at this point? Is there an indication of what will be the appropriate qualifications, skills or experience outlined in the subclause?

Mr J.R. QUIGLEY: The appointees must have the appropriate qualifications, skills or experience relevant to the functions of the committee, being to advise the chief data officer about the chief data officer's functions. This includes but is not limited to advice on balancing the protection of privacy with the public interest in the free flow of information and technical practices in relation to the handling of information. Any appointee will need to have the qualifications, skills or experience that are relevant to those kinds of matters. The Information Commissioner will also have regard to the government policies regarding appointments to the state government boards and committees—for example, a person cannot be on more than two boards under our government. As long as the appointees are experienced in those functions, they can be appointed to that committee.

Mr R.S. LOVE: Later on, the bill refers to the conditions of appointment. I was going to ask something about that but I will leave it for now. The Attorney General talked about people having the appropriate qualifications, skills or experience. Will these people be public servants or could they be consultants? Will they be appointed solely to be on the committee? From what pool will these people be sourced?

Mr J.R. QUIGLEY: It can be anyone so long as the minister is satisfied that they have the skill set to address the criteria in subclause (3). They do not have to be a public servant.

Mr R.S. LOVE: Subclause (4) states —

> Before appointing a person under subsection (2)(c), the Information Sharing Minister must consult with the Privacy Minister.

Does that mean that those ministers will have to agree or is it just a formality?

Mr J.R. QUIGLEY: They will not have to agree. The subclause is there in case different ministers are appointed to those two positions, but, in all likelihood, the same minister will have the information sharing portfolio and the privacy portfolio. If they are not the same minister, some discussion will have to occur between them as to the appointment.

Mr R.S. LOVE: Subclause (6) states —

> A person who has been appointed under subsection (2)(c) —

That is, one of the "other members", not the chief data officer or the Information Commissioner —

> is eligible for reappointment.

Will there by a cap on the number of times those members can be reappointed?

Mr J.R. QUIGLEY: No, there will not be, Leader of the Opposition.

Clause put and passed.

Clause 205: Functions of Privacy and Responsible Information Sharing Advisory Committee —

Mr R.S. LOVE: Under clause 205(2)(b), the Privacy and Responsible Information Sharing Advisory Committee may give the chief data officer advice on community expectations in relation to the matters referred to in clause 177(6)(a) to (e). Can the Attorney General outline the impact of those provisions?

Mr J.R. QUIGLEY: This clause sets out the functions of the advisory committee to advise the chief data officer on the performance of the chief data officer. The subclause referred to is a non-exhaustive list of matters that the PRIS advisory committee may give advice to the chief data officer on. The PRIS advisory committee may consult with any person or body for the purposes of providing advice to the chief data officer. The committee has to give

advice on community expectations on the matters in clause 177(6)(a) to (e). In complying with the requirements of this provision, the proposed parties must have regard to the chief data officer's guidelines on Aboriginal stakeholders and the traditional matters that we spoke about before. The committee can consult with anyone to make sure that the chief data officer is across the sensitivities of those matters set out in clause 177(6)(a) to (e).

Clause put and passed.

Clause 206: Regulations about Privacy and Responsible Information Sharing Advisory Committee —

Mr R.S. LOVE: Under clause 206(2), regulations made under subclause (1) —

> … may make provision for or in relation to any of the following —
>
> (a) the appointment of a chairperson and deputy chairperson of the committee;

The two statutory provisions are for the Information Commissioner and chief data officer. Are they eligible to be the chair and deputy chair? Would they be expected to be the chair and deputy chair? What is the status of those positions and who is likely to fill those roles?

Mr J.R. QUIGLEY: That will be dealt with in the regulations that will come after this bill. The minutiae of who will be the chair will be covered in the regulations.

Mr R.S. LOVE: Clause 206(2)(b) talks about the remuneration, allowances and leave. I assume that if a public servant were in the position, there would be no further remuneration.

Mr J.R. Quigley: No, there would not be.

Mr R.S. LOVE: I will move on to clause 206(2)(d), which states —

> meetings and procedures of the committee, including the management of any conflicts of interest relating to the committee.

Can the Attorney General give me some examples of what that might be? If people come on board because they have specific skills in the management of information, would they be contractors, potentially, who might be tendering for government services? Is that the type of thing the Attorney General envisages?

Mr J.R. QUIGLEY: The conflict-of-interest provisions refer to personal conflicts that need to be managed, not financial conflicts of interest in this particular case. It is whether a person has a conflict with the matter before the committee on a personal basis. It is conflict generally, although it could be financial. I cannot give the member a helpful example because conflicts of interest can occur in all sorts of situations. The question of conflict will be considered further when drafting the regulations. However, it is whether the person sitting on the committee advising the chief data officer has a personal interest in the outcome of the advice.

Clause put and passed.

Clause 207: Delegation by Chief Data Officer —

Mr R.S. LOVE: Do the delegations by the chief data officer have to be recorded somewhere? Will they be kept on a register and will they be open for inspection? There does not seem to be anything here that I can see about how they will be treated. Will they be gazetted?

Mr J.R. QUIGLEY: The delegation must be in writing and retained by the department. Of course, if it is in writing, the State Records Act would require it to be kept forever, so it will be kept. It is important to note that a person who is delegated cannot further delegate. I am trying to think of my admin law exam from 1971. I think it is delegatus non potest delegare—the delegate cannot delegate.

Mr R.S. Love: I could not possibly comment!

Mr J.R. QUIGLEY: It is a Latin maxim. The delegate cannot delegate, which is set out in clause 206(3).

Mr R.S. LOVE: That is good, but will the register be publicly available or will it be internal to the organisation?

Mr J.R. QUIGLEY: Delegations within departments are not recorded and held publicly.

Clause put and passed.

Clause 208: Secrecy and authorised disclosure and use of information —

Mr R.S. LOVE: Clause 208(5) states —

> The recording, disclosure or use of information to which subsection (2) applies is authorised if the information is recorded, disclosed or used —
>
> …
>
> (c) for the purposes of legal proceedings arising out of the administration of this Act or another written law;

Would that include criminal matters and the like or is it intended to be purely for the use of administrative procedures?

Mr J.R. QUIGLEY: It could include criminal proceedings. They are not excluded.

Clause put and passed.

Clauses 209 and 210 put and passed.

Clause 211: Matters to be included in annual report —

Mr R.S. LOVE: The bill does not specify that anything about the committee and the appointment of committee members be included in the annual report. Why are they omitted from matters to be included in the report?

Mr J.R. QUIGLEY: This clause requires the reporting of general information regarding the responsible sharing framework in the information sharing department's annual report. The matters include items such as the number of information-sharing agreements in force and general information about their purposes, the number of information holdings requests made by the chief data officer and the response to those requests, and the number of shared information breaches notified to the chief data officer. In essence, this clause requires the reporting of the health of the responsible information-sharing framework in the information sharing department's annual report. It does not require advice or suggestions from the committee to be included in the report for the objective reason that the purpose of the annual report is for the public and parliamentarians to see how the system is operating.

Clause put and passed.

Clause 212 put and passed.

Clause 213: Application of *Freedom of Information Act 1992* to shared information —

Mr R.S. LOVE: This clause provides that if an agency gets information from sharing, a person does not have the right to access a document from the agency with whom it was shared. Is that what that sets out? That includes the Chief Data Officer, even though I think the Chief Data Officer was specifically exempted earlier on. Could the Attorney General explain this a little? I think it is fairly important to understand the interaction between the two pieces of legislation.

Mr J.R. QUIGLEY: This clause makes it clear that the right of access under the Freedom of Information Act does not apply to a document held by an agency that has obtained the document through an information sharing agreement. Any access application must be transferred to the agency from which the requested documents were obtained. This will ensure that agencies that disclose documents under the information sharing agreement will have oversight over applications for access.

The Leader of the Opposition will remember that we were talking about access agreements earlier on. The access agreement will have at least two parties—the producer and the receiver. The producer of the document always has to have control over subsequent access applications. If a subsequent access application under FOI is made to the receiver of the document—because the applicant knows that the receiver is now holding the document, having obtained it under information sharing—the receiver has to pass the FOI request back up the line to the producer, whose document it is. There might be consideration of exemptions under the FOI act that the producer might want to cite or plead.

Mr R.S. LOVE: Once the request has been passed up the line to the originating agency, so to speak, will all the information held by the originating agency, rather than just the shared information, be subject to that FOI request?

Mr J.R. QUIGLEY: The applicant has to set out the ambit of the request. If they know that the receiver is holding a certain document, the ambit of the request might be aimed at that particular document. Sometimes requests go in for all information concerning a particular subject matter. The first thing the Information Commissioner does in that case is get back to the applicant to say, "Can we identify your request with more particularity? To present you with a whole government file is too much. Can you tell us what you're looking for?"

Mr R.S. LOVE: Yes, thank you. I am aware of those logistics, if you like, but the question remains: does the FOI request extend only to the shared information, or to any information that the originating agency holds?

Mr J.R. QUIGLEY: That would depend upon the text of the request, really. If they are requesting access to one document that they know the receiver is holding, when the request goes back up the line, it will be for only that document. If the applicant for FOI access describes the request as documents of a class of documents, of which they know the receiver is holding one, that will go back up the line and the producing agency will have to show the rest of them. The FOI provisions deal with access to those documents but not to the dissemination of information generally. If the applicant knows that the receiver is holding a document, they can apply for that document or that class of documents, and the producer—that is, the lead agency—will then have responsibility for responding to the request.

Clause put and passed.

Clauses 214 to 216 put and passed.

Clause 217: States of mind of public entities and other IPP entities —

Mr R.S. LOVE: Could the Attorney General give some background to this provision and whether "state of mind" is a definition that is consistent with other pieces of legislation? What is the purpose of this provision insofar as it relates to an IPP entity?

Mr J.R. QUIGLEY: Departments of the public service and other entities are not legal entities. For this reason, legislation does not directly confer functions on departments but, rather, on CEOs. The purpose of this clause is to make it clear that a public entity or other IPP entity will be taken to have the requisite state of mind for the purposes of the provision of this bill, provided that an officer of the entity, acting in accordance with the scope of their actual or apparent authority, has that state of mind.

The following clauses of the bill contemplate a state of mind. Under clause 23, the exception from specified IPPs if a law enforcement agency believes, on reasonable grounds—that is, belief; state of mind—that noncompliance is necessary for the purposes of its or any other law enforcement agency law enforcement functions; under clause 24, the exception from specified IPPS if an IPP entity believes, on reasonable grounds, that noncompliance is necessary for the purposes of any other entity's emergency response functions, which we have already covered; under clause 25, the exception from specified IPPs if an IPP entity believes, on reasonable grounds, that noncompliance is necessary for the purposes of its or any other entity's child protection functions; under clause 61, the assessment, containment and mitigation requirements in relation to a suspected notifiable information breach are enlivened if an IPP entity reasonably suspects—there is another state of mind—that a notifiable information breach has occurred.

A further four examples: under clauses 62 and 63, the notification requirements in relation to an assessed notifiable information breach are enlivened if the assessed notifiable information breach has occurred, or there are reasonable grounds to believe it has occurred; and under clause 67, exception from the requirement to notify affected individuals in relation to a notifiable information breach if an IPP entity believes, on reasonable grounds—once again, that is a state of mind—that compliance would result in a serious threat to the life, health, safety or welfare of any individual, or a threat to the life, health, safety or welfare of any individual due to family violence.

A further exception relating to state of mind is from the requirement to notify affected individuals of an assessed notifiable information breach if an IPP entity believes on reasonable grounds that compliance with the provision would have material adverse effect on the security of personal information held by the IPP entity or would likely lead to the occurrence of further information breaches in relation to personal information held by an IPP entity under clause 68. Second lastly, the notification requirements in relation to an assessed shared information breach are enlivened if the assessed shared information breach has occurred, or there are reasonable grounds to believe—once again, state of mind—that a breach has occurred under clause 193. A number of the IPPs that we will come to soon in schedule 1, as the Leader of the Opposition referred to, also contemplate a belief and suspicion. I refer to IPPs 1.5, 2.1, 2.3, 6.1 and 9.1; all these relate to state of mind.

Mr R.S. LOVE: That is very comprehensive. Thank you, Attorney General.

Clause put and passed.

Clauses 218 to clause 222 put and passed.

Clause 223: Application of information privacy principles —

Mr R.S. LOVE: I refer to transitional provisions and the application of information privacy principles. The commencement date relates to clause 223(1) and (2). Clause 223(2) reads —

> The following information privacy principles apply only in relation to personal information collected on or after commencement day —

That is IPP 1, 7, 8 and 10 in paragraphs (a), (b), (c) and (d). What is the reason for the selection of those IPPs in that clause?

Mr J.R. QUIGLEY: Subclause (2) will not require them to go backwards from this point and collect information over historic years, but from the date of commencement. The provision does not require them to go back for information collected 10 years ago.

Mr R.S. LOVE: Presumably, there is a reason for this. I am trying to understand why those ones do not go back, but subclause (3) outlines that it is whether information is collected "before, on or after commencement day". What is the reason for IPPs 1, 7, 8 and 10 being in one category and IPPs 2, 3, 4, 5, 6 and 9.1 being in another?

Mr J.R. QUIGLEY: Subclause (3) enables information to be used going forward, but IPP 1 is not required to go backwards to gather information. Subclause (3) will apply to information privacy provisions relating to personal information, whether collected before or after the commencement date. For example, the use and disclosure protections should apply whether it was collected before or after the commencement date.

Clause put and passed.

Clauses 224 to 247 put and passed.

Schedule 1: Information privacy principles —

Mr R.S. LOVE: Principle 1 is all about collection. Could the Attorney General explain the interaction? The schedule has the information principles outlined, and then there are the Australian privacy provisions that seem to have been used to develop this bill. Can the Attorney briefly explain what difference, if any, there is between the Australian privacy principles and these IPPs?

Mr J.R. QUIGLEY: The information privacy principles are broadly consistent with the Australian privacy principles, save and except for IPP 10 and IPP 11. IPP 10 deals with automatic decision-making and IPP 11 deals with the de-identified information. Otherwise, they are broadly consistent with the Australian privacy principles; we have just added a bit of lustre to improve them slightly by including IPPs 10 and 11.

Mr R.S. LOVE: I am conscious that we have been on this schedule for quite some time. I might move to principles 10 and 11 because the others are more well established and known, so we do not need to dwell on those. What will be the impact of information privacy principle 10, "Automated decision-making"?

Mr J.R. QUIGLEY: The inclusion of IPP 10 concerning automated decision-making is a notable difference from the privacy principles in other Australian privacy legislation. IPP 10 is based on an approach taken by overseas governments, as I mentioned earlier, especially the European Union, to address the benefits afforded by automated decision-making while managing the risks to privacy, harm, negative bias and discrimination. It was a long afternoon yesterday, but the Leader of the Opposition might recall that it relates to automated decision-making not by the chief data officer or the Information Commissioner, but by other agencies that are subject to this provision. Incorporating a purpose-specific IPP—that is, IPP 10—for automated decision-making supports the expected alignment with future national and international jurisdictional privacy regimes. For example, the commonwealth *Privacy Act review: Report* proposed the introduction of a right for an individual to request information about the use of automated decision-making with legal or similar significant effect and a requirement for entities to include information in privacy policies about the use of personal information in automated decision-making. I yesterday cited the Robodebt scheme—it is not our jurisdiction and I am not doing it for political purpose—which was automated decision-making by the federal Department of Social Services in which things were biased and went wrong.

Mr R.S. LOVE: I thank the Attorney General for that explanation around IPP 10. Perhaps he could do similar for IPP 11, "De-identified information", which he also mentioned was not one that was common with the commonwealth principles.

Mr J.R. QUIGLEY: This IPP arose out of proposals under the review of the commonwealth Privacy Act 1988. De-identified information currently falls outside the scope of the commonwealth Privacy Act because if properly de-identified, an individual is not identifiable from it and the information is therefore not personal information. However, there is a risk that de-identified information can be re-identified when linked to other information. The *Privacy Act review: Report* therefore proposed to extend some of the protections in the Privacy Act to manage the risks of re-identification. These matters are picked up by IPP 11 in the Privacy and Responsible Information Sharing Bill in recognising the risk that de-identified information can be re-identified when linked to other information on some other database. IPP 11 puts in place additional protections for the de-identified information, requiring IPP entities to ensure that it is protected from misuse, loss, unauthorised re-identification, access, modification or disclosure, as well as re-identification, and less certain limited exceptions can be established. It arose out of that review. We are not waiting for the commonwealth to enact the provisions of its review. We have the legislation here; let us do it now.

Schedule put and passed .

Schedule 2: Responsible sharing principles —

Mr R.S. LOVE: We have only a few minutes left before the commencement of private members' business. I have read through this schedule and I do not think we can gain a lot because much of it is quite technical in its application and is probably best left to people who understand information technology far better than we do. Perhaps the Attorney General could take a few minutes to give an understanding of the import of these provisions being within the legislation and we might then wind up consideration of this bill.

Mr J.R. QUIGLEY: I thank the Leader of the Opposition for that sensible suggestion. I will try to do that within the allotted time. The responsible sharing principles are modelled on the international standard of the five safes. They ensure that the entities consider the risks and benefits of information sharing in relation to the five key areas. RSP 1 activities require an information provider and information sharing agreement to assess whether the activity for which government information is shared is appropriate, having regard for the several considerations. These include whether there is a direct link to an activity being undertaken and the permitted purposes for sharing whether it is necessary to disclose the information requested for the activity to achieve the permitted purpose of whether the use of requested information is on balance in the public interest.

RSP 2 recipients require the information provided in a certain information sharing agreement to assess whether the recipient of the information is appropriate having regard to the several considerations. These include assessing

whether a recipient has the appropriate skills to use the information effectively in undertaking the activity; whether the recipient can appropriately protect the information; and whether the recipient will require support from the provider to undertake the activity.

RSP 3 information requires the information provider or information sharing agreement to assess whether the information being provided is appropriate for the activity having regard to several considerations. These include assessing whether the information being shared is limited to only such information that can achieve the permitted purpose; whether the information being shared is of good quality for the proposed activity; and whether the information being shared contains sensitive Aboriginal family history information or sensitive Aboriginal traditional information. Importantly, it also sets out that personal information must be identified prior to sharing, unless specific circumstances apply.

RSP 4 settings require the information provider in an information sharing agreement to assess whether the environment and the manner in which the information will be stored and used is appropriate having regard to the several considerations. These include assessing whether the physical and digital environment is appropriate and whether the methods to transport the information are appropriate and how the information will be dealt with at the end of the information sharing agreement.

The fifth safe is that output will require the information provider in an information sharing agreement to assess whether the activity will result in the disclosure of any derived information; and, if it does, whether that disclosure is appropriate, having regard to the several considerations of the nature of the disclosure, to whom the information will be disclosed and whether the identity of any individual could be ascertained through the information.

Schedule put and passed.

Title put and passed.

[Continued on page 3273.]

COOK GOVERNMENT — PERFORMANCE

Motion

MR R.S. LOVE (Moore — Leader of the Opposition) [4.01 pm]: I move —

> That this house condemns the Cook Labor government for its performance in its first 12 months under Premier Cook's leadership, demonstrating that despite new leadership it remains the same old Labor government, failing to address the concerns of Western Australians, and highlighting the urgent need for a change in government.

As we know, it is now a year since members of the Australian Labor Party in this place were somewhat shocked when their number one asset decided that it was time to move on to other things. I remember watching the press conference at that stage and seeing a very shocked-looking member for West Swan standing next to the former Premier, looking decidedly upset. I think the former Premier was looking a little happier than the people around him. As we know, what happened after that was a period of horsetrading during which various union delegates set about determining who would be the next Premier. We thought it was going to be the member for Morley for a while. There was speculation that it would be the member for West Swan.

Mr P.J. Rundle: I think the member for Mandurah flexed his muscles.

Mr R.S. LOVE: The member for Mandurah might have been in the mix; I do not know. I have heard that the member has ambitions for a role. The end result was determined by the member for Cannington's group coming on board and assisting Premier Cook.

Mr P.J. Rundle interjected.

Mr R.S. LOVE: It probably was the member for Mandurah helping out as well. Despite the fact that he failed to get the numbers from his own group, we saw a union-appointed Premier. I am not running the Premier down personally; that is just the way it happened. He did not go to the people at an election with pictures of himself and every member at every booth and people saying, "I want to vote for Mr McGowan; how can I do it?" That did not happen for this Premier. He was there because of the—what are they called? Is it the shoppies that the member for Cannington runs?

Dr D.J. Honey: The miscellaneous workers' union.

Mr R.S. LOVE: Whichever union it was and half a dozen people from a couple of other union movements got behind him and he became the Premier. If members remember, around that time the opposition was calling on this government to stop the implementation of the Aboriginal Cultural Heritage Act. We did our utmost to alert the government to the fact that its communication was failing. In fact, the more the government communicated with the community, the worse it got, because people looked at it and thought, "This is not going to work. They don't know what they're doing." We got a different answer every time we talked to an official or a politician from that side. People were not just angry but also terrified; they did not know how they were going to conduct their businesses or stay on their lifestyle properties and conduct their lives as they had been. The minister at the time—he is still the Minister for Aboriginal Affairs—kept saying that the government had consulted farmers by

consulting a couple of the farming groups. It actually consulted only one of them, and only once or twice. What the government neglected to look at was the fact that every landholder in this state on a block of anything more than about a quarter of an acre would have been affected by that legislation. We know that the Perth hills, which has hundreds of thousands of that type of smallholding, were caught up in it in a big way. People in communities right across Western Australia were calling on the government to explain how it could go forward with this legislation. Finally, after immense pressure from the opposition and immense backlash from a very energised community, we saw the government crumble; we saw a backflip the likes of which we had not seen in Western Australia before. The minister of the day had described the act as beautiful and seamless legislation. The beauty of it was that it was going to be seamless. Well, it was hardly seamless. It was legless and useless, and it was gotten rid of.

The government was pushing this legislation on the community at that time. That has some resonance with many of the activities of this Parliament under the current government, with little heed being paid to the processes of Parliament. Of course, that led to the situation with the firearms legislation, which has just been concluded in this place. We know that the debate was guillotined in the other place last night. The upper house apparently had a very long time to debate this legislation, but what the Leader of the House failed to say when she was pointing out how long the bill had been in the upper house was that the house had also been dealing with the budget. Just as we do, upper house members can all give a budget reply speech, and that takes quite a bit of time at this time of the year. We moved from a position in which the government was happy for the legislation to go through in August to it suddenly becoming a priority before the winter break so that it could claim a political point.

Dr D.J. Honey: It was a political priority.

Mr R.S. LOVE: It was just a political priority. It would have made no difference to the eventual introduction of the legislation down the track.

On Friday, I was at the Muresk Institute. In fact, I think I saw the member for Cottesloe there.

Dr D.J. Honey: I was there.

Mr R.S. LOVE: Yes. Many Western Australians were there to protest to a bunch of federal MPs who were holding a hearing of the Standing Committee on Agriculture of the House of Representatives into the live sheep export decision by the federal Labor government, which we know will devastate the sheep industry in Western Australia. It is already having that effect. My local shearing contractor told me that he is shearing a lot of red tag ewe hoggets that will then head off to the abattoir. They are the breeders of the future. If a whole generation is taken out of a sheep flock, it is very hard to come back from that. We heard the Premier make some noise about supporting live export. When the panel was over here to do its investigations into the effect of the so-called transition from live exports, the opposition made a freedom of information request. Ironically, we have just finished dealing with the information matters in the Privacy and Responsible Information Sharing Bill 2024. We found that there was not much responsible information sharing between the Minister for Agriculture and Food in Western Australia and the Minister for Agriculture, Fisheries and Forestry in Canberra because there was zero written communication between the two. In fact, if I recall when the committee first came over here, the minister feigned ignorance that they were even coming. We know that was a pretty lame effort at standing up for Western Australian industry. We have seen time and again that Canberra seems to have this view that Western Australia is a cash cow, but it does not matter that its industries are not supported and that they do not have the settings in place that they need from the federal government. The Premier understands that he has very little influence over there. I think that is why he established an office in one of the Labor lobby group offices I think.

Dr D.J. Honey: There's a surprise!

Mr R.S. LOVE: It is a surprise; it is right in the same building. They can talk to each other quite easily. It has had very little influence in getting a reversal of some of those damaging decisions.

The Minister for Corrective Services has just come back in—welcome back, minister. Over the last couple of weeks, I have been asking him questions about his corrective services portfolio and the failure he has made in the last year or so of his office in that role. One of the first things the current Premier did when he came to office was to recognise that the member for Cannington was completely failing as a corrective services minister. He put in place the member for Warnbro, but unfortunately we have not seen a turnaround and it appears it is getting worse. The Office of the Inspector of Custodial Services has done a couple of reports, which I have asked questions about over the last couple of weeks. In both answers, the response was, "What they say doesn't really matter; it's not that important." They sweep it under the carpet. That carpet is getting pretty high now. A lot of dirt is sitting under it, which has been swept under there for a long time. It is getting pretty obvious that it needs to be taken out and beaten in the backyard to clean it, because it is not looking good. The Minister for Health is sitting here. We know the dire situation in the health system. The member for Vasse has been highlighting those issues over the last year. From what we see and read, and from the information she brings to this place, we know there are still huge problems in ambulance ramping, elective surgery wait lists, clinical failures in certain circumstances and an inability to address some of the backlog of builds in regional areas especially. It is pleasing to see something finally moving at Geraldton Hospital, seven years after the Labor Party came to office. There has been a shovel moving competition up there and the

WACHS shovels were broken out. Hon Martin Aldridge asked a quick parliamentary question to see where the shovels had come from because they seem to have been used a fair bit around Geraldton, but not much has happened. The shovels were out once again, after seven years of government. We now have an earthmoving site, and a bit of activity is happening at long last. That is the most delayed project of many projects, which the Auditor General raised in her *2023 Transparency report: Major projects*. Virtually a year on from the report, not much has changed and the people of Geraldton will not see that hospital in this term of government. That is a great shame for the midwest area because that whole region depends on it being a viable centre.

We also know the current housing problems in Western Australia have largely developed for a couple of reasons to do with this government. First of all, there was the reckless stimulus under the former Premier that was poured into an economy that was always going to be constrained in a period of pandemic. The construction industry was not going to have more capacity in that period when supply chains would undoubtedly be disrupted. The expectation was of some lockdowns and some disruptions in the ability to get people to work. As we know, eventually we saw the complete closure of the borders to most people coming in. It was virtually impossible to see how someone would ever imagine they would be able to build a big glut of houses. Huge amounts of money cannot just be poured into an industry that has a fairly static base of capacity and expect it not to have a deleterious effect on that industry. Another Labor government tried something similar, way back in the days of Pink Batts. I think it was under Kevin Rudd in Canberra. We saw an extraordinary program where huge amounts of money were poured into insulation programs. Of course, we ended up with some pretty shoddy programs. Some people were killed by electrical faults. It was a disaster.

When we talk about disasters and public policy failures, Labor seems to take the cake pretty well every time. When we see a reckless approach to government, it is a Labor government. This government is no better. We are not seeing the houses built that the Minister for Housing keeps promising. I think it has only just got back to the level of housing that Labor had when it came to government in 2017. Still, right around Western Australia, communities are crying out for solutions to their housing problems. There are towns where there is not the land supply required. There is no concerted effort by this government to use any levers to ensure that some of that infrastructure that is necessary for development of communities is provided in any forward-leaning sense. It is all provided with a lag, long after the demand is there and long after the opportunity has passed to drive growth. The Pilbara is a case in point. If members look at the condition of the community in South Hedland, the town has the largest port in the world by metric tonnes of shipments going out and what will they see? The town looks to be one of the poorest looking suburbs in an Australian city anywhere. It is a disgrace to think that it is one of the epicentres of the engine room that drives the Australian economy. We see no action and no concern. The member for Pilbara is in his second term. What has been achieved? I was up there with our candidate for Pilbara talking to people around the step-up, step-down facility in Karratha. It has long been promised, for the entire term of this government. In fact, it was funded under the previous government. It has still not been delivered. We are dealing with the aftermath of that when we deal with people who have been affected, with personal stories of how their families have mental health problems. A petition was run by one such mother. It had 2 600 signatures on it, calling for those services to be provided in the Pilbara. I do not think much has changed. The pressure that was put on the Premier around that saw some commitment in the development of that facility going ahead, but again, it will not be delivered in this term. If this government were to be re-elected—we will do our very best to make sure that that does not happen—it would be delivered in its third term. That is the standard of care that the government shows towards people in regional Western Australia, and I am sure the same sort of reflection applies right around the suburbs of Perth, too.

I do not hear great things about this government. People are now willing to openly criticise the government. For a while, with the COVID period many people had the feeling that the former Premier had done a good job, but he is not there to protect the government anymore and that whole pandemic period has gone by, but the government has not recognised that. The government still thinks it is as popular out there as it was, but a bit of a shock is coming up for many government members, as we know, in March next year.

I am a bit suspicious of this government on a number of other matters. Since the Aboriginal cultural heritage legislation debacle, a piece of work was being done on water legislation reform. That had been a priority of the Minister for Water, as she said, for a couple months before suddenly it was not a priority and was dropped. I think it was dropped because the government realised that to push through with it at that point may well have caused another period of concern in the community about the protection of private property rights. I do not know what was in the bill; we never saw it. The former government had done some work on a bill in that regard, but I doubt that this government's bill would have resembled it. I think it would have been something far more contentious, and that is why it has been hidden away.

Only yesterday, the Minister for Fisheries announced that the Aquatic Resources Management Act will be shelved—a bit like the Aboriginal Cultural Heritage Act—apparently because of the government's inability to make it work. The government blamed the act for its incompetence, but one has a sneaking suspicion that the real reason it was dropped had some tie-up to the rapid push for the south coast marine park and other marine parks that will affect the rights of fishers. An act cannot just be dropped when it has been contemplated and worked on for a decade. It was dropped suddenly at the very end of the government's term at a time when the government is dealing with

compensation issues for fishermen and taking away fishing ground et cetera from fishers in these marine parks. It makes me feel a little bemused when after nearly 200 years of the south coast being used before Perth was a thing, as people like American sealers and others were on the coast in that area for a very, very long time, we see it described as, "It's so precious; it's pristine." What is wrong with its management now under the responsible management of the Department of Fisheries, local governments and local communities that it suddenly needs this extra level of protection? It is not in need of protection. It is just to achieve a greenwash rubber stamp to say that the government has protected five billion hectares. From what? What was attacking it? Nothing. It was not under threat; it is not under threat. This is just greenwashing by this government to pump up its credentials. During estimates committee hearings, Treasury indicated it was keen to get green bonds and green money. That is apparently a thing. I suspect that that is behind a lot of the decision-making of this government, like shutting down the timber industry earlier and now pulling back on fishing. The government is quite happy to see livestock disappear out of the south west of Western Australia and to lose the sheep industry. I do not think this government would shed a tear one little bit about that.

Do members know what? People in regional communities who used to vote for Labor know that. People like shearers and truckies tell me that they have voted Labor all their lives, but they will never vote for Labor again. People are waking up. If government members do not know it, that is good. They can stay asleep as long as they want because the people are waking up, and that is all that matters.

We have a Premier who represents Kwinana, and the member for Cottesloe has a great association with industries down there—no doubt. We are seeing the decimation and disappearance of those industries one by one. The nickel industry will probably be next. The Premier does not seem capable of arresting or getting on top of the situation, and he does not seem to really care because he thinks that people will find a job somewhere else. The government cannot keep going along with that mindset because it will end up with no diversity in the economy. We keep hearing that we need to have a diversified economy and cannot rely upon one or two industries or one or two markets, yet what do we see from this government time and again? It is pushing down that track. We are seeing difficulty in new mines being started in different types of industries and different types of minerals. The time taken to get approvals keeps blowing out all the time.

The government makes announcements and allocations in the budget, but it fails to realise that making allocations in the budget when the state has no more capacity to do the job does not achieve anything. The government has to do something other than just chuck money at it and say, "That's fixed it." That does not fix it, unless the government can get somebody to come and do the job. I think we have lost track of all the programs and all the little teams that have been announced. I remember the crack team to be appointed from Treasury to fix the housing situation. That went well! Nicheliving is sitting there with 500 unfinished houses and no plan from this government on how to fix that. The minister acted on that on Monday only. It has been an issue for at least a year and this government should have been alerted to it and it be on the government's radar. It has taken pressure from the opposition and the ABC, 6PR et cetera to put that on the radar. The government does not care until something becomes an embarrassment. It does not care about doing its job properly. All it wants to do is make sure that the news stories are all good news stories, not the truth. The truth is that the government is failing in many areas in our state.

We have spoken about some of those areas. I know other members want to talk more about more of those areas. One of the biggest problems that I see is this mindset that the way the government is doing business through the government departments that it set up when it first came in in 2017 with machinery-of-government changes, is the way to go. The government will never get an effective public service when it has this mishmash in its departments. The Department of Communities and housing is appalling with the lack of oversight and ability to get the job done.

I think the idea was to cut down on the silos, but all the government has done is make more silos because there is no communication between the various little subbranches in those departments. Directors general might have five ministers over them, but do not really answer to any one in particular. The whole basis of the Westminster system in which there is ministerial responsibility has been lost. The Minister for Corrective Services comes in here and we quiz him because we cannot quiz his department, and the minister is responsible to ensure that things are going well in his department. The minister does not seem to think that; he thinks that that is not his responsibility. Ultimately, under our system of Parliament, it is his responsibility. It is time that some of these ministers start to take responsibility for the limited areas they have control of in some of these mega-departments. I hear nothing particularly good about the operations in the Department of Jobs, Tourism, Science and Innovation. I am not bagging any person there. I think the structure that has been put in place makes it unwieldy and unworkable. That whole department is supposed to facilitate state development, and yet the government has had to appoint an infrastructure coordinator-general. Wow! That is like the Vaccine Commander. It is this military terminology—command, command!

Dr D.J. Honey: Especially in WA now that Treasury has set up its own parallel structure.

Mr R.S. LOVE: Yes. In the estimates hearings I found another department that had an infrastructure coordinator and asked him about his role with the infrastructure coordinator-general. He did not even know there was one, so that is working well! Again, that is not a criticism of the people involved —

Dr D.J. Honey: They need it coordinated!

Mr R.S. LOVE: I think they need to get a big whiteboard, some butcher's paper and write how an effective government might work, so we can get some effective government again. That is the problem. The government has a lot of money because of the huge amount of effort being put in by Western Australian workers, industries, and providers of capital and enterprise in our state, and from the gift of our natural resources. That has all combined to give the government a budget surplus. It has nothing to do with the government being clever. The government did not make any of the money. All the money was made by the hardworking people of Western Australia. All the government does is spend the money, and it is spending more money than it is making, even though we have such a glut of money. The more the government throws money into the economy, the more expensive things get when there is only a constrained number of things that can be bought. Did any government members do economics at high school? Maybe they did not. There might be quite a few qualified people in some areas in the government, but not many seem to have any idea about economics.

The ideal time to do some of those big projects is when things are a bit flat in the economy, not when there is already not enough capacity to build the houses, the mines, the hospitals and the projects that really matter. Instead of that, the government chucks $12 billion into the Metronet program. Some of those rail lines may have merit and some of them may not, but none of them deserve to have so much money thrown at them, with costs continually blowing out and lines that are years behind their completion schedule. The ability of the government to lose over $700 million through cost blowouts in six months is staggering; it is just mind-blowing. The government did a midyear review, and when the budget came down six months later it had lost another $700 million. The government cannot tell me that it did not know that things were expensive back when it did the midyear review. It must have already experienced most of the peaks—most of those peaks would already have been achieved. Again, the government was not satisfied with that. We know deals were done with unions. In some of the embedded contracts for the Metronet program we are seeing sweetheart deals done, with people given massive pay rises and working conditions becoming very, very light compared with what they were. The pay rises have been massive with no explanation about why they were necessary, other than the obvious connection that they are sweetheart deals that have been done with the relevant union. That gets back to one of the issues with this government. The Premier was appointed by the unions and the government is now the creature of the unions, and we will see it play out more and more as we head to the 2025 election.

I will conclude my contribution at this point because I know others are very willing to speak to this motion. I will sit down and let my colleague speak.

MR P.J. RUNDLE (Roe — Deputy Leader of the Opposition) [4.34 pm]: I too support the motion moved by the Leader of the Opposition, which states —

> That this house condemns the Cook Labor government for its performance in its first 12 months under Premier Cook's leadership, demonstrating that despite new leadership it remains the same old Labor government, failing to address the concerns of Western Australians and highlights the urgent need for a change in government.

I look forward to March 2025.

In my contribution I will cover a few of my shadow portfolio areas and also look at the rallies that have happened in this state over the last couple of years. We have seen an unprecedented number of rallies and gatherings—the discontent of the people of Western Australia. I have not seen the likes of this in my seven years here in Parliament. It demonstrates that the people of WA have had enough. The people of regional WA have certainly had enough. It concerns me that our farmers, timber people, nurses and teachers have to get together and have public rallies to try to get the message across to an arrogant Labor government that does not seem to want to listen. The government seems to love sitting on its $5 billion and $6 billion surpluses and saying it cannot afford to help people out, give them a pay rise or help their working conditions, and that it is sorry about that. This is one of the most extreme examples of people power, and I congratulate those people.

I recall that the member for Central Wheatbelt was present when the Country Women's Association rallied in front of Parliament House about the changes to the Schools of the Air made in 2017. Hon Sue Ellery and the Premier could not come in fast enough and kick the people of regional Western Australia in the guts—they could not do it quickly enough. There were the issues with the Schools of the Air, Moora Residential College and the boarding away from home allowance. There are families on stations thousands of kilometres away from Perth and what does the government do? It reduces the boarding away from home allowance, which came out of royalties for regions, from $2 100 to $1 300. It is unbelievable for a government that is racking up these surpluses.

I go to the discontent in many sectors, with the strikes and rallies in WA since 31 May 2023. There was the teachers strike on 24 April, and we saw thousands of teachers at Gloucester Park. The Aboriginal Cultural Heritage Act was scrapped in 2023. We saw the rally at the front of Parliament House. I attended the rally of farmers, which was mainly about the Aboriginal Cultural Heritage Bill, but also about the live export scenario. There were 650 people at the pavilion at the Katanning Leisure and Function Centre. They were very unhappy. We saw the live export rallies in May 2024, just the other week, when 1 700-odd vehicles and 3 000 people ended up gathering at Muchea.

Then, of course, there was the rally at Muresk last week with the standing committee, which another couple of thousand people turned up to. We saw the nurses rally in front of Parliament House. There was the march to end gender-based violence on April 24. We saw three rallies about the proposed south coast marine park in Esperance. The first one had 300 or 400 people attend at short notice. I recall that the Minister for Fisheries was there talking to the Esperance shire council. He was, probably unexpectedly, called out to the rally of those Esperance people who are not satisfied. They had heard that the minister was in town and quickly gathered 300-odd people. To his credit, the minister addressed them and told them to put in their submissions.

Mr D.T. Punch: I spoke to them on the way in. I made a point of speaking to them.

Mr P.J. RUNDLE: Yes, that is it. I will give the minister credit for going out and fronting the crowd. Since then, we have had another rally in Esperance of 1 000 very unhappy people, followed by another rally of several hundred people. We have had three rallies of dissatisfied people from the south coast—namely, Esperance—who are not happy and cannot seem to get the message across. We saw it happen today when I asked the Minister for Environment about the petition last week that was signed by 5 860 people who want to have a parliamentary inquiry into the process and what has happened. All the minister wanted to talk about for most of his response to my question was nuclear energy. He did not seem to want to address the 19 000 submissions that have also been put in. I wonder how many of those have come through the likes of the Pew Charitable Trusts, a $7 billion outfit based in America that, funnily enough, says that it is not going to try to advocate for change along the United States coastline because that would be too controversial. What did its CEO say? He said, "Let's wander to Australia and put our fingerprints all over the coastal areas in Australia." That is unbelievable. That organisation is based in Washington and Boston and is a $7 billion outfit, but it will not have a bar of trying to do anything on the American coastline—"Let's go over to Australia and the Coral Sea, Ningaloo and the south coast"; the list of where it wants to put its opinions over our population goes on. As the Leader of the Opposition explained, the south coast marine area is a self-sustaining area. The weather is rough down there. You cannot take a boat out every day; in fact, you are lucky to be able to go out once a week. It is a self-controlling environment. There is no need for a marine park or all these sanctuary zones covering 25 per cent of the area, because most of those fishing areas —

Mr P. Papalia: That is your considered fishing knowledge and advice?

Mr P.J. RUNDLE: I have been down there talking to the commercial and recreational fishers.

Mr P. Papalia: You great nautical expert!

Mr P.J. RUNDLE: I am more comfortable on a tennis court, generally, Minister for Police, but I do take advice.

That area of coast is self-managed, it is going well and everyone is happy, but what have we got? The Labor government has come in and wants to put its ideas over everything. "Let's have 5 million hectares of sea-based and land-based conservation parks, whether we need it or not. We are going to do that so that we can satisfy the voters of Fremantle and those other inner-city areas." It is no different to the federal government trying to keep inner-Sydney and inner-Melbourne voters happy and doing preference deals with the Animal Justice Party at the expense of our Western Australian farmers and our supply chain. It really does make you wonder.

I will get back onto the rallies that I was talking about because the list goes on. As I said, the nurses took action and rallied, people rallied against the proposed south coast marine park, and farmers rallied against the live export trade and also the Aboriginal Cultural Heritage legislation. The first rally that was held—I suppose we could call it an information session, but, quite frankly, it was the people of Esperance who were frightened and worried. There were 650 people inside the civic centre and the line outside was 50 metres long. I remember the staff from the Department of Planning, Lands and Heritage trying to start their briefing. They handed out the regulations, which none of us had seen, 18 months after the legislation had gone through. Within about 10 minutes, the dissatisfaction of the crowd was coming through. People were appalled. I read all the regulations on the plane that night. I remember coming in here the next day and asking the Minister for Aboriginal Affairs a question about what happens if a person wants to dig a dam. The minister replied, "Yeah, look, that's no problem. That's okay. You just do this and that and no worries." I said, "Minister, you are misleading Parliament. You haven't actually read your own regulations." Sure enough, the next day when I asked him another question about a dam or a fence, he was backtracking straightaway because he had realised that he had not read the regulations and that he had been giving the people of Western Australia the wrong information. That is another example of why the people of Western Australia are unhappy.

We saw the rally out the front of Parliament House with probably 700 or 800 people standing in the rain. Once again, to the minister's credit, he turned up out the front and said, "We are listening." Then, sure enough, our new Premier of 12 months, in his first speech on the first day, or I think it was in question time, made a statement, which he will be well remembered for, about dogs returning to their own vomit. He tried to play it tough, but he got off on the wrong foot and the people of Western Australia will remember that.

I will talk about the native logging industry. Tomorrow I will be standing in this place and talking on the Conservation and Land Management Amendment Bill 2024, which will basically see an end to sustainable native

timber harvesting in Western Australia. Once again, rallies have occurred in the towns of Pemberton and Nannup, where family timber mills have been running for 100 years. What has this government come in and done? It has shut down the industry with no consultation whatsoever. People like the former minister tempted companies like Parkside Timber to come across to Western Australia and invest $50 million into mills that they shut down a year or two later. I have never seen the likes of it. This government's lack of consultation with the timber industry to keep its Fremantle and inner-city voters happy was appalling. Now we are having problems with firewood supplies. I would love to know whether every single member of the Labor Party is comfortable knowing that because we have banished our sustainable native timber industry in Western Australia, we will need to import timber that has been knocked down in rainforests in Indonesia and South America. It is the old "not in my backyard" again. The same thing is happening with the live export trade. We have lifted the standard, mortality rates are very low and everything is going well, then what happens? Government intervenes again, messing up the lives of people who are just going about running their family business and are totally unsuspecting of what this government is all about. As I said, that bill that is coming into Parliament tomorrow will see the end of the native timber industry as we know it. Genuine furniture makers will be affected. I remember the member for Cottesloe talking a few weeks ago about the jarrah timber in this chamber.

Dr D.J. Honey: It contains 120 years of stored carbon.

Mr P.J. RUNDLE: Yes, and we will never see the likes of it again thanks to this Labor government.

We can see why the people of Western Australia are protesting, particularly when we see the disorganisation of this government. The Dry Season Taskforce, now that it has finally been activated, has done a good job under the leadership of Rob Cossart, but this government was too slow off the mark. It was not until it had heard about the mental health stories, of people running out of sheep and cattle feed and water and of people having to shoot some of their sheep some six or seven months after absolutely no rain, that this government finally woke up to the fact in mid-April, or somewhere around then, that maybe it had better put the dry season advisory committee together. The timing of it was quite bizarre. That needed to be done months ahead. We see kneejerk reactions from the government. To top it all off, there was the electoral reform, which I have spoken about many a time. The people of Western Australia were appalled with the former Premier saying that it was not on the agenda. He said it seven times in Albany when interviewed by Dan Mercer. Sure enough, it was on the agenda. The Attorney General could not rub his hands together quickly enough to bring that reform in place as the first order of business after the election. What a disgrace. The government is taking away the voices of regional people. I worry for people like the member for Warren–Blackwood who was elected and is trying to do a good job. What do we have? We have a government that has messed up her life. She has no chance. The timber industry in the towns in the electorate of Warren–Blackwood will not forget this government.

I want to express my concern about the education portfolio because we have seen a government that has lost its handle on things. Violence is increasing by 20-odd per cent year on year. Those statistics have been borne out from answers to questions on notice.

[Member's time extended.]

Mr P.J. RUNDLE: Teachers lack morale. When we go back to the Australian education survey of 1 255 Western Australian principals and teachers in March and April 2024, we can see that it is quite concerning. Teacher shortages affected 70 per cent of public schools in the last year; 83 per cent of principals said it has become harder to fill vacant positions; two-thirds of teachers taught merged classes due to the shortages; only four per cent of WA teachers said that their school is well resourced; over 70 per cent of teachers reported either a decline or a significant decline in student wellbeing and engagement in the last 18 months; nine out of 10 teachers reported either a decline or a significant decline in teacher wellbeing and morale over the same period; only 13 per cent of teachers think that the level of school counsellor support at their school is adequate, and 18 per cent said there was none; and, less than one in five WA teachers are committed to staying until retirement. That raises the possibility of acute teacher shortages, which will only worsen until there is real action from the government. That is what worries me. We have 600 teachers in the system with limited authority to teach. They are only midway through their course, or sometimes two-thirds of the way through their course, yet they are now at the coalface. How is that going in relation to classroom management and the like? That is what worries me about behaviour and violence in schools.

I know we have limited time today and other members will make a contribution, but I want to reiterate that the Cook government has lost its way, and the people have certainly recognised that. As I said, that is demonstrated by the rallies and the fact that the State School Teachers' Union of WA had to commission the *Facing the facts* report, led by former Labor Premier, Hon Carmen Lawrence, to try to cut through to this government, which does not want to listen and say, "These are the issues that are facing our teachers, principals and students." This government needs to listen. We know how union-orientated this government is. The Leader of the Opposition explained pretty well the way the Premier was basically elected by the unions and not the people of Western Australia. The State School Teachers' Union of WA is trying to cut through to the Labor government.

Mr D.T. Punch: Who elected your leader?

Mr P.J. RUNDLE: It is ironic, Minister for Fisheries, that the union movement was started by the shearers' union over 120 years ago and here we are with the Western Australian Labor government seeing the end of live sheep exports and potentially the end of the sheep industry in Western Australia as we know it. I have spoken about the critical mass. I am worried about the number of sheep and about our $700 million wool industry. That is all part of it—the self-replacing merino wool industry.

I have been here for seven years and I saw the slash-and-burn technique of the McGowan government, with Hon Sue Ellery, at the start of the term in 2017: "Let's cut Schools of the Air, let's cut Moora Residential College and let's cut the boarding away from home allowance." What a disgrace. Now, towards the end of this government's term and during the 12 months of the Cook Labor government we have seen the uprising of the people, whether it is regional people who have absolutely had enough, and now our nurses, teachers and police have all had enough of this government. They should not have to be rallying like the people of the south coast over the proposed south coast marine park. When we see these rallies take place and the public uprising, we know that there is something wrong. The government needs to open its eyes, realise the mistakes it made and start listening to the people of Western Australia.

DR D.J. HONEY (Cottesloe) [4.56 pm]: I rise to join in support of this excellent motion by the Leader of the Opposition. I will focus primarily on the failings in the area of state development. State development means cultivating ideas for new investment and jobs, and helping businesses turn ideas into reality that will contribute to the ongoing future economic prosperity of our state and people. It also means the government investing in infrastructure in particular to entice private sector investment and ensure that government laws and regulations do not impede economic progress.

One of my main interests in politics, and one of the reasons I became involved in politics, is industrial development. One area of particular interest is the long-held vision for the major economic development of the midwest and the consequent flow-on growth of Geraldton and the other regional towns. As I have pointed out in this chamber before, the midwest is pretty well the perfect place to achieve that goal. It is the pre-eminent area in the world, I think, for renewable energy, with its unique combination of uninterrupted sunshine and wind. It is a sizeable city that already has excellent resources that could sustain a much higher population and the expansion of support services. If the area around the industrial estate were developed, it would allow the nearby towns to flourish. Some of those towns are struggling at the moment. Oakajee, to the north, has been identified for a long time as a potential industrial hub. I will go through a little bit of the history of this government because it talks long and loud, but its actions are found wanting. Companies cannot proceed with projects because of the lack of enabling infrastructure. The reality is that the government has no integrated plan for enabling infrastructure and common-user infrastructure such as power, water and gas. I understand that the member for Swan Hills has been tasked by the Premier to put a plan together. Unfortunately, that is being done in the twilight of this government. I note that the member for Swan Hills is the only member on the other side who has any industrial background, and has indicated that she will be leaving this place. I think it will be a great loss to the Parliament. I have told her personally that I wish her well for her new career; I am sure she will do very well.

The truth is that it is too little, too late. The government has been in power for seven years, heading into eight years. I will go over a bit of history of what the government has promised and what has actually been done. We have been told before that there were 65 submissions of interest in Oakajee as a potential industrial site from companies across the globe. That interest was narrowed down and six were shortlisted. Land options have been granted to at least two of those parties, but what have we seen? We have not seen any key support infrastructure being put in place to enable that project to go ahead. Nothing of any meaning will happen at that site during the second term of this government—eight years in—despite all the promises it has made. There has been no progress on the upgrade of the transmission lines. As I have said in this place before, I have spoken to some of the proponents—not all of them—about that site, and they will not build anything until they have a 330-kilovolt tie to the south west interconnected system. There may be plans, but nothing has been done in eight years, after the government criticised the opposition for proposing that during the last state election. The government now in fact admits that it is absolutely necessary, and industry also believes that it is. Until recently the government consistently rebuffed the idea; it needed to score a cheap political point at the cost of the state of Western Australia.

There has been no progress on the Oakajee port, which is a critical enabler. Having offshore mooring points for natural gas or hydrogen may be part of the solution, but the truth is that the large-scale manufacturing industries that the government wants there will need a port. It has no plans. Two estimates ago I questioned the relevant minister about this. I spoke to the chair of the Mid West Ports Authority and was told that 2 037 port construction sites would be considered before Oakajee. I have consistently urged the government to get on and develop that, given that it is critical to the future prosperity of Western Australia. In 2021, nearly three years ago, the government announced $61.5 million in funding to supercharge the renewable hydrogen industry, including $7.5 million for an access road to Oakajee. It is patently clear that an access road is the very minimum that is needed, but what has happened? Three years after that announcement, in the last Labor government budget, we saw that the access road was still a $7 million line item and that nothing had been done. In fact, the last time I looked, there had been some

grading of the access road—presumably for a ministerial visit to the site—but it is otherwise still an overgrown sheep paddock. We do not even have an access road in place. Apparently there is some money for the major road infrastructure into that site, because the current road is unsuitable for heavy transport. The government is no closer to delivering that road and the project is struggling to get off the ground.

Let us look at the government's failure with hydrogen. The truth is that, for all the government's hype, spin and grand announcements, Western Australia is falling well behind other states and well behind the major players in the rest of the world. We all know that in this space, it is the early movers who will gain the greatest advantage. The government has announced buckets of money for hydrogen. That is the government's standard response to everything. I have great sympathy for the Leader of the Liberal Party, who constantly asks the Minister for Health about outcomes: "Why is this outcome not improving? Why is that outcome not improving?" What do we get back from the Minister for Health? We get, "Oh, we've allocated this money." Allocating money and, indeed, spending money, is not an outcome; it is an input. We are not seeing any outcomes, and nowhere is that more true than in the area of hydrogen.

We had the ludicrous situation of Fortescue Metals Group—a private company that is making literally billion-dollar investments in this industry—being unable to establish an industry in Western Australia because the government could not provide it with land. So then FMG, our third-largest iron ore miner which is now moving seriously into the hydrogen space, had to go to Queensland. It has now opened Australia's largest hydrogen electrolyser manufacturing facility in Gladstone, Queensland; not Kwinana, Western Australia, but Gladstone, Queensland, because of this government's failure to provide adequate land for that company to develop its facility. If that manufacturing facility goes to capacity—and it is forecast to do so, so I assume it will—it will be responsible for half the world's electrolyser manufacturing capacity. That major facility has been lost to Western Australia because of the inaction and, I would say, incompetence of this government in that area. That facility in Queensland was built and commissioned within two years; I can quite confidently say that that would be impossible in Western Australia. In fact, proponents are now saying that it takes around 10 years to get a major business off the ground in Western Australia, and that is particularly true of mining.

That Fortescue facility in Gladstone is just the first stage of a major green energy facility. The next phase—a 50 megawatt green hydrogen production facility—has received approval from the Queensland government. Again, that will be going ahead in Queensland, not Western Australia, for a Western Australian–based company that wanted to build it in Western Australia. The initial manufacturing centre is a two-gigawatt facility and it will produce 200 000 tonnes of green hydrogen a year. That has happened because of the inaction of this government and its failure to develop hydrogen centres here. Gladstone is now becoming recognised as the hydrogen hub of Australia, but it is not the logical location, which is Western Australia and, in particular, Oakajee.

In Tasmania the state government is investing $230 million, augmented by another $70 million from the federal government, to create a $300 million fund to invest in common-user infrastructure—such as hydrogen storage, transport and export infrastructure—for a hydrogen hub at Bell Bay. That puts Tasmania ahead of us. Contrast that with Oakajee: we do not even have an access road to the site, let alone critical enabling infrastructure.

China does not have the blessings of renewable energy resources that we have in this state, but it is progressing at a great rate. Chinese state-owned oil and chemical giants are going to build a plant in Mongolia that will annually produce 30 000 metric tonnes of green hydrogen and 240 000 tonnes of green oxygen, which is a by-product, using solar and wind power. It is going to use that for chemical manufacturing and the like.

Spain is a country with a vastly smaller economy than Australia's, and it is an economy that struggles. In terms of sun and, to an extent, wind, Spain has renewable resources similar to Western Australia's. It is reported that it has 20 per cent of the world's green hydrogen projects—second only to the USA. Again, Western Australia is blessed with vast open spaces—greater than Spain's, which is geographically a small country compared with Western Australia, but Spain is responsible for 20 per cent of the world's green hydrogen. Where are we? We have nothing other than some indicative demonstration projects and some promises of things in the future.

In November 2021, Hon Alannah MacTiernan announced a $117.5 million fund for renewable hydrogen hubs in the Pilbara and midwest. The Pilbara hydrogen hub plan involved the development of a hydrogen and ammonia pipeline connecting the Maitland and Burrup strategic industrial areas; creation of a clean energy training and research institute based out of Karratha and Port Hedland; and upgrades to port facilities. We welcomed that, and it looks like it might go ahead, but production of hydrogen there will not commence until 2028. We are missing the boat; in some regards we have missed the boat, with major facilities going elsewhere. We are missing the boat in the production of hydrogen, despite the government promoting itself as a government that cares about renewables and the hydrogen economy.

There was some news about hydrogen in March this year. A proposal for a demonstration plant in Northam was rejected by the regional development assessment panel. We have apparently no restrictions on approvals for the development of high-rise apartments in the western suburbs, but a major hydrogen demonstration project was rejected. Where is the minister and where is the government on that? How are they working with the shire to overcome the problems and difficulties and get that project going? Nothing—crickets. The government has done nothing.

The Northam venture was designed as a demonstration facility. Infinite Green Energy had planned a much larger project—that is, the Arrowsmith hydrogen plant in Dongara. Where has that decision left IGE in terms of developing that hydrogen project? Again, what are the relevant ministers on that side of the chamber doing to get this to go ahead? As I said, there appears to be no barrier to the government's donor mates building high-rises in the western suburbs, but it is not supporting a major industrial project for the future of this state. Things are not always simple and there are hurdles, but that is the job of ministers and that is the job of government. They are missing in action on that.

Let us have a look at the government's record on hydrogen. The government likes to talk about it but where is its consistent, solid commitment in that space? I have spoken about the expressions of interest and where that has gone, and nothing else has changed. I might say that members on this side of the chamber recognised this area and took it seriously before the last election. I was appointed to the role of shadow minister for hydrogen and took policies on hydrogen to the last state election. After the election, the government caught on with that idea and created the role of Minister for Hydrogen Industry, reflecting the fact that the Minister for Energy clearly could not manage that on top of his other portfolios. The role was given to Hon Alannah MacTiernan. Two years later, in June 2023, there was a cabinet reshuffle and the hydrogen portfolio was taken from the minister and given to the Minister for Energy. Subsequently, in late 2023, what happened? Because of their failure, and I suspect out of embarrassment, we saw a cabinet refresh and the title of Minister for Hydrogen Industry completely disappeared from the cabinet list. There is now no minister for hydrogen and hydrogen is not a priority for the state. We can see why there has been a lack of progress. It is because there has been no consistent commitment by the government.

Some private sector projects are going on and little niche things are happening, but the truth is that by now Western Australia should be like Spain. Spain has an economy a fraction of the size of Western Australia's economy and accounts for 20 per cent the world's green hydrogen. Here we are in the best place in the world to make green hydrogen and we are getting virtually nowhere, with only things that will happen in the future. That has been the story for a number of years now. There is lots of hype, lots of press releases and lots of talk about what the government is doing about climate change and how it is concerned about it, but one of the major enablers for us to deal with climate change is to create a sustainable hydrogen industry and the technology around that, and the government is completely failing on that.

We next hear that the government is committed to downstream processing. I do not know a government that is not committed to downstream processing. It is something that is talked about, especially for a resource-rich state like Western Australia. However, what have we seen under this government? I think we are seeing the existing downstream manufacturing in the state being wiped out.

[Member's time extended.]

Dr D.J. HONEY: In 2020, BP announced its intention to close the oil refinery at Kwinana. Although it was an old refinery, in fact, it was the largest and technically most modern refinery in Australia. What did the government do about that? In effect, it did nothing. Under the then Minister for State Development, Jobs and Trade, who is now the Premier, we saw the closure of the industry that started the Kwinana strip. It was in his own electorate and he did nothing.

More recently, Alcoa announced it will close its Kwinana refinery. I was bemused because at one stage somebody thought it was conspiratorial that I had not mentioned I had worked in a senior role in that refinery; it was as if that was a moment. Yes, I did. The beauty of that is that I actually know what I am talking about in relation to the refinery, unlike members on the other side of the chamber. I know that with a relatively moderate investment and relatively moderate support from the state government that refinery could keep going. Instead, what did the government do? This Minister for State and Industry Development, Jobs and Trade, again, in his own electorate, is letting a billion-dollar business shut down, which directly employs about 1 500 people. By normal multiples that means about 6 000 jobs in an area with traditionally high unemployment. It will be mothballed at the end of the year, which anyone who knows that industry knows is a precursor to shutting down the whole facility. Again, what is the government doing? Nothing. The government says, "There's nothing we can do." There is something the government can do.

What else are we faced with? We now face the shutdown of the entire nickel industry in Western Australia, in particular, the nickel refinery at Kwinana. Hon Madeleine King, the federal Minister for Resources, went along to a *Business News* breakfast and made this general reference, "All industries have their time and maybe BHP and other companies need to make investments continually to keep these facilities going", when all the while BHP has invested $4.5 billion in the Western Australian nickel business over the last five years. Note that, member. It was $4.5 billion invested over the last five years, yet the federal minister responsible for that area is completely ignorant of that fact and made ignorant comments at a breakfast, saying that effectively nothing had been done except the production credits. When do they kick in? The decision to close that refinery and that business will be made in August this year and the production credits will kick in in 2027. That will be some solace to the many thousands of people who will lose their jobs. I think there are over 3 000 highly skilled jobs in Western Australia that rely on that business.

I will finish on this shortly, but unfortunately this government has given us too much fodder to go through. I hear the Premier and members in this place say that they are going to have a rechargeable battery manufacturing facility in Western Australia. Do members know what is the single biggest input chemical into lithium rechargeable batteries? It is nickel. Moreover, it is the nickel sulphate that is produced in the BHP refinery at Kwinana. BHP spent a couple of billion dollars or more converting the refinery so that instead of just producing nickel metal it can make nickel sulphate for battery manufacture. That facility will be closed as well.

The government thinks it will have a battery business in Western Australia, yet it will idly sit by while the facility that makes the major component that goes into batteries is shut down. That is a farce. Again, it is a facility that sits inside this Premier's electorate. If that facility shuts down, it will be the third major industry to collapse that this Premier; Minister for State and Industry Development, Jobs and Trade has overseen. I dearly hope that that does not occur, but it is a failure of government.

I might say, by and by, for members on the other side of the chamber who claim that they care about the environment, I understand Rio Tinto indicated that the carbon emissions of nickel made by the pig nickel process, which is used in Indonesia, with the products going to China, are 80 times more than the nickel made by BHP in Western Australia. The government will oversee the shutdown of that industry and we will get 80 times the carbon emissions. No less nickel will be processed, because it is driven by demand. This government has failed in the area of state development. It might like to cherrypick a couple of little things, but the truth is that major industries are shutting down and the government is not doing anything adequate to promote the development of a hydrogen industry in the state of Western Australia.

MS M. BEARD (North West Central) [5.19 pm]: I also rise to support this motion that condemns the Cook Labor government for its performance in its first 12 months under Premier Cook's leadership. One thing I have observed is something that I know happens to not just me but also other members on this side of the house. I will speak from a regional perspective. Every question that I ask in this house is valid and has come from very concerned people, but I feel that the questions are often dismissed or even made fun of. I have felt that this week. That is concerning for people in the regions. It appears that the government is failing to listen. I believe that it is not listening in many cases or not willing to address the critical concerns of some of our constituents.

I acknowledge from the outset that there are many hardworking frontline health workers, police, firefighters and volunteers in the regions, and that many people go way above their remit. The number of these people is diminishing in the regions, particularly the number of volunteers. Some towns struggle to get volunteers to man services that are taken for granted in the metropolitan area. We do not have an ambulance driver in some towns on some weekends, which is staggering for the people who might need them. These people are the backbone of our communities, and I think more recognition needs to be given to those people and more focus placed on them.

There is no doubt that the lack of focus and attention on regional areas has meant that life is getting a lot harder in the bush every day. At every opportunity, it seems that something in the metro area is prioritised over things in the bush. I will give an example of why people perceive that to be the case. I had two people contact me recently. As I have said in this place before, they do not expect skyscrapers or the same infrastructure that is in the metropolitan area, but they drive over the Narrows Bridge and see a new footbridge worth millions of dollars while their hospital is falling down. When I ask a question of the Minister for Health, I do not get an answer.

It is really disappointing for people in the regions when that happens. This is a basic service that people actually need. Many people who work in the regions are from Perth; they travel to regional areas to work. It is well within the realms of possibility that many of those people will need to use regional facilities. Tom Price Hospital is an example; it services around 20 000 people who work in the mines throughout that region, yet that 57-year-old hospital is dilapidated. We are not able to get answers on what is happening to it.

The people in my patch in particular, as well as from other regional locations, who contact my office are definitely doing it tough and feel like they are receiving a minuscule amount in terms of what is spent in the regions compared with what they produce. The main issues are clearly health; housing; crime, particularly youth crime; the cost of living; and the cost of doing business in the regions, which we all know is significantly greater. I refer to the price of fuel and the price of water. I went to Shark Bay last week and they are paying up to $16 a kilolitre for their water. By comparison, people in the metro area probably pay around $3 a kilolitre. To add insult to injury, the pressure they receive through their pipes is nowhere near what it should be, so they are paying a premium and not receiving the service they expect. People take these things for granted in the metropolitan area, but they are challenges in regional areas. They might seem small challenges, but they are not.

Another example of regional people being silenced was the decision by the previous Premier to strip away regional voices. I understand that there are fewer people in the regions, but I have only one office in my 800 000–square kilometre patch.

Could I have an extension, please?

[Member's time extended.]

Ms M. BEARD: I think it would be only the people in that town who would ever get to visit that office. It is impossible to service all the people.

Dr D.J. Honey: There is something wrong with the clock.

Mr P.J. Rundle: You've only been going for a few minutes.

Ms M. BEARD: Yes.

The ACTING SPEAKER: You can keep going.

Ms M. BEARD: In the lower house, the number of regional seats will drop to 14, which is a blow for regional communities because people will not have their voices heard. We will not have people who live on the ground and who understand what is happening and can relay that back. Regional people have minuscule opportunities to contact their local member. They cannot drive or travel to see them because it is way too far. A lot of people would have to travel 900 kilometres to get to my office. I feel a bit aggrieved about that, as do a lot of people in my electorate. It is only reasonable to think that people want representation. It is a grievance that many people in the regions definitely want to push, because they do not believe that the framework we will have will allow them to be represented going forward. There will be an opportunity for members to make decisions in this house that will make it easier for those people, such as by providing extra resources to regional members to facilitate them in representing the people who live in their region because they do not have the 100–square kilometre patches that Perth members have. People do feel let down. I am sure that if decision-makers had been walking in their shoes, they would probably have had more of an idea.

The retention of the population in the regions is something that we need to focus on. People will move to the regions, but only if they have the infrastructure and services they need. One thing that is blatantly obvious is the lack of regional managers and local leadership from the departments. People from Exmouth drive to Carnarvon to try to see a regional manager and are given a phone number to call in Geraldton or Perth. That is a three and a half hour drive. It causes enormous frustration for not only those people, but also the people who live in the regions whose line managers are miles from where they need to be. The line managers probably do not set foot that often in the regions to understand the issues.

Regional health issues are definitely concerning under the Cook Labor government. Yesterday, I raised some issues with the minister about some hospitals. Despite a change in leadership, we have seen the same pushback on a lot of our infrastructure requirements in the regions. The Royal Flying Doctor Service report laid bare that regional communities are forced do more with less, often having to travel great distances to the metro area to access basic health services. It is not just inconvenient but also a significant barrier to the timely medical attention that people need. The Royal Flying Doctor Service's *Best for the bush: Rural and remote health baseline 2023* report highlights the alarming health disparity between the 30 per cent of the Australian population living in rural, regional and remote areas and those living in the cities. The report aligns with the National Rural Health Alliance's call for geographical health equity and demonstrates the massive health underspend in rural areas that is contributing to the heavy burden of disease and shorter life expectancies across a lot of our remote and regional areas. I understand that the RFDS planes do four lifts an hour. It is almost at capacity, if not at capacity.

Dr D.J. Honey: It is at industrial scale.

Ms M. BEARD: Yes, it is massive. As regional services and infrastructure reduce, the pressure on those organisations will increase. The pressure on patients who rely on those services will increase as well. The Meekatharra Hospital project has still not kicked off. We saw a $77 000 amount in the budget for Tom Price Hospital. That has been kicking around for a very long time, to the point at which the community has had to undertake a community campaign to try to bring their conversations to Perth. That is something that I know the minister pushed back on, but the reality of living in the bush and the lack of voices is that they have to do that to get the basic services that they need. I do not know whether any members have been to that hospital, but it is very old. Paraburdoo Hospital is falling down. These hospitals service an enormous number of people in the regions, so the lack of spend on them is astounding. Carnarvon maternity services is another issue that is still kicking around. It causes enormous stress for families. It is difficult for the staff. Babies are born in the hospital because babies decide when they are coming. That puts additional stress on the staff who are there, who clearly may not be trained and they find themselves delivering babies.

Moving on from that, the patient assisted travel scheme is another issue. As we see the scaling back of services in the regions, we need to address some of these gaps. According to the doctors I have spoken to, dental treatment is majorly important. They are saying that people need to travel for dental work. They do not get any PATS assistance, so they are not getting the dental work that they need. Audiology is another one, as well as optometry. People need to travel for those services and neither of them are covered. If it is not available or being provided, we need to find a way to provide transport at least. The minister keeps saying to me that the scheme has been increased. Actually, even if it has, it is not good enough because at the moment it is a huge expense, at $100 or $106 a night. I do not know whether other members of this house stay in Perth; I know regional members do. I have many people coming to me who are very distressed because they cannot make up the gap in that payment when they need to travel for health. A lot of them do need to travel.

In the nursing posts across the regions in Cue, Yalgoo and Mt Magnet, often only one nurse is available. A change we can make in that space is that some of those nurses cannot work outside their hours. If they get a knock on the door because something terrible has happened, they are fearful of being hauled over the coals because it is not within their contract and they would be outside their hours. It is a reality in the bush that if something happens, somebody is going to step up. Either we need to increase resources in these nursing posts or we need to change some of the protocols that are in place. Shark Bay has a visiting doctor at the moment. Coral Bay is an example of a nursing post that is very small. Between 3 000 and 5 000 people live in the settlement at any one time without a doctor. That is a small town.

Aged care is another area of deficit in the regions. Clearly, people ultimately have to move if there are no services or no in-home care for them.

Mental health is becoming increasingly important in the regions, particularly suicide. We need to find a way to link all these services together in these areas because many displaced young people across the regions desperately need help and they do not know how to get it. Some of those specialist areas are definitely needed in the regions.

Crime is another issue, which I speak with the Minister for Police about regularly. I will say again that police in the regions do an absolutely outstanding job. They seem to be doing a lot more on an ongoing basis with a lot less. There is shifting of resources around the regions. I travel around my patch a lot and I see the same police who are based somewhere else, in another part of the region. Their comments to me are that they have been sent to another area because it is short. They are plugging the gaps across the regions, which is clearly frustrating for the communities where they are left short and clearly frustrating for the police as well. On one hand, crime is perceived to be down according to the government, but on the other hand, if I ask people on the ground, they would argue it is not down. I spoke to the minister about it the other day and he knows about this. A Facebook clipping came through about an abandoned motorbike: "I just found this abandoned motorbike. Has anyone lost it? I tried reporting it to police but couldn't get through." It is a common story. It is not the fault of the police, but if people cannot get through to the police, they take their own actions to retrieve their goods. It happens and I am not going to deny it. There is a litany of stories like this. Minister, if I contacted your office every time, I would be ringing you daily.

Mr P. Papalia: That's not true and you know that if you do, then we will follow it up.

Ms M. BEARD: Okay, so I can call you anytime?

Mr P. Papalia: If you are claiming that someone was not able to get through to the police, you should contact my office with the details of the time and the nature of the incident —

Ms M. BEARD: I can give you this one. There is a whole —

Mr P. Papalia: No. You know who to contact in my office. I have told you and you know that when you do —

Ms M. BEARD: That is okay. I am not going to go there, minister, because that is crazy.

Point of Order

Dr D.J. HONEY: I have a point of order.

Several members interjected.

Mr J.N. Carey: No, you never give proper details. Give proper details!

Dr D.J. HONEY: I have a point of order.

Ms M. BEARD: I will give proper details!

Dr D.J. HONEY: I have a point of order.

Mr J.N. Carey: You don't.

Ms M. BEARD: I will.

Mr J.N. Carey: You do not.

The ACTING SPEAKER: Minister.

Mr J.N. Carey: You just come in here every time —

Ms M. BEARD: You do not want to hear it.

The ACTING SPEAKER: Minister Carey.

Mr J.N. Carey: You're a disgrace. You are.

The ACTING SPEAKER: Member for Cottesloe.

Dr D.J. HONEY: I understand that the member is not seeking interjections from the other side and I would ask that they desist.

Ms M.M. Quirk interjected.

The ACTING SPEAKER (Ms R.S. Stephens): Member, I believe the member was accepting an interjection from the Minister for Police but I note that other ministers were interjecting.

Debate Resumed

Mr P. Papalia: Pass that to me when you have finished.

Ms M. BEARD: Thank you. I will.

Mr P. Papalia: You know you need to ring my office if you have a similar incident.

Several members interjected.

Ms M. BEARD: Yes, I will. I will move on because this is what I referred to at the start of my speech. Government members do not hear what they do not want to hear.

Ms M.M. Quirk interjected.

The ACTING SPEAKER: Member for Landsdale!

Ms M. BEARD: There are other things that can be done and there are other complaints. This has gone through to the Attorney General and I am happy to table it. It is about the justice system and the lack of accountability and consequences. An example is that there is no staffing in the justice building at Meekatharra. This is causing issues with youth crime. This is causing issues for the Meekatharra police, who have to assist by using their phones and facilities. There are no phones in the old justice building. There are no services. Youth Focus is the only service that provides general juvenile support in the town. Lawyers are doing their best to help their clients but often they can either not attend or clients are not able to access legal representation. These are all examples of things that are going to help police. That has been sent to the Attorney General. I do not believe there has been a response yet.

On the need for facilities, which I raise all the time, there is a call from communities for assistance with safe houses and transitional housing.

[Member's time extended.]

Ms M. BEARD: There have to be wraparound services. We do not have wraparound services, which we require in many of these towns. In Broome, wraparound services have been provided for the last 12 months. People have been calling for it in Carnarvon and some of the inland towns as well to help with these children who are running the streets. It is a problem. People can say it is not, but I live there and I see it. It is okay for members on the other side to accuse me of making this up. I am not making it up. It is a fact that that is what they need. There is a lack of integrated services and individuals have to navigate a fragmented system, often without success. We need a holistic approach that includes mental health support and housing assistance. An example in housing—I expect an interjection here—is that when people try to complain about a house or a family or somebody causing antisocial behaviour in a house, often they lodge that complaint and it comes back saying there is not enough information. It goes around and around.

Mr J.N. Carey: Oh, my god! You are unbelievable; you really are.

Ms M. BEARD: I will send you examples.

Mr J.N. Carey: That's right. Liberals—"Get them out!" They evict people from social housing.

Ms M. BEARD: That is not what I am saying.

Several members interjected.

Mr J.N. Carey: Yes, she is. It's a classic Liberal position.

Ms M. BEARD: So —

Mr J.N. Carey: Look at your eviction record. It's a disgrace.

Ms M. BEARD: Oh, for god's sake.

Point of Order

Dr D.J. HONEY: I have a point of order.

Mr J.N. Carey interjected.

The ACTING SPEAKER: Minister!

Dr D.J. HONEY: I do not believe the member invited the continuous and vociferous interjections from the Minister for Housing.

The ACTING SPEAKER (Ms R.S. Stephens): Member for North West Central.

Debate Resumed

Ms M. BEARD: I am not asking to kick people out. I am asking for a change in processes and procedures to address it. That is what I am asking for.

Mr J.N. Carey interjected.

The ACTING SPEAKER: Minister!

Ms M. BEARD: It is the same with education. We have kids who are not going to school because they do not want to. We need an alternative for children who do not want to be in school, rather than finding themselves suspended every 10 days. We need to find alternatives for education in these regional towns. The one-size-fits-all approach to education is something we need to look at in the regions. It is a suggestion, because that is what I see. Kids do not want to be there. I talk to them on the street all the time. They are not going to go to a one-size-fits-all school because they do not want to be there. I will finish up because other people want to speak.

Another issue is roads. I have brought it up before and the Wiluna–Meekatharra road is still causing a lot of angst for people. It is an unsealed section Goldfields Highway, and we see multiple accidents occur regularly there. It is the same with Mt Magnet–Geraldton Road. We have witnessed tragic accidents there. My point here is that as industries grow across our regions, the infrastructure is not keeping up with what is needed. We need to be open to making these changes because if we keep doing what we are doing, we will only get what we have got and it will get worse. Regional WA contributes enough to the state to have a greater focus from the government.

MS M.J. DAVIES (Central Wheatbelt) [5.40 pm]: I rise to speak to this motion moved by the Leader of the Opposition, which reads —

> That this house condemns the Cook Labor government for its performance in its first 12 months under Premier Cook's leadership, demonstrating that despite new leadership it remains the same old Labor government, failing to address the concerns of Western Australians and highlights the urgent need for a change in government.

I want to run through a few things in my portfolios, and, if there is time, I will touch on some of the issues in my electorate. I start with mines and petroleum. I get regular feedback from industry, and it would be no surprise to the ministers involved that the approvals process in particular has been less than overwhelming—or over-performing, underperforming; I think I have the words around the wrong way! Anyway, it is no good, let me be clear. The challenge is that there is a significant reliance on the resources sector. The budget surplus that this state government has delivered over the last several years primarily comes from the resources sector. I had a look at the pre-budget submission from the Chamber of Minerals and Energy of Western Australia, and I speak to Association of Mining and Exploration Companies representatives regularly on behalf of industry, and they are pretty consistent in the feedback they provide. This was pre-budget advice to the government and the opposition, because it was made public. There is some pretty forthright criticism, although it is written in the nicest possible way, as submissions coming from professional lobby and industry groups usually are. It highlights the enormous gaps that have been allowed to continue under this government for seven and a half years. Despite the change in leadership and the refocusing of programs and re-announcing initiatives so that everybody is very aware of the government's intent, it is falling short on delivery. We see these gaps continuing to hamper the ability of businesses in the resources sector to thrive.

I spoke about the announcement that the government made about strategic industrial areas. It was one of the issues mentioned in the pre-budget submission from the Chamber of Minerals and Energy. It was very supportive of strategic industrial areas and turnkey industrial land, particularly to support the development of the critical minerals industry. That was something it promoted. I was quite excited to see that there was a commitment to funding for strategic industrial areas, I think 13 around the state. But in my budget reply speech I said that when we delved into the detail of that big announcement—$500 million for these 13 strategic industrial areas—we saw that nearly 60 per cent of that funding would not be spent within this budget estimates period, but beyond 2028. Everyone in Western Australia and across the nation talks about importance of us being ready to take advantage of the critical minerals industry and to support its capacity to get a foothold in a very competitive global market. The problem is well articulated, but the government announced a significant amount of money that has been poked into a special purpose account on the never-never.

The money the government is spending in the forward estimates period is to set up and create more sub-departmental areas to do more work that the department should be doing already. I question what DevelopmentWA is doing. There is $145 million to be spent by DevelopmentWA on the acquisition of new land. The government has ticked the box on that. It will be interesting to see where and how it goes on that front. There is $21 million to be spent by the department to establish a new program management office to ensure the delivery of the program. Again, I question what DevelopmentWA is set up to do. It is designed, set up and resourced to look at and acquire strategic land, do that development, cycle it through in non-competitive regional areas and offset those costs so there are opportunities for industry and residential developers to move forward. The government's announcement had a great headline, but looking at the detail we see this government is failing again. A total of $314 million of that $500 million is allocated to be spent beyond the forward estimates period. The government is hardly moving at pace or with a degree of urgency.

The other thing the pre-budget submission from the Chamber of Minerals and Energy requested was the reinvigoration of Streamline WA and the reform agenda that this government made much fanfare about in 2018.

The government said it would get in there, streamline approvals and make sure that red and green tape was dealt with. That was in 2018. In its pre-budget submission the Chamber of Minerals and Energy said, "Approval processes are lengthy and duplicative." That is the headline on page 10 of its submission. Streamline WA was a program launched by the government in December 2018. On 12 December —

[Interruption.]

Ms M.J. DAVIES: Acting Speaker, please.

The ACTING SPEAKER: Minister, do you mind keeping your voice down.

Ms M.J. DAVIES: On 12 December 2023, a media statement was issued by the new Premier, the new Minister for Mines and Petroleum and, I think, the Deputy Treasurer talking about this again. I have the media statement here. It is headed "Overhaul of approvals system to unlock jobs, investment". That announcement was made in 2018. The government says, "We're back. Let's just pull out the old media statements, rehash them and tell everyone we are getting on with the job, but this time we will add more resources." The government will put in $18 million and create a coordinator general. When the government knows it is not getting any traction, the answer it immediately goes to is to rehash a media statement, splash some money about—because it can; it has significant surpluses delivered by a very successfully and profitably run resources sector—and add more people into the system.

If members remember, back in 2017 there was a push to streamline and flatten the public service. All this government has done since is add layer on layer to look like it is doing something about it. It has people coordinating the coordinators of the coordinators. There is a coordinator general and $18 million to go into further streamlining the approvals process, which the government announced it would do in 2018. That cannot be considered a win for this government. The Chamber of Minerals and Energy's pre-budget submission has some quotes from some of its members. This is the most recent submission, so it is not from 2018 when the government said it was here to help; this is: "We have had seven and a half years and we've failed, so we'd better announce something else." There are comments like —

> Senior decision makers within my organisation are struggling to justify investment decisions for any WA projects due to the excessively long, uncertain and complicated approvals processes. We are looking at a four year approvals program to obtain an additional 12 months of feedstock. Cost recovery has not resulted in any improvement in approval timeframes.

Another quote states —

> We have been waiting on primary state environmental approvals on certain projects for almost five years now and continue to receive multiple requests for further information from the regulator.

Another one states —

> There is little communication on the status of approvals once they enter the 'intra-government' review process of the assessment. Within this process other government agencies are requesting extensions which adds to the total approval timeframe. As there is minimal communication with the proponent, we lose line-of-sight over the approval timeframe.

And another states —

> Several recent mining proposals to DMIRS have been subject to requests for information … that extend beyond their regulatory remit (e.g. visual impact assessments). More broadly, the 'trickle feed' of RFI unnecessarily extends approval timeframes. RFI should be consolidated and better targeted.

That is the kind of feedback the government is getting seven and a half years after it announced that it was going to institute a whole reform package around approvals and streamlining called Streamline WA. Seven and a half years later, industry is saying that this government has failed. It is not us saying this, but industry, in the nicest possible way because they are always polite because they have to work with the government. In the nicest possible way in its pre-budget submission it has said, "You've failed. We are succeeding despite the red tape, the green tape and the complex and convoluted systems that you have within your departments. You are making it more difficult for us to do business." That is what industry is saying. It cannot be interpreted any other way.

Those quotes were directly from members of the Chamber of Minerals and Energy, but if we go to page 10 of the chamber's pre-budget submission, under the headline that I read out before, "Approval processes are lengthy and duplicative" it starts by stating —

> Inefficient assessment processes and assessment delays present an investment risk because delays are costly. Proponents typically incur significant costs while they wait for assessments to be completed and in turn, production revenues are delayed …
>
> In this context, the current resources sector experience of persistent assessment delays, protracted timelines, and a backlog of environmental assessments across … (DWER) … (DMIRS) … (DBCA) and … (DPLH) are a significant concern.

This is not what you want to have on your record card. This would be cause for concern if you were at a parent–teacher night—"Please come and meet with me to talk about your problem child, because we have given you all of our advice, we have told you what's happening and yet, seven and a half years down the track, you are failing. Every single one of your mega departments is failing." The submission continues —

> The processes, cost, timeframes and regulatory overlap between assessments conducted under the *Environmental Protection Act* … and the *Mining Act* … continue to weigh on Western Australia's reputation as a destination of choice for resource investment. The WA Government's decision to repeal the *Aboriginal Cultural Heritage Act 2021* … and replace it with an amended version of the *Aboriginal Heritage Act 1972* has also created uncertainty and has delayed the modernisation of our heritage framework.

That is, again, a very polite way of saying, "You completely stuffed it up." So many hours have been spent in this house talking about just how badly this government did on the Aboriginal Cultural Heritage Act, so I do not propose to talk about that at any great length this evening. The submission goes on —

> CME members are also continuing to experience increased end-to-end approval timeframes within and across departments due to inefficient processes and a lack of cross-agency collaboration to remove interagency duplication.

I just have it in the back of my mind that when this government came to power, it created these new departments so that everyone could talk to one another and this duplicative process and siloed approach would disappear. Again, it is a great headline and it is a nice thing to say as a new government, but seven and a half years in, it has completely failed, because that is what the Chamber of Minerals and Energy has said. This is its report card, this is its ask and this is its plea, and this government has failed.

I have been dealing with something that is not within my portfolio, but related to the work health and safety legislation that passed through this place. Under this new legislation, the government has had to extend by more than 12 months the timeframe in which people are required to sit an exam so that they can operate in a mining business, or if they are in the lime sands business, operate a gravel pit. Despite the fact that all this industry occurs in regional WA, the government has, in its absolute wisdom—please note the sarcasm—put all the exam centres in the metropolitan area!

Ms M.M. Quirk: Sarcasm doesn't work in *Hansard*.

Ms M.J. DAVIES: No, and that is why I have to say it out aloud, member, so that it is absolutely crystal clear.

Ms M.M. Quirk: One of your former colleagues Hon Brendon Grylls once sarcastically said my constituents should be very happy that I was their local member, so of course I used that quote without any sarcasm at all.

Ms M.J. DAVIES: In the former honourable member's defence, he is still spoken of very fondly in my electorate. It was a truism even if he was being self-deprecating. When the government realised that it had created such a bottleneck with the new work health and safety legislation and that there were not enough locations or spots for those exams to take place, it was forced to extend the timeframe by another 12 months. I understand that the exam is difficult. The excuse that I was given by the minister was that the government cannot put more locations in regional centres because it has to maintain the integrity of exams. The Muresk Institute conducts exams on a regular basis as part of a university structure, and I am sure that facility in my electorate could be used, but this is a metro-centric and very centralised government.

All these industries now require individuals within their businesses to undertake this exam, and it will fall more heavily on the small-to-medium sized businesses and contractors—not the Rio Tintos and Chevrons, because they will absorb those costs. It is the small-to-medium sized businesses that work along the supply chain that will be required to participate in this process. It has been an absolutely chaotic process due to poor planning. Nobody was thinking about what had to happened once the first statement was made. We want to keep people safe; yes, we all agree that, in principle, we need to keep people safe. How do we practically do that? How do we bring in legislation, impose regulations and actually implement things? This government fails at the point where the rubber hits the road. There are so many examples over the last seven and a half years of how disastrous its approach has been.

[Member's time extended.]

Ms M.J. DAVIES: I want to talk a little about energy transition from the perspective of imploring this government to please think about how it provides support to local governments and regional communities that are the collateral damage in the transition to renewable energy. There are many renewable energy projects in my electorate. On a regular basis, local government talks about how to plan, approve and manage what is a significant influx of project proponents, along with those who seek property and opportunities in the carbon capture and tree planting offsets industry at the same time. There has been a significant increase in the diversity of land use in what I would say is the midwest, the wheatbelt and the great southern, and it is coming all at once. This government is hell-bent on its energy transition network framework, but it has proven again and again that it is poor at actually consulting with the communities that it will impact. We have this notion at the top that we are transitioning our energy system and we need to move towards renewables. Everybody accepts that there will be a transition of this nature at some point along our timeline. We are very lucky in Western Australia because we have options. We have gas to assist us to

transition and we have renewable opportunities across the state, but I do not want my electorate—I am sure the members for Roe and Moore think the same thing about their electorates—to be the collateral damage in the rush to get the headline out. That is what is happening. With the transition, power lines and new infrastructure need to go in. This requires a conversation with the community about the planning and how it should happen across local government areas. I have 27 local governments in my electorate—27! They are all having the same conversation. It is not a matter of sitting down with just one of them because they are all experiencing the same thing. They are all saying they are not getting that type of engagement. Departments already exist within government that are supposed to be engaged in delivering government projects, doing long-term planning and making sure communities are aware of what is coming over the horizon, but the government has set up another one called PoweringWA, as I understand it, that is tasked with having those conversations. I can tell members that no-one has been out and had that type of discussion with any of my local governments, certainly not the ones I speak to when I attend zone meetings in the wheatbelt. I implore the Minister for Energy to consider how that can be done better.

I will provide a quote to members from Renee Manning, who works for the Wheatbelt Development Commission and is also a local government councillor. She has to wear two hats at times. The quote from LinkedIn really struck a nerve with me and encapsulates what a lot of people in the area are thinking about the energy transition. She states —

> You think it would be a no brainer to engage communities, especially local governments, early in the piece before the development of large scale decarbonisation driven projects.
>
> What would also help would be a set of enabling policies or guidelines that makes the proponent–community negotiation process easier.
>
> In WA we have a real chance to learn from the eastern Australian experience and perhaps avoid the community divisiveness that can occur.
>
> Those of us in the regions working to support community preparedness urge our largely urban based planners and policy makers to get out and speak with impacted regions.

I echo that. She succinctly said what most of my local government councils are saying to me. There is an opportunity to take communities along for the ride, but I am afraid that the track record of this government when it comes to that kind of consultation is not great. However, I live in hope because it is important. It is a very important thing to get right.

There are many other things I could talk about, including electoral affairs—where to start! State directors have written to the Western Australian Electoral Commission and the Attorney General has brought in legislation to amend legislation that we had dealt with only six months ago. It is a debacle, but I vented my spleen on that last week when I talked about the absolutely ridiculous situation we have seen with this government continuing to bring legislation to the house that it amends itself and then has to amend again later down the track. The government ignores the committee and parliamentary processes, the feedback from the opposition and it does not consult. Again, I think we are all very clear about the failings in the electoral affairs portfolio, and I have already spoken about Aboriginal affairs.

I look forward to the government's response to the failings that I have raised. I have touched on and talked about significant portfolios. We have not spoken about housing today, so the Minister for Housing has been given a free pass, although we have had numerous private members' business motions on the lack of housing and the chaos that is creating. I see across all these portfolios and across this government a failure to deliver on the essentials and a failure to get the basics right. The government has a massive budget surplus and an absolute majority in both houses of Parliament, yet we cannot get housing, power, water, health, mining regulation or approvals processes—the basic government stuff. Stop coming up with new names for new departments, tacking on little bits of money and creating more confusion within what is an already confusing government system because of the mega-departments, and go back to the basics. That is what the community needs. We want to feel safe, to know that a doctor will be on site and that the hospitals and the education system are working appropriately. We want our resources and agricultural sectors and all the small businesses and everyone engaged in them to be flying, but all the evidence that has been provided by members on this side of the house today shows that this government has been found wanting seven and a half years in. It has to be about more than media statements and big announcements. The government has to show that it has delivered on the promises it has made. It is absolutely not doing that.

MR P. PAPALIA (Warnbro — Minister for Police) [6.04 pm]: I thank members for their contributions. It is a little unfortunate that the member for Central Wheatbelt was the final contributor from the opposition because she is by far and away the most capable, erudite and articulate member in putting her case. Regardless of the content of her presentation, she is far and away the best member on the other side of the chamber at delivering. That is a little unfortunate because, by necessity, I have to respond to her contribution first. In so doing, I will reflect on the last statement she made and point out the hypocritical or inconsistent nature of the motion in relation to that statement. I understand that we are being condemned after the first 12 months under Premier Cook's leadership for failing to address the concerns of Western Australians. We are apparently the same old Labor despite new

leadership. I will come to the "same old" part of the condemnation in a moment, but I will refer to the member's last statement when she said that people want to feel safe. That is an interesting observation coming from the sole political party in the Parliament of any description, as opposed to the disparate individuals on the crossbench in the upper house, that outright opposed the most significant reform of the Firearms Act in the last 50 years in the interests of public safety. The member's party chose to oppose something that had at its very core the delivery of a safer state for the people of Western Australia. That would be ensured by clause 4, I think it is, of the firearms bill that states categorically for the first time in Western Australian history that the key principle of John Howard's National Firearms Agreement would be adopted and implemented in our law. That principle is that the possession and use of a firearm is a privilege, and that privilege is conditional upon the provision of public safety as the primary consideration. I note that that principle was the key element of this legislation and that this is the first time in 50 years that the act has been completely rewritten. All the preceding governments failed to take the action of rewriting and updating the legislation and implementing public safety as the primary consideration, yet the member's party chose to oppose the bill outright without any real thought, which was confirmed by the paucity of any logic to most of the arguments that were put to justify the Nationals WA's opposition. That is disappointing. It is disappointing that I had to reflect a little on the member's contribution in that regard because she is very capable and is by far and away the National Party's best performer. There will be a serious gap in the batting order of the National Party of Western Australia on her departure.

That leads me to revisiting the condemnation that claims we are somehow the same old Labor. We may well be. I would like to be the same old Western Australian Labor government because undoubtedly this jurisdiction has the best government in the country in terms of budget management, the delivery of support to its constituents and in the provision of opportunities for businesses and individuals. This government is easily the best in the country. That has been a consistent characteristic of the Western Australia Labor government since we came to office in 2017, confronting the worst economic circumstances and inheriting the worst budget management in the history of this state. That is what we confronted when we first came to office, as opposed to what the previous government confronted. I think the member for Cottesloe thinks that history began when he arrived in this Parliament. Member, our government did not always have booms to deal with. However, we inherited the appalling budget management of the worst economic managers in the history of this state. The Liberal–National government had a huge boom, but it failed to recognise the sense in not spending more than it got, and in not assuming that it would always get the revenue levels it got during the boom. It fundamentally failed that simple task; it spent more than it got and it baked iron ore prices in. Sadly for the people of Western Australia, when iron ore prices dropped, Western Australia went into recession, but the previous government kept spending as though it were still receiving those levels of revenue. As a consequence, when we came to office in 2017, we had to deal with a disastrous budget situation. Fortunately, we applied common sense and discipline, and before the iron ore prices recovered, before there was another boom and before the GST arrangement was agreed to, we had already rebalanced the books. We achieved a surplus before all that happened. That came about solely through good management.

I have to address the Leader of the Opposition. In his fragmented and incomprehensible contribution earlier, he made a snide comment across the chamber. He asked: did we not do high school economics? He was referring to our capacity to manage the budget and our ability to apply good financial discipline to the state's finances. I have to make an observation, Leader of the Opposition. The Treasurer not only did high school economics; she completed an economics degree at university level, became a federal Treasury staffer and was then a state Treasury official. She was then a Treasury adviser to successive Premiers. She has spent the better part of recent decades considering state government budget mismanagement under the previous Liberal–National government, and then providing disciplined and authoritative guidance for the budget management of our government—firstly as a member of the Expenditure Review Committee and more recently as Treasurer. For the Leader of the Opposition to suggest that there is somehow no knowledge of economic management in our government is absolutely ludicrous and runs completely contrary to the evidence. In terms of this government's budget management, this state is in the best possible situation. We have easily the best managed budget in the country.

In common with everyone in this country, Western Australians are confronting cost-of-living challenges. Fortunately, because of our government's good economic management, we are able to assist. An extraordinary range of assistance has been provided to the people of Western Australia, and there will be more, to help them get through this cost-of-living challenge. That is what people are really concerned about right now. To suggest that the government is somehow not focused on people's concerns is laughable. The cost-of-living concerns of Western Australians is the front-and-centre issue for this government.

Whenever Nationals WA members speak, they inevitably claim that, somehow, they care about the regions. We know from experience that when they are in government, they do not. As we heard from the Treasurer during question time today, the Nationals WA trashed and destroyed regional rail. For all intents and purposes, it put regional rail back by decades, and in many cases prevented it from ever being able to recover, such was the extent of its neglect under the previous government. Despite trumpeting royalties for regions and claiming that it was focused on the regions, the Nationals completely ignored excessive regional airfares and refused to do anything about them. For eight and a half years it did nothing about the soaring cost of regional airfares, which really impacted on people in

the regions. The member for North West Central was not in Parliament at that time, but she would recall the lack of action by the Liberal and National Parties on regional airfares and the impact that had. It was appalling. Everyone in regional and, in particular, remote Western Australia was confronted with extraordinary airfare price rises to the extent of often being prevented from coming to the city, even for serious family emergencies. They suffered incredibly as a consequence of outrageous airfares.

That issue has been addressed by this Labor government. Regional airfares are now capped across Western Australia. As a regional resident, the member for North West Central will never pay more than those caps, and she knows she is eligible for capped fares, as are regional residents right around Western Australia, as a consequence of this Labor government's initiative. We did that; not the Nationals. I do not think the Nationals really cared at all. Nationals members certainly never put their minds to addressing that problem. They made no contribution to assistance for airfares. That is one of the most significant changes in regional life in Western Australia, probably in this state's history. There has been huge take-up. Regional residents are incredibly supportive and appreciative of that initiative.

In our recent budget, we also provided an extra $100 for the seniors' travel card and made student assistance payments available. I am a bit concerned that the member for Roe and his colleagues may not be telling their constituents about the student assistance payments, for purely political reasons. I wonder whether the electorates represented by Nationals in this place have received information on those payments as effectively as have electorates represented by government members. Have Nationals members been using their electorate allowances to notify their constituents about that opportunity—that really important assistance payment that is available to everyone across Western Australia who have children at primary school and high school? It would be incredibly wrong if that were not the case. It would be very disappointing if the member for Roe was not telling every parent in his electorate that time is running out for that assistance, but that they still have time now. The member for Roe should be out there telling them. He should be spending some of his electorate allowance on notifying parents in his electorate of their opportunity and how they should be making applications.

A $700 electricity credit is coming to every Western Australian household. An incredible assistance is being provided to address the concerns of Western Australians. The primary concern of Western Australians at the moment is the cost of living. Those initiatives will be followed by more, but the government undeniably has already focused on and continues to focus on the concerns of Western Australians. To that end, it is good that we are the same old Labor Party. It is the same old WA Labor that cares about people in the state who are doing it tough and goes out of its way to assist those people to get by and improve their lot. It also assists everybody. It manages the budget well. I am glad that we are the same old Labor that manages the budget well. We are the best budget managers and best financial managers in the country. I am glad that that is the case. Having said that, we are the same old WA Labor; people are getting what they paid for and what they voted for.

Who is not the same old people? Which people are interestingly and dramatically changing in the near term? That would be the Nationals WA. As my colleague the Treasurer indicated earlier, she drew my attention to a press release on the National Party's website. It is a very interesting post about the recent announcement of the "team of local champions for the Legislative Council" at the next election. Interestingly, not a single sitting National Party member of the upper house is on that team of champions. That would suggest that the people in the upper house are not champions in the eyes of the Leader of the Opposition. They are far from champions. Above them in the pecking order is a range of people who have managed to get themselves preselected higher on the ticket in the upper house for the National Party than any of the sitting members. Not surprisingly, some of the sitting members are pretty depressed and have chosen to contribute a lot less than they might have a week or so ago.

Mr D.R. Michael: It is a personal slight on me because one of the demoted members is my fourth cousin.

Mr P. PAPALIA: Oh, my goodness! You should be affronted.

Mr D.R. Michael: It is the whaling part of my family. We split at some point a while ago.

Mr P. PAPALIA: Are you related to the whaling advocate?

Mr D.R. Michael: Hon Louise Kingston is my fourth cousin.

Mr P. PAPALIA: In fairness, I am not entirely accurate in my criticism or in my ridicule. She is on the ticket, but she has been put so far down it that the Leader of the Opposition thinks that she will be safely beyond election. That is where he has put her. We have to wonder why she was not a local champion even though she was preselected this time around. I assume that she was a local champion for the Nationals WA at that point and then, sadly, has been significantly moved down the local champion ranking.

I urge members or anyone unfortunate enough to be submitting themselves to witnessing this private members' business at home to go to the website and open the link to the Nationals' statement about its upper house preselection and its formidable team of local champions because it is worth looking at and very interesting to note. I am sure that the people are nice people, but they have all leapfrogged every single one of the members currently sitting in the upper house. We have had a few conversations over here about what it might be like in the National Party party room, but I understand that there is not really a party room anymore. That is interesting. It is certainly not the same old National Party.

That will be of interest to the voters of Western Australia, too, because there is something to be said for experience. There is something to be said for having knowledge of how government operates, how an effective government engages with the community, how it works with the business community, and how it supports constituents, individuals, families and small businesses. There is something to be said for having done that for a while and learned. There is something even to be said for having done that in opposition and then carrying that knowledge into government. The candidates come from completely outside that experience or knowledge of how good government works or operates, and how policies are developed and implemented; they do not have any of that knowledge. The National Party is suggesting to the people of Western Australia that it wants to relinquish any suggestion of competence. It will ask the people to vote for novices who have no demonstrated experience or knowledge in the field of endeavour they are about to enter—if they are successful. It offers that as an alternative to an experienced and proven government that continues to deliver on behalf of all Western Australians. The government oversaw an incredibly challenging economic environment at the start of its first term of office and successfully guided the state through the most extraordinary challenge it has faced in probably 100 years, in the form of the pandemic. It got, if not the best, at least the equal best outcome in response to the pandemic of anywhere on the planet. Subsequently, it has moved on to ensuring that the state continues to perform at an extraordinary level. At the moment, we have the lowest unemployment rate, the highest participation rate and the best cost of living in the nation, and we are an absolute magnet for people seeking opportunities, both people who are looking to invest and people who are just looking for an opportunity for themselves and their families.

The National Party is asking that the proven confidence, success, capability and capacity be denied or dropped. As an alternative, it will put into Parliament, potentially into the seat of government, people who have not even been visible in public life or in the Parliament of Western Australia. They have demonstrated no capacity and no knowledge of how good government works. They are to be guided by only the last two remaining Nationals. It is potentially not two; I should not be so presumptuous about the member for North West Central. She could win and then there might be only one National Party member left. The National Party has chosen to take an interesting angle. They would somehow suggest that it is bad to have an experienced, competent, capable and proven government and that we should change that for an inexperienced, incapable and unproven group of people who are not even in Parliament.

Finally, before I allow my colleagues to make a contribution, I appreciate the member for North West Central sending me a photocopy of the Facebook post she referred to. I have said before that I am happy for the member to contact me. By way of interjection, I drew to the member's attention that it is my expectation and hope that if she ever had a problem with a police response, she would contact my office. The member knows that that works. She knows that there will be action as a consequence of raising a matter with my office. A post made by someone who is pretty much anonymous—there is no name on the resident's Facebook page—is not really a report to the police. The statement "I contacted police but couldn't get through" may or may not be true, but it is almost impossible to verify in the absence of a date, a time and the nature of that contact. In this case, the member was talking about reporting a bike that was parked on the side of a track that might have been stolen. That is reasonable, but I urge the member to encourage her constituent to contact the police. As I have said before, do not ring the old phone number for the police station; ring 131 444. They will get through. If that failed and the constituent did not get through, I need to know about it, but I at least need the date, time and nature of the attempt so that I can verify it, determine whether it was a failure by police and then rectify it if it was. In the absence of any of that, just responding to a random Facebook post is not really a responsible act by a member of Parliament. If the member knows who posted this, she should contact them and get them to give her the additional necessary details. She can then get in contact with my office and I will follow it up. I give the member that commitment. I will let the member for Baldivis take over and perhaps make a few reflections on the claims made about energy and the power system.

MR R.R. WHITBY (Baldivis — Minister for Energy) [6.31 pm]: I thank the minister and the Deputy Speaker for the opportunity. I am going to oppose the motion that has been put this evening. I understand that oppositions are here to criticise governments, but I have to say that the type of motion we are looking at tonight is pretty wishy-washy. It is a bit of a shotgun spray at us, really. It is something that an opposition would come up with if it could not think of any specific issue. If it is not hot on any issue or if it is hard to nail something down, it can just have a wishy-washy shotgun spray to say, "You're no good and it's our turn", which is essentially what the motion is about.

I have actually been around for a while. In my earlier capacity, I was a journalist and a politics reporter, so I have seen a few governments come and go. I have seen good ones.

Mr P.J. Rundle: Hopefully, there will be another one gone in March 2025.

Mr R.R. WHITBY: Does the member for Roe reckon? How much does the member for Roe want to put on it?

Governments come and go. Sometimes they are good, sometimes they are pretty ordinary and sometimes they are terrible. As members would expect, we should compare this government with the previous government. Let us think of the government immediately before this one and how there was a turnover of ministers, how there were scandals, how there were ministers who had to stand down and how there were ministers who had portfolios taken away from them. All that turmoil occurs pretty regularly in Australian governments, but our government has been remarkable

in its discipline and stability. Even in opposition, this team was remarkably stable and disciplined. That has absolutely been the case in government. We have seen no scandals. No ministers have had to resign in disgrace, as was a feature of the previous government. We saw the blowout in the finances last time. It was a job that we had to repair, and we are still doing so. The previous Premier made this observation in opposition; he said the previous Liberal–National government was the government that won lotto and still went broke. The reference was to those sometimes tabloid stories that we read of a family hitting division 1 and getting an enormous amount of money, but they just do not know how to deal with the finances. A couple of years later, someone will track them down. The front yard will be full of flash cars, but there will be no money left. The people in that family will still be struggling; they just blew the finances because they could not handle it. The previous government was elected to government and then went to an election in 2013. Virtually almost the day after it won its second term, things went sour. The Premier of the day was judged to be an emperor. Arrogance had set in. There was a sense that the government was on the nose almost from the beginning of its second term. As we know, the historical nature of governments in this country at both the state and federal levels is that most governments last two terms. That has been the history in Western Australia, with some notable exceptions around the place. This government still has a sense of having a vision and freshness as it goes forward. There is no sense that it is a hanging carcass that is waiting to be cut down, which was the real whiff that we got during the second term of the Barnett government.

The other point I will make about the government before I go into the various issues that I want to reflect on in terms of my portfolio and maybe respond to some of the things that were said is that this is a good government. It is a sensible government. It is a government that sits in the sensible centre. It is moderate. It is practical. It is a government of grown-ups. We undertake the tough decisions but we strive to get a good balance. Our occupation of that moderate, practical, centre ground is having an impact on our colleagues across the way. They are being forced to the extremes, if you like. We see this in the Liberal Party in particular with its Christian fundamentalist rump, which continues to have enormous control over the party. We are seeing that Christian fundamentalism having an impact on its approach. Ours is a government that has had significant achievements. The number of jobs we have created since we have been in government is enormous. The achievement of Metronet is often derided, but it is a once-in-a-lifetime—it is probably more than that—or once-in-a-century uplift in vital infrastructure for this city. I know that members opposite make great play of that and say it is a city-centric project, but Western Australia has to invest across the regions and it has to invest in its major metropolitan area. The laying down of Metronet, which is about building a true network for the people of Perth, is historic. In 50, 60, 70 or 100 years' time, people will look back at the foundations of that modern way of moving people around Perth. It will be fundamentally important to the future of Perth. We used to look back at the turn of the century or the early 1920s and 30s or the great boom of the 60s, when Perth developed, but we are building things now with Metronet and our road systems. This is historic stuff. Yes, it is expensive, and, yes, it can be difficult, but we have had success in rolling it out. We are providing railway services to parts of Perth that have never seen commuter rail transport before.

I grew up in Perth and have lived here all my life. For me, growing up as a kid in the northern suburbs in Balga, a train was unheard of. It was a mystery, fantasy thing. My grandmother lived down in Cottesloe and I used to see the train and marvel, thinking: fancy being able to have a train in your community. In Balga, it was the 353 down Wanneroo Road into the city and that was it.

Mr D.R. Michael interjected.

Mr R.R. WHITBY: It still is the 353, is it? I have a good memory from all those years ago! If you did not get to the bus stop on time, your chances were gone. This is revolutionary stuff, having modern frequent rail services in the north east and the south east corridors, creating a true network that connects to the city.

The member for Central Wheatbelt had some things to say about our approvals system. I will briefly respond to them. Coming out of COVID and with the energy transition gaining pace, and as a consequence of our excellent economic management and building a very strong economy, of course we had an avalanche of projects coming down the pipeline. There were renewable energy and critical minerals projects; my colleague the Minister for Mines and Petroleum knows all about this. We are not shying away from it at all. We are embarking on significant and major approvals reform in this state. I have said it is the most fundamental of reforms in many years. These reforms and changes have not occurred in this state for decades quite frankly, from both previous conservative and Labor governments. This is another fundamental milestone in our history.

The member mentioned Metronet. The approvals reform process is necessary. We are committed to it. It is more than creating names or units in government agencies. It is a fundamental change to the structure of the approvals process. Yes, the member for Central Wheatbelt made a very good contribution on the consultation needed for the rollout of renewable energy. It is a challenge and we have seen really bad examples of this in the eastern states in particular. My government and my agency are committed to that consultation. In fact, it is being rolled out. Although the member might not have heard of it happening, I hope in coming months the member will hear about it because it is rolling out now. We are going to be very much involved with the Western Australian Local Government Association and all local governments because we need to bring communities along with us. We need to inform people and make sure they are aware of the challenges and opportunities for the great transition. What I would be

concerned about, and I am concerned about—I ask for the assistance of even members opposite, please—is that I hear members of the Liberal and National Parties trying to weaponise this issue, trying to use it for political reasons, for scaremongering, to create anxiety in the community. It is to spread falsehoods about what renewable energy does and what it means and its consequences. Yes, we will inform, consult and work with local communities, but it is a bit cheeky for the member to urge that and then have some of her colleagues out there weaponising it and using it as a cheap political weapon to score some points and create anxiety in the community.

I have a long list of achievements but I know my colleague the Minister for Mines and Petroleum is very keen to make a contribution. I will mention just some of the broadscale achievements in the portfolios I am currently involved in. In energy, of course there are the household energy credits. We have provided $1 800 in household electricity credits to more than 1.1 million households and 90 000 small businesses since 2020. This is an important and really significant cost-of-living initiative. We are ending coal power in Western Australia. We are having a very sensible, informed and predictable timescale, as opposed to the confusion coming from the other side, which first saw the end of coal in six months but has now extended it to God only knows when. That predictability is with us. We have a very careful plan. We are investing in renewable energy. It is a major and significant investment, not just in storage but also in generation. We are investing in standalone power systems for remote communities and for people on farms at the very edge of vulnerable powerlines, which is important as well. I could go on about the opposition's contribution in energy policy. I had a bit to say about that earlier today, but it would keep me here all night, so I will step over that and refer members to my earlier comments.

On the environment, we have ended native logging in Western Australian forests. This is a big achievement. The vast majority of Western Australians support this. We have been sympathetic and serious about the transition, with a just transition plan and funding to support communities and workers. For the Aboriginal Ranger program, we have spent $100 million employing 1 400 people in on-country jobs. This is really significant stuff. It is life-changing for communities. It is inspiring for communities with some of the most vulnerable and underprivileged people in the state. I could go on about our plan for plastics and Containers for Change, which was opposed by the previous government. We put it through. We made it happen and it is one of the most successful in the country. Our Plan for Parks is rolling out an unprecedented amount of conservation estate.

I could go on, but I see the numbers ticking down. I know that my colleague is really desperate to make a contribution tonight. With that, I will sit down.

MR D.R. MICHAEL (Balcatta — Minister for Mines and Petroleum) [6.46 pm]: I thank the Minister for Environment for his comments. It is good to be able to talk on this motion, which of course I and the government oppose. Thinking about the last year of the Cook government, it obviously correlates to my term as a minister in the government. When I got to this place, I did not think I would ever be a minister. A few of us who came in the class of 2017 looked at those members of Parliament who went through opposition for Labor. They were all giants—some of them are still in cabinet. I see the Minister for Police, who has done the hard work in opposition. I assumed they would be there for a very long time, and, if we ever got a chance, it would be if we were lucky enough to hold our seats. I am incredibly privileged that I have had the last year as the minister initially for Local Government; Ports; and Road Safety and the Minister Assisting the Minister for Transport. On December 8, I lost local government, the thing I knew about, and got the incredibly important ministry of mines and petroleum for Western Australia.

Being in the cabinet and looking at some of the decisions being taken and the great work that is happening around our state, as we have just heard from the two ministers who spoke before me, I am incredibly privileged to see that energy and drive to make Western Australia better for all Western Australians. Looking at some of my portfolio areas, I will start with the first one—the one I have had for a year, ports. I have been to some ministers' meetings over east for various portfolios. Especially when I was new, when they asked, "What are you a minister for?" I would say I am Minister for Ports. They would ask, "Why do you have a ministry for ports?" I would say, "Because we didn't sell them!" Most other states have various degrees of privatisation or leasing or other arrangements. Knowing what I now know about ports, I think we are incredibly lucky. I feel very proud that the Cook government, over the last few years, and obviously with me in the last year, has been able to invest in our ports. This is no direct criticism on anyone, but I reckon over many decades, the maintenance of our ports probably has not kept up to what it should have. I think some of the asset maintenance at a port level, especially when the ports were not amalgamated and they were regionally administered, probably could have been done better. That is a comment on multiple former governments. I know that this government in ports, with Hon Alannah MacTiernan and the most recent Minister for Ports, Minister Saffioti, started to rectify that situation. I hope that I have been able to continue it.

We have some great ports around the state. I will start from the top. The four regional local governments talk to me about their three ports, being Broome, Derby and Wyndham. We had some luck in getting an application approved by the federal government for first point of entry at Broome port. We see some enormous issues up there without first point of entry. I am told that in the past, federal governments would approve first point of entry ships to be inspected for biosecurity and those other important things on an ad hoc basis, and would delegate Department of Primary Industries and Regional Development or local government officers to do that work if its officers were not on site. In Broome, we cannot get containers in and cruise ship passengers can come in for tourism but their bags

have to be sent via Fremantle because we cannot get them inspected in Broome. Frequently, fertiliser has to be trucked in from Fremantle, Port Hedland, Darwin or somewhere in Queensland for that important horticulture and agriculture that happens near the Ord River because we cannot bring it in from overseas through the port of Wyndham. These are challenges that we need to face. I am glad and very grateful that the Albanese government has agreed to first point of entry at Broome. There is a bit of work to do to get that over the line to make sure we comply with all those important biosecurity measures. The Cook government has money in the budget to make sure that we do that necessary work in Broome to help the economy and the Kimberley. The federal government has not shut the door on our application for Wyndham port, but it wants more information. I look at this as a bit of a chicken-and-egg situation. It wants to know what trade mix would come into Wyndham, but we say that until we get first point of entry, the trade will not come there. We are working through that and I am confident we will be able to tell a good story for Wyndham, and the government will be able to look at upgrades that might be needed to get federal government assistance.

As Minister for Mines and Petroleum, I frequently have visits from international delegations, ambassadors or people from overseas, especially in the mining context from fledgling countries that do not have a good mining regulatory system but know they probably have some minerals under the ground and want to know how to extract them in an economically, environmentally and socially responsible way. I think this has happened for many mining ministers in the past across multiple governments. We basically say that if they can replicate the Mining Act 1978, it is a good start. I tell them all that next time they come to Western Australia—I also tell this to our friends in the east—to please visit Port Hedland, walk up the control tower and have a quick look. What happened in Port Hedland is absolutely amazing. I suspect that many Western Australians do not even recognise the enormous activity and wealth, not just for Western Australia but our country, that goes out of that port every day. I am really proud for the Pilbara Port Authority, including Port Hedland and Dampier ports.

We have been able to get money in the budget to do that incredible project at Lumsden Point with the support of the federal government. That will help the critical minerals future, with a critical minerals zone at the back end of the future Lumsden Point project. It is going really well. Not only that, Lumsden Point will provide an opportunity for all those resource projects. As minister for mines, every week either current or future prospective mining project proponents visit me with their flipbook of a PowerPoint presentation. Lumsden Point will help with the sheer numbers of 20-foot equivalent units of solar panels, wind turbines and wind turbine components required for the decarbonisation they are planning, whether it is for a current or proposed mine. It will help with laden area and getting some of the materials out to site to help the resources industry decarbonise.

I will skip over a few of the small ports. They are equally important but I will get on to them at a different time because I do not have that much time left to speak. Further south is Geraldton port. Much like Esperance port, it is very constrained. They are built into the side of a town and are obviously very historic. They do an absolutely amazing job. There is the work that Geraldton port does for the agricultural industry through Co-operative Bulk Handling Ltd and the grain that goes out, and for tourism, with the cruise ships coming in. Increasingly, we see further trade at Geraldton, including iron ore. I am really proud that in the budget there is allocation for the surge that happens at Geraldton a couple of days a month. We now have science that says that if we were to build a rock wall, we might be able to significantly mitigate that long wave that stops shipping for a couple of days every month. Put over a whole year, that is possibly a 10 per cent uplift on the number of ships that could come in every year, rather than them being trapped in demurrage out in the ocean. That will be an amazing project, especially for the new trades like iron ore that will come in. Last time I was in Geraldton, I saw lots of scaffolding because CBH is doing some work to upgrade its facilities there. There are some excellent workers at CBH. That will give an uplift to Geraldton. That is part of port maximisation project for Geraldton worth over $300 million, which we continue to work on. This will be the first part of it, with, as I said, almost $100 million, which will give the port enormous uplift.

I will skip over Fremantle port and Westport because we talk about them quite often, and I could talk about them for some time. The only thing I will say is that all our ports have been working together over the last few years as WA Ports, and when they come to government, the minister or Treasury, they cast the lens over the whole state rather than coming in as separate port authorities. They talk about things like their sustaining capital. One of the drivers of that was the former CEO of the Fremantle Ports, Michael Parker, who sadly passed away several months ago. It is my first opportunity in Parliament to offer my condolences. I recognise his legacy. He was well known in Western Australian industry.

Mr P. Papalia: It is a fine legacy.

Mr D.R. MICHAEL: Absolutely. He did so much to bring our port authorities together to come to government and look at things as a whole rather than individually. Again, condolences to his family. Fremantle Ports is obviously all the better for having had Michael at the helm for all those years.

At Bunbury port, there is again enormous trade. Bunbury port is part of Southern Ports. At some point in the next decade or so we will need a maximisation project. The Minister for Environment talked about wind turbines and those kinds of things. The minister said he had some consultation and was awaiting the rolling out. If a project comes into being on the offshore zone of the south coast, at the moment we probably do not have the facilities at

Bunbury to bring in the amount of kit to port to allow that to happen either onshore or offshore, so working out how we do that at Bunbury is incredibly important. Again, Bunbury port is a little constrained because it is close to the City of Bunbury, but that port does an amazing job.

Albany port also does an amazing job. There is some money in the budget to do some planning for berths 1 and 2. We are working with CBH, which also has some plans at Albany and is working through its project. We are making sure that our planning matches that of CBH, which is one of the bigger users of that port, so it is incredibly important.

Then there is Esperance port, which is the first port I visited when I became minister. Again, it is very constrained. There are some incredible workers at Esperance port who do enormous work. The port is a major employer for the town. Last week or the week before, we announced new trade going to Esperance. I note that Mineral Resources Limited made an announcement this afternoon, and some of that will come off with that announcement. We will continue to look at what we can do to support the port of Esperance, its workers and the community there to make sure we increase trade as much as we possibly can. There is money in the budget to look at the port of Esperance's pilot boat area. We have been able to come up with a really good solution to the Taylor Street jetty issue. The first thing that the council, as well as some tourism operators, talked to me about down there was Esperance's well-loved fishing jetty. It is about to fall into the ocean, but we have come up with a plan that I look forward to rolling out with the Southern Ports Authority.

That was a little bit about my ports portfolio. I am really proud to be the Minister for Ports and, as I said, over $350 million of investment was announced in the last budget for our ports across the state. This will serve our state well into the future. I am very proud to be the Minister for Ports.

Debate adjourned, pursuant to standing orders.

INFORMATION COMMISSIONER BILL 2024

Second Reading

Resumed from 18 June.

Question put and passed.

Bill read a second time.

[Leave denied to proceed forthwith to third reading.]

Consideration in Detail

Clause 1: Short title —

Mr R.S. LOVE: I would like to ask a few questions of the Attorney General, but there are very few members in here to listen tonight. There are not many here.

Mr J.R. Quigley: I am looking the other way and there is only yourself.

Mr R.S. LOVE: None of the Attorney General's people are there, either. I am just giving the government a bit of a heads-up.

Mr D.R. Michael: If your questions are good enough, I'm sure they'll all come in.

Mr R.S. LOVE: They will be coming in shortly then. Attorney General, I think this question was asked during consideration in detail on the Privacy and Responsible Information Sharing Bill, but that was a different set of circumstances. Can the Attorney General give me an idea of what the expected cost might be for the establishment of this new Office of the Information Commissioner and the associated deputy commissioners and their staff?

Mr J.R. QUIGLEY: No funding has been allocated in the budget yet for the new Office of the Information Commissioner as the legislation establishing it had not been passed by this Parliament—it still has not—by the time the budget papers were prepared. As the legislation abolishing the Information Commissioner and the deputy commissioner is still before the chamber, as the member well knows, funding for the new Office of the Information Commissioner to support the commissioners in the exercise of their statutory functions and powers will be sought via a budget submission to the Expenditure Review Committee. The Information Commissioner and the Privacy Deputy Commissioner will be remunerated through the consolidated act. Precise costings will be determined by the Salaries and Allowance Tribunal at a later date subject to the Salaries and Allowances Act 1975 (WA). Salaries for equivalent positions across Australia range between $250 000 and $400 000. The current Information Commissioner role will transition into the Information Access Deputy Commissioner with no additional cost because Commissioner Fletcher will move into the new organisation and her salary will go with her.

Mr R.S. LOVE: I could probably ask this question elsewhere, but this clause provides a little opportunity to ask around these matters. The Attorney General has given me the cost of the Information Commissioner's wages, but a new office has to be set up—actually, two new offices, in a way, because we will have the Privacy Deputy Commissioner coming in as well. The Attorney General must have some idea how much all this will cost the government to set up and run.

Mr J.R. QUIGLEY: The office has not put in a bid yet, but to ensure that the new Office of the Information Commissioner is appropriately staffed to handle the new jurisdiction, the department is examining the structures, functions and staffing in other jurisdictions, including the Office of the Information Commissioner in Queensland, and the Information and Privacy Commission in New South Wales. Once the new staffing requirements have been finalised, the Department of Justice will seek new funding at an appropriate time by a budget submission to the Expenditure Review Committee. That will include a request for funding for appropriate staff. The Department of Justice has a substantial budget allocation, and it will have the capacity to get it going whilst we put in the budget submission.

Clause put and passed.

Clauses 2 to 4 put and passed.

Clause 5: Appointment of Information Commissioner —

Mr R.S. LOVE: Clause 5(3) states —

> The office of Information Commissioner is not an office in the Public Service.

What is the status of the current Information Commissioner?

Mr J.R. QUIGLEY: She is an officer of the Parliament, as the new Information Commissioner will be. As I explained with the previous bill, the structure will start at the top with the Information Commissioner, followed by Information Access Deputy Commissioner and Privacy Deputy Commissioner. All three positions will be officers of the Parliament, not members of the public service. This will ensure the total independence from government of the function.

Clause put and passed.

Clause 6: Remuneration and terms and conditions of Information Commissioner —

Mr R.S. LOVE: Clause 6(2) states —

> The Information Commissioner's rate of remuneration must not be reduced during a term of office of the Information Commissioner without the Information Commissioner's consent.

Does the current position of Information Commissioner also have that protection? Do other officers of the Parliament also enjoy that provision?

Mr J.R. QUIGLEY: This is a common provision for statutory appointments. I do not have the Corruption and Crime Commission Act in front of me, but this provision is broadly consistent with provisions that apply to other similar statutory office holders. For example, section 56(4) of the Freedom of Information Act currently provides that the terms and conditions of the Information Commissioner's appointment be set and imposes a restriction on any reduction in salary during the term.

Clause put and passed.

Clause 7: Appointment of person to act as Information Commissioner —

Mr R.S. LOVE: Does the Attorney General anticipate that a person who is appointed to act as the Information Commissioner will not be one of the deputies but would be someone else? What is the expectation? We can imagine that it would cause a few ructions if one deputy was promoted over the other. Perhaps the Attorney General could explain what is anticipated.

Mr J.R. QUIGLEY: The legislation does not prohibit one of the deputies from going into an acting role, but that would require someone else to go into the acting role of deputy and the whole thing would be more actors than substantives, and it might interrupt the workflow of the deputies. An acting commissioner would not have to be one of the deputies, but nor will the act preclude it. We have to preserve the tripartite office structure that the bill will provide because the Information Commissioner will be able to give directions to the deputies. Obviously, it would be a very senior person if they were appointed to act for a while.

Mr R.S. LOVE: I am imagining future roles for the Attorney General!

Mr J.R. Quigley: You wouldn't complain, honourable member.

Mr R.S. LOVE: I am sure there are some age limitations! I have not found them yet, but there might be. Let us get back to the business at hand.

Mr J.R. Quigley: That could be against the Equal Opportunity Act; it sounds ageist!

Mr R.S. LOVE: It probably is, Attorney General!

Mr J.R. Quigley: Sorry, Leader of the Opposition. Go ahead.

Mr R.S. LOVE: The bill says that the appointment may be made, obviously, when the Office of the Information Commissioner is suspended or when the Office of the Information Commissioner is vacant. What would be the

effect when the Office of the Information Commissioner was vacant? The commissioner has a couple of powers that only the Information Commissioner has. How would the commissioner function in the absence of a substantive or acting Information Commissioner, given there are some roles that require those powers? Would there be a need to quickly appoint an acting person, or could the position remain vacant for some time?

Mr J.R. QUIGLEY: No. There would be a need to appoint an acting person. There are plenty of people in the city who we could swing in to act. Senior judges who have retired could easily be swung in to act and some Supreme Court justices have retired recently. They could swing in to act. They are very senior, knowledgeable and experienced in making good decisions.

Clause put and passed.

Clause 8 put and passed.

Clause 9: Appointment of Information Access Deputy Commissioner —

Mr R.S. LOVE: Clause 9(1) states —

> An office called the Information Access Deputy Commissioner is established.

We are not talking here about an office that has people working in it, we are talking about an office as in an officer of the Parliament. Is that correct?

Mr J.R. Quigley: Correct.

Mr R.S. LOVE: I will carry on while I am standing on my feet. Clause 9(6) states —

> A person who has been appointed as Information Access Deputy Commissioner is eligible for reappointment once.

Is there anything to preclude the Information Access Deputy Commissioner from being appointed as the Information Commissioner at the end of their 10 years?

Mr J.R. QUIGLEY: No, there is not.

Clause put and passed.

Clauses 10 to 17 put and passed.

Clause 18: Persons eligible for appointment —

Mr R.S. LOVE: We are talking here about the eligibility of a person for appointment as one of the three commissioners. Clause 18(b) states —

> … is, in the opinion of the Governor, suitable for appointment as a Commissioner by reason of the person's legal qualifications and experience, whether in this State or elsewhere.

Does the "elsewhere" include anywhere internationally or does it refer to Australian states and territories?

Mr J.R. QUIGLEY: The member might, but probably will not—it did not grip everyone here—recall that we introduced the Legal Profession Uniform Law, which facilitated overseas lawyers coming to work for the government in areas that they were experienced in without having to be admitted. I do not know about someone coming from Uzbekistan or some other foreign jurisdiction that has no idea about the culture here, but those from countries under the uniform law could come to practice here, even though they have not been an admitted practitioner in this jurisdiction.

Clause put and passed.

Clauses 19 to 21 put and passed.

Clause 22: Outside employment —

Mr R.S. LOVE: This clause will preclude a commissioner from being engaged in paid employment outside the commissioner's function under written law without the approval of the Governor. Is there anything to preclude them from being on a board or some other group in a voluntary capacity as long as there is no remuneration of any sort and they are not able to take any meeting fees or anything like that?

Mr J.R. QUIGLEY: That is correct. There is a similar provision in the Solicitor-General Act. We have had a situation in the past in which a person has come from the bar to be appointed Solicitor-General and has had a part-heard case. The Governor has given them permission to take unpaid leave to go mop-up the tail end of their case. It will be the same here.

Mr R.S. Love: Okay, that precludes the second part of my question, so you've answered it already.

Clause put and passed.

Clause 23 put and passed.

Clause 24: Provisions about Acting Commissioners —

Mr R.S. LOVE: Just a quick question on this one. Under clause 24(1)(b), the Governor may determine any leave of absence to which an acting commissioner is entitled. If the acting commissioner is absent, I assume there will still be an acting commissioner, so how can we get someone to fill that role if they have been given leave of absence? Surely we would just say, "Well, ta-ta! We'll find someone else." Can there be an acting acting person? Is that possible?

Mr J.R. QUIGLEY: That is right. If they took extended leave of a couple of months, we would just appoint a new acting commissioner.

Mr R.S. Love: So you'd sack them?

Mr J.R. QUIGLEY: Well —

Mr R.S. Love: So you don't have an acting acting?

Mr J.R. QUIGLEY: Yes, that is right.

Mr R.S. LOVE: That is very ruthless, Attorney General! Below that, clause 24(1)(c) makes provision for other terms and conditions of service that apply to an acting commissioner. In respect of term, is there a maximum amount of time someone can be an acting commissioner? I think the Corruption and Crime Commission had an acting commissioner for a long time. Is how long a person can act in that position defined anywhere?

Mr J.R. QUIGLEY: The maximum term for which an acting appointment can be made is dictated by the circumstances in which the appointment is made. The clause provides flexibility to allow an acting person to operate in the role while a substantive appointment process is undertaken, in the event that an office becomes vacant. If the commissioner takes extended sick leave, a person can come in and act, but they cannot act for longer than whatever the person's term is.

Mr R.S. LOVE: What if the position is vacant and for some reason the person who is chosen is not willing to take a five-year term but is willing to assist? If the substantive commissioner position is vacant and someone is filling in but does not want to commit to a five-year term, is there a maximum length of time that can run? There is no tenure underneath what the Attorney General just mentioned, no five-year or four-year —

Mr J.R. Quigley: Are you talking about the acting position?

Mr R.S. LOVE: Yes, the acting position.

Mr J.R. QUIGLEY: There is no statutory limit on the acting position. I am sure that if it were to be left like that for very long, the Leader of the Opposition would be on his feet in this place, asking why we only have an acting commissioner! The acting position is just to fill in; it is not a replacement for the person in the substantive position who is on long-term leave.

Clause put and passed.

Clauses 25 to 27 put and passed.

Clause 28: Delegation —

Mr R.S. LOVE: This clause relates to the power to delegate. Clause 28(1) states —

> The Information Commissioner may delegate to a member of staff any power or duty of the Information Commissioner, other than —
>
> (a) the power of delegation …

And then any power that cannot be delegated because of the other act. Just to be clear, could the commissioner delegate a particular task to multiple people? It will not have to be one singular person; is that correct?

Mr J.R. QUIGLEY: That is correct.

Clause put and passed.

Clause 29 put and passed.

Clause 30: Use of government staff and facilities —

Mr R.S. LOVE: I have a simple question on one specific area of this clause. Clause 30(1) states —

> The Information Commissioner may by, arrangement with the relevant employer, make use, either full-time or part-time, of the services of an officer or employee —
>
> (a) in the Public Service; or
>
> (b) in a State agency; or
>
> (c) otherwise in the service of the State.

When we spoke before on the privacy law, we talked about information privacy principle entities that might be contractors et cetera. Is it envisaged that an expectation will be built into those contracts that at some point there might be the need to allow staffing arrangements with the Information Commissioner for the carriage of some of the activities?

Mr J.R. QUIGLEY: I refer the Leader of the Opposition to clause 31, which states —

> (1) The Information Commissioner may engage suitably qualified persons to provide services, information or advice to the Information Commissioner, Information Access Deputy Commissioner or Privacy Deputy Commissioner.
>
> (2) A person engaged by the Information Commissioner under subsection (1) is engaged on the terms and conditions decided by the Information Commissioner.

They can draw upon staff in the public sector. I refer to clause 30(2) —

> The Information Commissioner may, by arrangement with a department of the Public Service or a State agency, make use of any facilities of the department or agency.

The Leader of the Opposition asked how we are going to get going and how much this will all cost. There are already officers of the freedom of information commission. As I said, we have a chief data officer or interim chief data officer at the Department of the Premier and Cabinet. It might well be that some staff will be temporarily assigned whilst the commission is getting up and going. Some officers might have to be utilised here.

Mr R.S. LOVE: I do not think that the Attorney General quite got the gist of what I was saying. If an entity is handling information and it is one of the IPP entities but not actually a creature of the state—it might be a contractor or a large organisation, Serco or something—there may be a need for the Information Commissioner to have somebody embedded in that entity in some way or working in there for some time. Is there an expectation that that would become a standard part of any contractual arrangements? It is not mentioned directly here in the act, but it does say "otherwise in the service of the State", which I suppose could imply a contractor.

Mr J.R. QUIGLEY: I am advised that this is a normal drafting provision. Of course, the Information Commissioner would not call upon someone with information privacy principle responsibilities into the office, because that would constitute a conflict. In other words, it is contemplated that to use full-time or part-time staff, they would be public servants. That is what is contemplated.

Clause put and passed.

Clauses 31 and 32 put and passed.

Clause 33: Secrecy and authorised disclosure and use of information —

Mr R.S. LOVE: It is because the act covers the commissioner and any information official that they will be covered by these provisions. In a circumstance in which a person is in the office of that organisation, is not in one of those defined roles under the definition of an information official and is not a member of staff but is somehow involved in the organisation as a contractor or some such, will there then be the need to sign some sort of non-disclosure agreement or the like? Or will everyone who would have access to the information through this role be bound by the secrecy provisions and authorised disclosure provisions of this clause?

Mr J.R. QUIGLEY: Yes, because the definition of "information official" under clause 3 states —

> (f) a person engaged to provide services under section 31;

If they are contracted to provide services, they will become an information official.

Clause put and passed.

Clause 34: Protection from personal liability —

Mr R.S. LOVE: These protections are already under the act that they are administering, but this will cover everybody who is an information official, not just the commissioner, acting in the role and doing the job —

Mr J.R. Quigley: In good faith.

Mr R.S. LOVE: — in good faith. It is a fairly standard clause and the same as we would find in other legislation.

Mr J.R. QUIGLEY: It is a very standard clause. It is the same for the Corruption and Crime Commission and the freedom of information commissioner. It is very standard.

Clause put and passed.

Clause 35: Regulations —

Mr R.S. LOVE: This is about regulations for the carriage of this legislation. Is it anticipated that this will be a heavily regulated environment, because a lot of it will be covered in the carriage of the other legislation that the Attorney General is administering? Given that, what is the status of the preparation of those regulations and when does the Attorney General anticipate they will be drafted?

Mr J.R. QUIGLEY: No regulations are currently envisaged under this bill. The bill provides for regulations setting out circumstances in which otherwise secret information could be used or disclosed, and it provides for additional transitional regulations to be made if issues that need to be addressed are not already covered by regulation. No regulations are currently being considered. There will, however, be consequential amendments to other regulations.

Clause put and passed.

Clauses 36 to 40 put and passed.

Clause 41: Things done or started under *Freedom of Information Act 1992* before transition day —

Mr R.S. LOVE: The clause is quite a lengthy discussion with many examples.

Mr J.R. Quigley: It gives helpful examples.

Mr R.S. LOVE: It does give helpful examples. Perhaps the Attorney General could just explain a little bit of the import of this provision so we can understand the examples a little better.

Mr J.R. QUIGLEY: Certainly. As the Leader of the Opposition knows, we will be transitioning the FOI commissioner into the new Information Commissioner's office. The FOI commissioner, whoever it is at the time, will be called the Information Access Deputy Commissioner. The freedom of information commissioner and her office might have already started processes of external review, for example, for which there are timelines et cetera. The freedom of information commissioner might have started preparing for a case slated to the Supreme Court on a point of law. The current commissioner could do a number of things. When she or the office holder is transferred to the new commission, we want to make sure that all the things that are currently happening in the freedom of information commission will remain lawful, legal and on foot as they go across, so the citizens who have made applications for access will not be prejudiced or inconvenienced by this legislation. They got going with the freedom of information commissioner. Then, suddenly, in the middle of it all, they will be written to with a letter that says, "I am no longer the freedom of information commissioner. I am the Information Access Deputy Commissioner, but do not worry. Everything that I have done before with you is still legal and binding. We will just continue under a different guise." That is the effect.

It will ensure that the functions can be appropriately shared between the new Information Commissioner and the new Information Access Deputy Commissioner, even though they were started by the former Information Commissioner. This clause is intended to support continuity and avoid unnecessary doubling up of matters that were already started. It supports a seamless transition.

Clause put and passed.

Clause 42: Legal proceedings —

Mr R.S. LOVE: I gather that the same circumstances that the Attorney General just spoke about will apply; that is, if the Freedom of Information Act Information Commissioner is a party to any legal proceedings, they will just continue.

Mr J.R. Quigley: But in the name of the new access commissioner.

Mr R.S. LOVE: The new access commissioner?

Mr J.R. Quigley: I meant the Information Access Deputy Commissioner.

Clause put and passed.

Clauses 43 to 52 put and passed.

Clause 53: Schedule 2 amended —

Mr R.S. LOVE: Perhaps the Attorney General could just explain the impact of this amendment to schedule 2 and what that will mean in terms of the outcome.

Mr J.R. QUIGLEY: I thank the Leader of the Opposition. The only substantive change effected by this clause is the removal of the reference to the old agency structure in order to reflect the new departmental structure that is being proposed for the Office of the Information Commissioner. It is not intended to effect any other substantive change. For the purposes of the Financial Management Act, it will identify the new structure.

Clause put and passed.

Clauses 54 and 55 put and passed.

Clause 56: Section 66 amended —

Mr R.S. LOVE: Could the Attorney General explain the impact of subclauses (2) and (3), which just seem to be replacing lodging with making. What is the difference between lodging and making, and why is that necessary?

Mr J.R. QUIGLEY: This clause amends section 66 of the Freedom of Information Act concerning the form of complaints so that the language will be consistent with the Privacy and Responsible Information Sharing Bill. When

the transitional provisions come into effect, the language of applications et cetera will already have been amended in the Freedom of Information Act to be consistent with our new PRIS act. I am told that that explanation is okay by the best advisers in the city.

Clause put and passed.

Clauses 57 to 62 put and passed.

Clause 63: Part 5A inserted —

Mr R.S. LOVE: Clause 63 is quite a lengthy one that inserts part 5A, which is the administration part of the act and outlines all the functions under the act and the performance of those functions. I wonder whether at some point it would be possible for there to be some sort of flowchart for how this mixes together, or is there already such a chart? If so, perhaps the minister could provide it to members of Parliament.

Mr J.R. QUIGLEY: The member does not have a copy of the blue bill showing the marked-up amendments to the act. The blue bill is on the website so that people, citizens and legal practitioners can readily see, in a consolidated form, the marked-up amendments. Would the member like to see that?

Mr R.S. LOVE: I can look at it on the internet. It is fine.

I am not talking about all the information in here, but the effect of the information, for the education of members of Parliament and for others to know how it all strings together under the administration of this bill.

Mr J.R. QUIGLEY: This mirrors part 2, division 12 of the Privacy and Responsible Information Sharing Bill, to bring it all into alignment. We do not have a flowchart; we have the blue bill. We think that would be most helpful for people who are struggling to understand it. We say that it is not overly complex because we are transitioning the freedom of information commissioner into the Information Commissioner and preserving all of those matters. We have dealt with terms of employment and acting et cetera. Here we are looking at amending other acts. This outlines the functions of the three commissioners and how they will be performed. Maybe it is a little lengthy—it needed to be—but we say it is not that complicated. It sets out the functions of how the act will be administered.

Clause put and passed.

Clauses 64 to 72 put and passed.

Title put and passed.

[Leave granted to proceed forthwith to third reading.]

Third Reading

MR J.R. QUIGLEY (Butler — Attorney General) [7.50 pm]: I move —

That the bill be now read a third time.

MR R.S. LOVE (Moore — Leader of the Opposition) [7.49 pm]: While the advisers are still in the chamber, I want to thank them for their efforts today and yesterday. I think it is the same group; maybe one disappeared and came back. Thank you very much for your advice. I am speaking here on both of the bills in saying this.

I thank the Attorney General for the manner in which he has conducted himself throughout the examination of the legislation. It is a very important piece of legislation, and I think it is important that we put some things on the record so that a record is available in the future of what was the intent of Parliament at this stage. I thank you very much. No doubt, we will see this passed through the other place and become law.

MR J.R. QUIGLEY (Butler — Attorney General) [7.50 pm] — in reply: I thank the Leader of the Opposition for his contribution to the third reading debate. As I said in my second reading speech, the Privacy and Responsible Information Sharing Bill 2024—which bill are we third reading? We are third reading the one that is before us. There are two bills.

Mr R.S. Love: I am not sure.

Mr W.J. Johnston: We are doing the second one.

The ACTING SPEAKER (Mr P. Lilburne): We are doing the second one at the moment.

Mr J.R. QUIGLEY: We are doing the second one at the moment, so I rise to thank the Leader of the Opposition for his contributions during the debate. Once again, it was a demonstration of Parliament coming together in a bilateral and unified way to deliver important legislation for the citizens of Western Australia. I thank the opposition for its interrogation of the bill and for its cooperation in its expeditious passage. I thank my advisers who patiently waited for a long time for it to come on and were most helpful during consideration in detail.

Question put and passed.

Bill read a third time and transmitted to the Council.

PRIVACY AND RESPONSIBLE INFORMATION SHARING BILL 2024

Consideration in Detail

Resumed from an earlier stage of the sitting.

Debate was interrupted after the title had been agreed to.

[Leave granted to proceed forthwith to third reading.]

Third Reading

MR J.R. QUIGLEY (Butler — Attorney General) [7.53 pm]: I move —

That the bill be now read a third time.

MR R.S. LOVE (Moore — Leader of the Opposition) [7.53 pm]: I will not keep people long. I guess people might look at *Hansard* and think no-one made a third reading contribution. We have spoken already, and I reiterate my thanks to the Attorney General for the manner in which he has carried the legislation, and I thank his advisers. This is quite an important piece of legislation for future use of information, and I think it has certainly been quite a journey going through some of the matters we have discussed. I know more now about the privacy legislation in Western Australia than I ever thought I would. Thank you, Attorney General.

MR J.R. QUIGLEY (Butler — Attorney General) [7.54 pm] — in reply: Once again, I thank the Leader of the Opposition for his performance during the consideration in detail stage of the Privacy and Responsible Information Sharing Bill 2024. As we said at the outset in our second reading contributions, this is very important legislation, especially in the digital age in which information can be shared so quickly across the internet. It is very important that this is managed in a responsible way. That is why we have introduced this legislation—to bring it in line with the legislation in the commonwealth and other states. It is very important legislation, which is why we are so appreciative of its quick passage through this chamber upon its introduction. Once again, I thank the Leader of the Opposition and the advisers who were so helpful at the ministerial table all yesterday afternoon and last evening. Thank you.

Question put and passed.

Bill read a third time and transmitted to the Council.

House adjourned at 7.56 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

MINISTER FOR RACING AND GAMING — LIQUOR STORES ASSOCIATION EVENT

1075. Mr R.S. Love to the Minister for Police; Corrective Services; Racing and Gaming; Defence Industry; Veterans Issues:

I refer to the Liquor Store Association event held on 14 May 2024 where the Minister and members of his staff demanded that non-government MPs and Media be barred from entering the Question-and-Answer session, and I ask:

(a) What was the rationale for this decision by the Minister and his staff; and

(b) Is this normal practice for all events that the Minister attends?

Mr P. Papalia replied:

The premise of the question is inaccurate.

POLICE — VEHICLE FLEET

1079. Ms L. Mettam to the Minister for Police:

I refer to the Western Australian Police Force vehicle fleet, and I ask:

(a) How many vehicles are utilised for purposes other than frontline duties, with a breakdown by vehicle make and model;

(b) How many vehicles are utilised for frontline duties, with a breakdown by vehicle make and model;

(c) How many vehicles have been purchased in the past 12 months, frontline or otherwise, with a breakdown by make and model; and

(d) Are any of these vehicles electric or hybrid and, if so, provide a number and breakdown by vehicle make and model?

Mr P. Papalia replied:

The Western Australia Police Force advise:

(a) 138 leased vehicles as of 17 May 2024

Qty	Make	Model
6	Ford	Ranger
7	Subaru	Outback
4	Holden	Commodore
1	Subaru	Impreza
1	Holden	Equinox
1	Subaru	Liberty
3	Hyundai	Electric Ioniq
1	Subaru	Forester
1	Hyundai	i40
1	Tesla	Electric
1	Hyundai	Santa Fe
26	Toyota	Camry Hybrid
3	Isuzu	Dmax Ute
1	Toyota	Camry Petrol
2	Isuzu	Mux
4	Toyota	Corolla Hybrid
3	Kia	Cerato
3	Toyota	Corolla Petrol
4	Kia	Sportage
1	Toyota	HiAce Van
2	Kia	Carnival

3	Toyota	Hilux Ute
10	Kia	Sorento
1	Toyota	Kluger
5	Mazda	6
1	Toyota	Landcruiser 200 series
1	Mazda	3
1	Toyota	Landcruiser 300 series
4	Mercedes	Vito Van
1	Toyota	Prado
7	Mitsubishi	Pajero
3	Toyota	Rav4 Hybrid
10	Mitsubishi	Outlander
5	Volkswagen	Tiguan
1	Mitsubishi	Triton
1	Volkswagen	Multivan
2	Nissan	X-trail
1	Volkswagen	T-Cross
1	Nissan	Pathfinder
1	Volkswagen	T-Roc
2	Skoda	Kamiq
1	Volkswagen	Passat

(b) 1,562 owned and leased vehicles as of 17 May 2024

Qty	**Make**	**Model**
2	BMW	X5
152	Skoda	Sports Wagon
1	Dodge	Ram
34	Subaru	Liberty
3	Ford	Everest
40	Subaru	Outback
198	Ford	Ranger Ute
77	Toyota	Camry
1	Ford	Transit Van
195	Toyota	Hilux Ute
153	Holden	Commodore
26	Toyota	Kluger
1	Holden	Ute
35	Toyota	Landcruiser Cab Chassis
10	Holden	Colorado Ute
19	Toyota	Landcruiser 200 series
50	Isuzu	Dmax Ute
129	Toyota	Prado
5	Isuzu	Mux
1	Toyota	Landcruiser Workmate
110	Kia	Sorento
72	Volkswagen	Passat
13	Kia	Stinger

107	Volkswagen	Tiguan
8	Mercedes	Vito Van
2	Volkswagen	Toureg
1	Nissan	Navara
42	BMW	Motorcycle
1	Nissan	Pathfinder
19	Yamaha	Motorcycle
5	Mitsubishi	Fuso
15	Mercedes	Sprinter van
2	Hino	Truck
3	Lenco	Bearcat
23	Isuzu	Truck
3	Toyota	Commuter van
2	VW	Crafter van
2	Man	L200 Truck

(c) 20 vehicles purchased in the past 12 months as of 17 May 2024

Qty	**Make**	**Model**
11	BMW	Motorcycle
2	Isuzu	Horse Truck
2	Mercedes	Sprinter Van
2	Toyota	Commuter Bus
1	VW	Crafter Van
2	Lenco	Bearcat

(d) 1 electric vehicle and 39 hybrid vehicles

Qty	**Make**	**Model**
1	Tesla	Model 3 (Electric)
28	Toyota	Camry (Hybrid)
4	Toyota	Corolla (Hybrid)
4	Toyota	RAV4 (Hybrid)
3	Hyundai	i40 (Hybrid)

TRANSPORT — TOW TRUCK INDUSTRY

1082. Mr R.S. Love to the Minister assisting the Minister for Transport:

Please detail the number of complaints relating to tow trucks that have been received by Consumer Protection in the following years:

(a) 2018;

(b) 2019;

(c) 2020;

(d) 2021;

(e) 2022;

(f) 2023; and

(g) 2024 (year to date)?

Mr D.R. Michael replied:

(a)–(g) This question should be directed to the Minister for Commerce.