



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2023

LEGISLATIVE ASSEMBLY

Thursday, 31 August 2023

Legislative Assembly

Thursday, 31 August 2023

THE DEPUTY SPEAKER (Mr S.J. Price) took the chair at 9.00 am, acknowledged country and read prayers.

PAPER TABLED

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

WATER — UPTAKE PARTNERSHIP PROJECT

Statement by Minister for Water

MS S.F. McGURK (Fremantle — Minister for Water) [9.01 am]: I rise to inform the house that on Wednesday, 16 August 2023, I announced the conclusion of a successful four-year trial to improve on-farm nutrient use on farms across the south west of Western Australia. The uPtake partnership project was developed in response to questions from the grazing and fertiliser industries about the national science underpinning phosphorus fertiliser recommendations, and its relevance to south west WA. The project implemented 52 fertiliser trials on 36 farms across the south west of the state, with more than 1 000 farmers and industry representatives attending field days and other events.

Soil testing programs show that more than 70 per cent of grazing paddocks in south west WA have more phosphorus than needed for desired pasture production. Improving on-farm nutrient use also supports the health of our important waterways, as nearly 70 per cent of nutrients entering regional estuaries are from grazing farms. I am pleased to advise that the uPtake partnership project has increased farmer and industry confidence in the science behind phosphorus fertiliser. This successful project has also been the recipient of two national awards: an Australian Water Association award for research and development excellence in 2021 and a Fertiliser Industry Environmental Award in 2022.

To mark the end of the project, two celebration events were recently held in Albany and the Ferguson Valley, with 80 guests attending, including farmers who kindly hosted the trials and catchment groups that facilitated field days. The uPtake project was jointly funded through the state government's Healthy Estuaries WA program and the Australian government's National Landcare Program. I am pleased to advise that the state government's work alongside industry to support implementation of best practice on-farm nutrient management will continue through initiatives including Healthy Estuaries WA.

MENTAL HEALTH — INDEPENDENT REVIEW OF WA HEALTH SYSTEM GOVERNANCE

Statement by Minister for Mental Health

MS A. SANDERSON (Morley — Minister for Mental Health) [9.04 am]: I rise today to table the Cook government's response to recommendations on mental health and alcohol and other drugs governance that were made by the independent panel in the *Independent review of WA health system governance*. In March this year, I advised the house that, because recommendations 14 and 15 of the independent review had proposed significant structural changes to the public mental health system, the recommendations would not be accepted as written. Instead, a time-limited working group would be established to conduct further intensive work with key stakeholders, consumers and carers to examine improved governance, with the ultimate aim of ensuring a recovery-oriented, community-focused and integrated system.

I acknowledge that strong views were expressed during the process. A key issue was the carving out of clear accountabilities and the separation of roles and functions—in particular, the commissioning of services. Fragmentation, lack of clear accountability and lack of whole-of-system planning are consistent themes of three reviews, and those require resolution. The response tabled today demonstrates that the Cook government has heard the views of consumers, carers and family members—those community members who interact with our mental health and alcohol and other drug services. I sincerely thank all those who dedicated their time to the work that has been undertaken.

Cabinet has determined not to accept the independent governance review's recommendation that commissioning and other related functions within the Mental Health Commission should change. Rather, a number of other key measures have been committed to that will see a significant improvement in the underlying governance issues. Measures will be implemented to improve leadership, strengthen accountability and encourage greater collaboration in planning and commissioning mental health and AOD services. Those measures include implementing a meaningful cultural change program, introducing progressive and accountable leadership structures, commencing contemporary commissioning practices, developing a new whole-of-system strategy, developing an outcomes measurement framework, and creating more opportunities for people with lived experience expertise to be employed and involved in our mental health and AOD system.

Further work will commence to determine the optimal governance arrangements for AOD specifically, which will be completed by the end of this year. The process has been challenging for some, and at times difficult, but important. It is important to acknowledge that there is real pain and trauma for some people associated with the mental health system across the country. Equally, there is enormous commitment and dedication from clinicians to improving the lives of people experiencing mental health issues. It is only through that acknowledgement, and a shared understanding, that change can happen. There is no single right way; it is our responsibility to achieve the right balance. That balance will be different for every individual at different stages of their recovery. Our system must ensure that individuals have access to the tools and support that they need, both clinical and non-clinical, at the time they need it. I thank all who participated in this process. I especially wish to thank Mr Ralph Addis, chair of the working group, and the working group members.

[See paper [2204](#).]

SUBI EAST REDEVELOPMENT PROJECT

Statement by Minister for Lands

MR J.N. CAREY (Perth — Minister for Lands) [9.07 am]: I rise to inform the house of a significant step forward in the Subi East redevelopment project, with the announcement of UEM Sunrise to develop the oval precinct. The Subi East project spans 35 hectares and encompasses several key precincts, with the oval being the pioneering development. This ambitious endeavour is set to offer residences to approximately 4 000 individuals, accompanied by an array of shopping, dining and entertainment options. This urban rejuvenation project will introduce new community amenities, including public spaces, sports facilities and recreational areas.

This month, I was pleased to announce that UEM Sunrise has been chosen as the developer for lots 1 and 2 at the oval precinct. It is poised to add an estimated 430 dwellings to WA's housing stock and infuse vitality into the Subi East area. Lot 1 is envisioned to rise up to 30 storeys, while lot 2 is planned for up to 11 storeys. This is the density that we critically need. Importantly, 12 per cent of the dwellings across those lots will be earmarked as affordable housing. Known for its transformational macro-townships, high-rise residential structures and integrated developments, UEM Sunrise has already left a big mark on Melbourne's CBD, with over 1 650 residential units and 7 000 square metres of commercial and retail space. I am confident that it will deliver excellent buildings for us. The design concepts for lots 1 and 2 will intertwine with Subiaco's rich history, creating a cohesive environment that resonates with the community and complements the iconic Subiaco Oval. Positioned behind the western goals of Subiaco Oval and within walking distance of the hubs of Subiaco and West Leederville, lots 1 and 2 will not only contribute to housing, but also foster a sense of community living.

I have been very clear, and on the public record, that we are using every lever available to increase the supply of housing in WA, and the Subi East project stands as a testament to our commitment. The addition of quality, high-density housing options will be good for Subiaco and will breathe life into the surrounding entertainment precincts. The infusion of affordable housing at the oval will diversify housing options and cater to a wide spectrum of residents, fostering a connected community. We are setting the stage for a revitalised Subiaco East, and I look forward to the future of the precinct.

OCEAN REEF MARINA

Statement by Minister for Lands

MR J.N. CAREY (Perth — Minister for Lands) [9.11 am]: I rise to share a significant achievement in the development of Ocean Reef Marina with the recent completion of the outer breakwater walls. As we continue to deliver on our commitment to upgrade the marina, it promises to become one of the most sought-after destinations for water-based recreation. Beyond its recreational appeal, this development will create over 8 600 construction jobs and infuse \$3 billion into Western Australia's economy, making it one of the most crucial development projects in the state. Over the course of the redevelopment project, an impressive 1.25 million tonnes of rock were placed to construct the northern breakwater spanning 670 metres and the southern breakwater extending 1.2 kilometres. In some areas, these breakwaters reach a maximum height of eight metres above sea level. Upon the completion of the next stage of construction around mid-2025, the southern breakwater will be open to the public.

Ocean Reef Marina will also provide a diverse range of residential options, including single residential homes, apartments and mixed-use developments, totalling more than 1 000 dwellings. Alongside the array of shopping, dining and entertainment options, the marina will offer community spaces encompassing more than five hectares. The marina will set a precedent for clean, renewable energy solutions with an innovative microgrid, one of the first of its kind in Australia for a mixed-use marina precinct. The microgrid will harness the power of low-cost renewable energy, primarily generated from a ground-mounted solar array, with rooftop solar to be added as the development progresses. Battery technology will store and deliver this renewable energy within the precinct, while surplus requirements will be met by Western Power's network. The adoption of this renewable energy microgrid is not only an environmentally conscious decision, but also a bonus for customers within the coastal redevelopment as they are expected to save up to 30 per cent on their annual energy bills.

Our commitment to renewable energy aligns with the government's vision to achieve net zero emissions by 2050, and Ocean Reef Marina stands as a great example of innovative development and planning for our state that is delivered by only a Labor state government. I am excited about Ocean Reef Marina and what the future holds for our northern suburbs.

SURF LIFE SAVING WA — DEVELOPMENT CENTRE — MARGARET RIVER

Statement by Minister for Volunteering

MR D.T. PUNCH (Bunbury — Minister for Volunteering) [9.13 am]: I am very pleased to inform the house that on Wednesday, 23 August, I was really pleased to open the new Surf Life Saving WA development centre in Margaret River. It was wonderful to see the completion of this project that was part of the Lotterywest \$159 million COVID-19 relief fund providing support to not-for-profit and community organisations as they emerged from the pandemic. The new centre can accommodate approximately 100 people in lodge-style accommodation and provide facilities for training, equipment storage and administration. It will also provide upskilling for members in surf lifesaving and rescue volunteer training.

As Mr Craig Smith-Gander, AM, president of Surf Life Saving WA, noted at the opening, the growing popularity of south west beaches means that the new facility is ideally located to support regional development and volunteer development, and will deliver amazing experiences for its members and the community into the future. In 2021–22 alone, 5 860 volunteer surf lifesavers across Western Australia performed 101 697 patrol hours and 381 rescues, administered 1 293 first aid treatments and performed 17 862 preventive actions. This demonstrates their commitment and valued service to our community. I want to thank Surf Life Saving WA's volunteers who go out every weekend and during school holidays to keep beachgoers safe. They deserve the best facilities we can offer.

As a regional parliamentarian, I know how incredibly important volunteering is across all regional areas of Western Australia. We are blessed in the south west with some of the best beaches and most scenic coastlines of anywhere in Australia. The contribution of volunteers to support water safety in our communities is vital. I am immensely proud of Surf Life Saving's long tradition of injury prevention and saving lives. I believe that this new development centre will support and expand the outstanding work that Surf Life Saving WA does here in Western Australia.

DISABILITY — MOST ACCESSIBLE COMMUNITY IN WA AWARDS

Statement by Minister for Disability Services

MR D.T. PUNCH (Bunbury — Minister for Disability Services) [9.15 am]: I would like to take this opportunity today to inform members of the recent opening of nominations for 2023's Most Accessible Community in Western Australia Awards. Now in its fourth year, the MACWA awards provide the opportunity for local governments to showcase their commitment to inclusive and accessible communities. Based on local government disability access inclusion plans, the MACWA awards seek to recognise those cities, towns and shires that demonstrate they have exceeded minimum legislative requirements with a creative and innovative approach to buildings and services, public open spaces, communication and employment. Run by the Regional Capitals Alliance Western Australia, with support from the Department of Communities, the awards aim to create awareness and influence public perception to ensure that people with disability, their families and carers are welcomed and included in the community. The four award categories are accessible buildings/facilities/services, public open spaces, communication and employment. Each winner will receive a \$500 donation to assist their nominated community disability organisation, creating an opportunity to deepen partnerships between the disability community and local government.

I look forward to learning about some of the creative and innovative ways in which our local governments are ensuring accessibility and inclusivity at the core of their service delivery. Initiatives such as these awards can encourage a real movement that sees tangible results and better outcomes for all Western Australians. Entries for the MACWA awards close on 13 October 2023 and winners will be announced in December, as part of International Day of People with Disability celebrations. I take this opportunity to acknowledge the Regional Capitals Alliance WA and, in particular, MACWA ambassador and local government councillor Melissa Northcott, for their ongoing commitment to these awards and ensuring that people with disability and their families and carers are welcomed and included throughout the Western Australian community.

PROTECTED ENTERTAINMENT PRECINCTS

Statement by Minister for Racing and Gaming

MR R.R. WHITBY (Baldviss — Minister for Racing and Gaming) [9.17 am]: I would like to update the house with the latest figures of the number of people excluded from Perth's protected entertainment precincts caused by their antisocial behaviour. The legislation to establish protected entertainment precincts in Northbridge–Perth, Fremantle, Scarborough, Hillarys and Mandurah came into effect on Christmas Eve last year. Under the law, a person who displays antisocial, violent or threatening behaviour in a protected entertainment precinct can be issued with a short-term exclusion order by Western Australia police to ban them from all prescribed PEPs for up

to six months. The Commissioner of Police can also apply to the director of Liquor Licensing to issue an extended exclusion order for up to five years. A person convicted of committing a prescribed violent or sexual offence, including drink spiking, in a PEP will be subject to a mandatory five-year ban. The term of extended exclusion orders and mandatory exclusion periods will be suspended for any period that the offender is in prison, which means that they will be excluded for a full five-year term on release. Issuing exclusion orders is another step that the Cook government has taken to reduce violent and antisocial behaviour.

It is no coincidence that the acronym PEP was also the nickname of the late Giuseppe Raco who was the victim of a one-punch attack in Northbridge in 2020. Our government worked closely with Pep Raco's family during the development of this legislation and their tireless efforts to help strengthen our laws and honour their beloved Pep were key to these changes occurring. The successful rollout of the PEP legislation is a significant achievement aimed at creating safer, vibrant entertainment spaces.

As of Monday, 40 short-term exclusion orders have been issued by the Western Australia Police Force. The breakdown is 36 in Perth–Northbridge, two in Hillarys and one each in Mandurah and Fremantle. Two applications for extended exclusion orders have been lodged by the Commissioner of Police with the director of Liquor Licensing.

I would like thank WA police officers for their ongoing work to keep our entertainment precincts safe and the Department of Local Government, Sport and Cultural Industries for its work and amendments to the Liquor Control Act that made PEPs possible. Finally, I must also highlight the relentless work of my colleague and former Minister for Racing and Gaming Hon Dr Tony Buti to drive these reforms.

SPORT AND RECREATION INFRASTRUCTURE — ROCKINGHAM

Grievance

MRS M.R. MARSHALL (Rockingham) [9.20 am]: My grievance today is to the Minister for Sport and Recreation, Hon David Templeman. I thank the minister for the opportunity to grieve today about access to community sport and quality recreational infrastructure in Rockingham.

It is a core belief of mine that everyone should be able to experience the thrill of playing community sport and belonging to a team. Sport is fundamental to Rockingham's community spirit, and we are spoilt for choice with many great clubs for all ages and interests. I take this opportunity to give a shout-out to these clubs and their volunteers for providing a safe and healthy environment for locals to thrive. Thank you to the Rockingham Flames; the Rockingham District Little Athletics Club, my first ever club, at which I was routinely disqualified during the power walk race; the Safety Bay Stingers; the Rockingham and Districts Netball Association, where I played many netball seasons before realising I was not a netball player; the Rockingham BMX club; the Safety Bay Bowls Club, the Warnbro Strikers, which is another former club of mine where I played my first ever season of women's football when aged 15 years; the Rockingham Rams; the Shoalwater Football Club; the Rockingham Tennis Club; the Rockingham Bowls Club; the Rockingham Raptors; the Peel Piranhas; the Rockingham Swim School; the Rockingham Triathlon Club; the Safety Bay Cricket Club; the Safety Bay Tennis Club; the Baldvis Archery Club; the Shoalwater Bay Cricket Club; Safety Bay Little Athletics; and WA Surf in Safety Bay.

Many more clubs just outside my electorate boundaries are also well loved by people in Rockingham, including the Baldvis Districts Football Club, home to my Divas team that I am proud to report is still top of the ladder with three games to go.

Mr D.A. Templeman: Well done, the Divas!

Mrs M.R. MARSHALL: Ha-ha! After that long list of clubs in my electorate, it will not surprise members to hear that Rockingham is a sports-mad community, but people there are hungry for more.

Participating in community sport offers a wide range of benefits. It is well known that sport greatly improves our physical and mental wellbeing by promoting an active lifestyle and strengthening mental resilience. For many people, their local sporting club is the perfect atmosphere to foster social interaction and improve the overall wellbeing, strength and cohesion of individual players and also the broader community of parents, volunteers and spectators. Sporting participants in any capacity, be it coaches, players, referees or volunteers, often relate community sport to their own journey of personal development, and through participation obtain life skills and self-confidence that go beyond the pitch or court.

We also know that the camaraderie and mentorship within community sports and clubs serves as a protective barrier against antisocial behaviour by keeping kids busy and teaching them pride in their community. Centres such as the Rockingham PCYC give disadvantaged children and young people a place to go where they can feel at home, make friends and, of course, play sport while fostering harmonious, safer and more resilient communities.

Last week, I joined my local community radio station, IPL Radio, to talk with Sarah on her Thursday afternoon sports program, *Talking Sport*. IPL Radio is community driven and dedicated to promoting positive health and wellbeing, particularly around the area of mental health. Sarah and I spent a bit of time talking about the benefits of community sport on mental health, particularly the power in belonging to a team of your peers. What I love most about sport is that individuals from a variety of cultures, identities, ages and abilities can unite as a community.

As I have previously mentioned, I am proud to have coached the disability inclusive team at my local football club for two seasons. Every kid should be able to participate in community sport, belong to a team and make friendships and meaningful memories. It is important that all kids experience these benefits. I thank the Cook Labor government for doubling the KidSport program from \$150 to \$300 worth of vouchers per child per financial year. The KidSport program has helped many WA families struggling to cover the cost of registering their children for local sport, and now will go even further by providing funds to cover essential playing equipment and uniforms. I have seen the benefits of KidSport in my community, and I know that many children used this wonderful program when I coached.

Rockingham has a long history of thriving sporting clubs and strong local participation. A lot of clubs in Rockingham have existed for several decades, and, as a result, the facilities are dated and in some cases no longer fit for purpose. There are a few instances of Rockingham clubs moving out of the area when newer facilities are built, such as the Rockingham City Football Club and others, that are now based at the state-of-the-art Lark Hill Sporting Complex facility, 15 minutes away in Secret Harbour, delivered by Mark McGowan.

Growing up in Rockingham, I spent many Saturday mornings playing netball locally at the Mike Barnett Sporting Complex. It is more than 15 years since I last played netball there, and in that time, the indoor capacity has not changed. During the Rockingham by-election campaign, I met with the Rockingham Flames president, Warren Boucaut, and I was disheartened to learn that its basketball club has 400 kids on its waiting list due to lack of court capacity. That is 400 local kids missing out on all the benefits of playing community sport. I am proud that the Cook government will deliver additional courts and much-needed maintenance works at the Mark Barnett Sporting Complex with our \$10 million investment. Rockingham's basketball and netball teams look forward to the new courts that will meet the growing demands of sports-mad Rockingham residents, but there are many more clubs to go.

Investment in sporting infrastructure is great for local communities and generates benefits that extend far beyond the sports field. This investment creates economic prosperity, productivity and local job opportunities, and plays a key role in strengthening our local tourism, hospitality, retail and cultural and arts sectors.

As the local member, strengthening my local sporting clubs and improving access for kids growing up in Rockingham—like I did—is a key priority of mine. The power of these local clubs to strengthen the Rockingham community and improve the quality of life for my constituents cannot be overstated.

Again, I thank the minister for taking my grievance today. Can the Minister for Sport and Recreation please explain what funding is available to improve facilities for these important sporting clubs in Rockingham? Can he also advise what the Cook government will do to improve accessibility for kids and families who want to participate in community sport?

MR D.A. TEMPLEMAN (Mandurah — Minister for Sport and Recreation) [9.26 am]: Yes, I can! I thank the member for Rockingham for her first grievance. The importance of community sport is a very good choice for a grievance, and the member has very eloquently outlined the importance of community sport to her electorate of Rockingham. In highlighting that long list of sporting clubs operating within and just outside the boundary of her electorate, influenced or impacted by its population, it is very appropriate that this grievance should be the member's first.

The member clearly highlighted the magnificent contribution that community sport makes to the health and wellbeing of a community, neighbourhood, family and individuals. Of course, the government is always focused on ensuring children and young people have every opportunity to access community sport and be supported by the tremendous volunteers who work within those clubs. I know that champions have been part of those codes for decades and given their time, effort, expertise, and experience to coach, manage, support and nurture the pathways through sport for children and young people. The member and I salute them and acknowledge their wonderful contribution to community sport in Western Australia.

The Cook government recognises that it has to do a number of things to continue supporting the development of a strong ethos around the benefits of sport more broadly to growing communities. That is why I was really proud that the Premier announced only last week the doubling of the KidSport program. This is a targeted approach to make sure extra support is provided for families who for financial reasons may find it difficult for their children to access community sport. The \$150 voucher that is given to each child each year has doubled to \$300. I am very passionate about this: we looked at how we can extend the reach of the KidSport program. It is really important that children in care and children from migrant backgrounds with a refugee status or seeking asylum are considered.

We know—the member highlighted it perfectly—that creating connections to community support for children and young people means they have a sense of belonging. The member outlined very well that to be part of a team or a code that has children and young people being well trained and coached means they feel part of that team or code. There are huge positive impacts on their mental and, of course, physical health. The member outlined that very well. We have doubled the KidSport funding.

I was very pleased to be with the member when she met with the Flames and the netball people in Rockingham a month or so ago. We made a very important announcement of \$10 million towards the Mike Barnett Sports

Complex for the expansion of the indoor courts and \$2 million to fix the roof, which needs urgent repair. The money is now in place for that project to proceed and we look forward to working with the City of Rockingham to make sure those courts are delivered. I congratulate the member for Rockingham on her strong advocacy for those programs.

The member would be aware of the club nightlights program in her electorate. We are very proud of that program because it is about lighting up fields and playing spaces so fixtures and training time opportunities for men and women, and girls and boys can be extended in community sport. The member asked a question about what the government is doing. She would be aware that in the May budget, we increased the community sporting and recreation facilities fund up to \$22.5 million, within which is the nightlights program. That is up from \$12.5 million so it is an additional \$7.5 million per year for the next two years to make it more than \$20 million. As part of the nightlights program, Stan Twight Reserve received \$1 million towards the pavilion and floodlighting for two ovals. Again, that will make sure children and young men and women who play those codes can have greater access to training and night games. We are pleased about that.

I highlight to all members that streamlining the process is another thing we did with the community sporting and recreation facilities fund. Projects up to \$500 000 have been streamlined. We have increased the maximum grant available through the fund for major projects from \$2 million to \$2.5 million. As I have encouraged members to do, I know many members have been talking to their local governments about priorities in their electorates. We want to see more projects funded. We want to see more changing rooms built so that girls and young women have access to appropriate and adequate facilities because many sporting places at this point do not have them. We are building on that. We also want to ensure that we support people who volunteer, including in administration. That is why we support the KidSport program, which is all about making sure we strengthen layers of volunteerism within sport. Strengthening that aspect means those wonderful people in the Rockingham electorate and all our electorates can do a brilliant job in encouraging sport as a wonderful opportunity for all. I thank the member for the grievance.

TRANSPORT — TOW TRUCK INDUSTRY

Grievance

MR R.S. LOVE (Moore — Leader of the Opposition) [9.34 am]: I grieve to the Minister assisting the Minister for Transport concerning the long promised and greatly anticipated reforms to the tow truck industry. In bringing this grievance, I make no assertions about the heavy tow truck industry that retrieves trucks and buses and is a specialised and highly skilled group of professionals with a good reputation and safety record.

I today detail a case study involving a constituent who lives approximately two hours from Perth. I will refer to them as DM. On 17 May 2023, DM was travelling on the freeway in the CBD in peak hour when another vehicle ran into the back of their car. A tow truck driver with a tilt tray appeared on the scene very quickly and was insistent that DM's vehicle was not driveable, that it was illegal to move it from the scene of an accident and that the insurance would be void if the vehicle was moved. With traffic building up around them, they agreed to have the vehicle towed to the towing company's yard in a suburb some 22 kilometres from the scene of the accident. The authority to tow listed the maximum tow fee as \$3 000 within the Perth metro area, with a salvage fee of \$1 500 and daily storage fee of \$88 excluding GST.

Stranded in Perth without a vehicle, the towing company assisted DM to hire a car for a week at exorbitant rates that the insurance company may well not cover. DM tried repeatedly to contact the tow truck company by phone and email. When the tow truck company did respond two days after the accident, they claimed to have no record of the damaged vehicle in their system. DM's attempts to call and email the tow truck company continued to no avail. Five days later, on 22 May, the tow truck firm still claimed to not recognise the number plate of the damaged vehicle, until DM emailed the towing contract to them. DM's insurance company advised this tow truck firm was known to be difficult to deal with, like others in the industry. Its refusal to answer the phone or emails was common practice in a bid to bolster storage fees. DM had arranged for their vehicle to be transported to a regional panelbeater on 23 May. The tow company advised that all costs, which amounted to \$3 913, must be paid in full. The tow truck firm wanted DM to sign a waiver stating they would not disclose details of the invoice to third parties, including the media. The terms of the waiver were said to be binding and enforceable. DM did not consent.

At this time, DM became unwell and was hospitalised and the family notified the tow truck firm. Many more unsuccessful attempts to contact the tow truck firm were made until finally DM's insurance company received an invoice dated 29 May for the tow to the regional repairer and 29 days' storage to 14 June, at a cost of \$5 972. It was 29 days after the accident and when the tow truck firm was in receipt of \$10 442 that DM's vehicle was delivered to their preferred local panelbeater.

I reference a separate case to further illustrate the rot that continues in the tow truck industry. A Perth resident came to my office after a vehicle accident on 1 May. Their vehicle was held in storage for 23 days following a dispute between the tow truck firm and the insurance company over the \$3 500 bill for towing and storage. Meanwhile, repairs to their vehicle were delayed.

We have heard much fanfare from this government around tow truck reform, but we have seen little action. The *Towing industry consultation report: Outcomes of consultation about options for reforming Western Australia's towing industry* of August 2020 found towing fees charged in Western Australia are often two to three times higher than those of equivalent tows in other jurisdictions. Of course, this translates to higher insurance premiums when consumers already face large cost-of-living pressures. I refer to the government's announcement on 22 March 2022, "McGowan Government to reform WA tow truck industry." In that media release, the Minister for Transport stated that the Western Australian and Tasmanian tow truck industries were the least regulated, and that regulation in Western Australia was long overdue and essential to ensure consumers were properly protected. The then Minister for Commerce, now the Premier, said —

... tactics of some unscrupulous drivers who threaten, mislead and harass people to get business ... needs to be stamped out.

However, 18 months later, these practices continue, with vulnerable victims of traffic accidents caught in the crossfire. We were told the Department of Transport would present reform options to the state government by mid-2022 that might involve legislative change and amendments to the Road Traffic (Vehicles) Regulations 2014. We saw more attention-grabbing headlines on 7 November 2022 when the new regulations took effect to require tow truck operators to disclose maximum fees charged for towing and storage from the scene of an accident.

The two vehicle accidents outlined above both occurred in May 2023. Clearly, the November 2022 regulations have had no impact. Tow truck operators continue to gouge. During budget estimates in May 2022, the Minister for Transport said —

... we are drafting legislation to include maximum charges for towing services ...

...

We will try to get it drafted as soon as we can.

In budget estimates this year, 12 months on, the minister again advised that drafting of legislation was underway and, at that time, *The West Australian* reported drafting of new laws was progressing "as quickly as possible". DM's complaint of 22 June 2023 has bounced between numerous ministerial offices—initially the Minister for Commerce, then the Parliamentary Secretary to the Minister for Commerce. It now seems to have been transferred from the Minister for Transport to the Minister assisting the Minister for Transport. I thank the minister for his work on this and other matters.

Gary Adshead's WAtoday article on 28 August 2023 headed "Tow trucks and death threats: The Perth industry that spun out of control" laid bare the depth and breadth of rot in the industry. Minister, the government has promised to fix the industry. It is clear, as demonstrated by these two recent cases, that despite regulatory changes, shonky practices continue. When will we see promised legislative change? When will we see the government undertake meaningful action and enforcement on this very concerning issue?

MR D.R. MICHAEL (Balcatta — Minister assisting the Minister for Transport) [9.40 am]: I thank the Leader of the Opposition for raising this issue. He is quite right that the unscrupulous and downright corrupt behaviour of certain tow truck drivers and companies in the industry is extremely concerning. I think that I speak for most members of this place in saying that we all get the odd email that comes into our electorate offices with stories that are not exactly the same, but somewhat similar to the one that the member just read out on behalf of his constituent. We know that some operators deliberately target people who are vulnerable to exploitation, which is understandable when someone is in shock after a crash and wants to get out of that situation. Thankfully, these are in the minority and I concur with the Leader of the Opposition's comments regarding the heavy tow truck industry, which does an excellent job removing buses and other heavy vehicles from our roads. There are also many aboveboard towing companies that tend to be small family businesses making a legitimate living. Unfortunately, they, too, can be threatened, intimidated and, in some cases, allegedly bribed when trying to get work out on the roads. In a new and alarming development, which the member mentioned, some of these unscrupulous tow truck firms are now asking people to sign non-disclosure agreements to try to prevent them from being able to complain publicly, post on social media or reveal the details of the exorbitant charges they are being forced to pay. These unscrupulous activities must and will be stopped.

The member for Moore asked when we will see meaningful action and the answer is that work is underway right now at a grassroots level, with legislation to follow. Community consultation carried out in 2020 by the Department of Mines, Industry Regulation and Safety found strong support for the regulation of the towing industry in WA. Support came from the community and the towing industry—those hardworking small businesses. On 21 February 2022, cabinet endorsed the *Towing industry consultation report* and authorised its release. Of the five options presented, the report recommended option 4 to reform the towing industry, and cabinet has approved drafting of legislation for towing industry reform. The proposed legislation will include maximum charges for the towing and storage of crashed vehicles in Perth and Peel; the authorisation of tow truck drivers, towing assistance, towing service providers and storage yard providers who are involved in crash towing, including fit and proper character provisions across

the state; the prohibition of crash spotting fees and other incentives; and I have also asked the department to look at claims harvesting, something new that has come up, with legal firms; safety improvements for the crash towing industry; and enhanced enforcement powers for the government. We expect this important legislation to be debated next year, but in the meantime we are also tackling the problem at ground level.

We are investigating complaints. The Department of Transport provides an avenue for a customer to lodge a complaint when they believe the maximum fees listed on a tow truck driver's statement have been exceeded by the towing company. An investigation request form can be submitted to the Department of Transport in the following cases: failing to declare the maximum value for the tow, salvage or storage of the vehicle; altering the price of the statement after it has been completed and signed by both parties; and overcharging, when the amount charged exceeds what has been authorised by the vehicle owner prior to authorising the tow. We are also engaging with the insurance industry. Last week I met with the Insurance Council of Australia about improvements that will bring WA into line with other states that will facilitate an honest, fair and safe towing industry and still support those small businesses. I have also met with the RAC a number of times to discuss the issue. It advises their members that they are not obliged to engage the first tow truck driver on the scene and to always give RAC a call, because it can normally send out a tow truck that is very much within its insurance policy.

We are also communicating with people who will need to make decisions if they are unfortunate enough to be involved in a car crash. Consumer information is available through the "Be in the know before you need a tow" campaign on the DMIRS and Department of Transport's website. Any organisation can spread this important message through an email campaign, social media messaging or company newsletter that advises people of their rights. The Department of Transport is assisting stakeholders with correct information. If they need help locating it, they can contact the Department of Transport. This also goes for any complaints by sending an email to towingreforms@transport.wa.gov.au. Main Roads is also supporting the "Be in the know before you need a tow" message on its overhead digital signs on the freeway, making drivers aware that in the event of an accident they have the right to decide who tows their car and where it gets towed to. Main Roads will, in many cases, remove the vehicle to a safer location at no cost, if it is obstructing traffic on a major road in the metropolitan area. Unscrupulous tow truck drivers can also now be prosecuted.

Since November last year, tow truck drivers have had to declare the maximum fees that will be charged for the towing, salvage and storage of a vehicle before a vehicle is towed from the scene of an accident. Tow truck drivers are committing an offence if they charge a fee exceeding the maximum fee set out in the tow truck driver's statement. In November last year, the WA government introduced regulatory changes to update how tow truck technical standards apply. These technical standards will be enforced through annual inspections from 7 November this year. This will ensure that currently licensed tow trucks can be assessed as being able to meet the new standards of vehicle safety and road worthiness, and are equipped with the appropriate emergency tools when attending road incidents. It is also proposed that a crash towing authorisation process will include a medical assessment of fitness to drive, a fit and proper person assessment and importantly a review of a national police clearance.

The Cook government is the first WA government to tackle the crucial issue of reforming the towing industry. Given the alleged involvement of organised crime in the towing industry and the reported history of intimidation and physical altercations, some complex issues have arisen. For that reason, it requires a thorough approach and careful consideration is required. I thank the Leader of the Opposition for his grievance, and I am aware of these issues. I am looking forward to working with the opposition and this place on the bill when it is presented to Parliament relatively soon. In the meantime, people have a right to decide who tows their vehicles. They should contact their insurer or Main Roads in the first instance and make sure that if they believe they are being overcharged or unscrupulous behaviour is happening to contact the Department of Transport for investigation, because they will, and we can, hold some of these towing companies to account.

E-WASTE

Grievance

MS C.M. ROWE (Belmont) [9.46 am]: My grievance today is to the Minister for Environment and it relates to e-waste. According to the World Bank, it is estimated that over two billion tonnes of solid waste is generated annually around the globe. High income countries, including Australia, account for 16 per cent of the world's population; however, they generate around 34 per cent, or 683 million tonnes of the world's waste. It is predicted that global waste will grow to 3.4 billion tonnes each year by 2050, more than double the rate of population growth over the same period. This is not a small problem by any stretch and e-waste is a significant contributor to our waste footprint.

E-waste is electronic and electrical waste—old, unused or broken electronic appliances, items with a circuit, a battery or a cord. Electronic appliances and equipment such as phones and computers have become a critical fixture of our everyday lives; however, it is patently clear that, globally, the way in which we produce, consume, and dispose of e-waste is thoroughly unsustainable. Each year around the globe, the amount of electronic and electrical equipment consumed increases by 2.5 million metric tonnes. According to a report, *The global e-waste monitor 2020* —

In 2019, the world generated a striking 53.6 Mt of e-waste, an average of 7.3 kg per capita.

With high levels of consumption of electronic products, in conjunction with their short life cycle and very few repair options available, they are too often disposed of, generating a waste stream that contains not only hazardous, but also valuable materials that can end up in our landfill. By weight, however, around 95 per cent of e-waste can be recycled. E-waste can contain valuable materials such as precious metals, rare-earth elements and other resources that are essential for manufacturing new electronic devices. By properly managing and recycling e-waste, we can recover these valuable resources and reduce the need for mining and extraction, which clearly have their own environmental impacts.

The United Nations reported in 2019 that each year the world produces 50 million tonnes of e-waste worth over \$62.5 billion. Only 20 per cent is formally recycled. The United Nations forecast that, globally, waste production will reach 120 million tonnes by 2050. E-waste is improperly disposed of and can lead to environmental hazards. That is why it is important to raise awareness about proper e-waste disposal methods and encourage the recycling of electronic waste. Proper e-waste management ensures that these harmful materials are safely removed and treated, preventing their negative impacts on the environment.

I was really delighted to join the minister earlier this month in my electorate for a tour of Total Green Recycling's Welshpool facility. It is doing some incredible work, and we saw that firsthand on the factory floor. The work it is doing is really important from an environmental point of view, and I am really happy that our government continues to support the initiatives that it is undertaking at the facility in Welshpool. Total Green Recycling reports on its website that Australians are throwing away 32 000 electronic devices every day and highlights the challenges of collecting those devices in order to recycle them. A big challenge is clearing the devices of all the personal data, and that is something that we talked about at length. Given how technology-driven society has become and how advanced it will be in the future, I believe that a significant campaign around proper e-waste disposal can have an immense impact on sustainability. It is important to invest in companies like Total Green Recycling that seek to meet the increasing demand for responsible e-waste management.

As we continue to address the growing concerns of the impacts of climate change, it is essential to explore every avenue that can contribute to our collective efforts towards a more sustainable future. I thank the minister for taking my grievance and ask how our Cook Labor government aims to tackle the growing challenge of e-waste to promote sensible disposal methods across Western Australia.

MR R.R. WHITBY (Baldivis — Minister for Environment) [9.52 am]: I thank the member for Belmont for her passionate advocacy for all things environmental. Fabrics, clothing and textiles were included in the past and, now, e-waste has been included. We seem to make a habit of traipsing around recycling sheds, getting our hands dirty and seeing big television screens come in and people getting the valuable material out of them.

As the member rightly pointed out, the Cook Labor government is again leading the country in its approach to dealing with waste issues. This time, it is about e-waste. We know that our lives are filled with computers, mobile phones and all sorts of electronic gadgets. Who does not have a cupboard, drawer or box at home filled with things that we are not quite sure what to do with? We do not quite want to get rid of that phone or laptop because it is valuable, but we do not use it, so what do we do with it? E-waste is a growing problem. In 2019, as a nation, Australia generated 521 000 tonnes, or about 20 kilograms per capita, of e-waste. That is 20 kilograms of e-waste for each person. By 2030, that is expected to increase to 23 kilograms for each person a year. It is increasing. It is getting worse.

E-waste that we no longer have a use for can contain—this is the kicker—valuable ingredients. It can contain precious metals such as gold, copper and nickel, and rare materials with strategic value such as indium and palladium. These materials that we have spent a lot of time digging out of the ground are used in these gadgets and things that we want to throw out. It is a valuable resource that is going to waste. E-waste can also contain hazardous materials that should be collected and recycled correctly to prevent harm to human health. In 2019, it was estimated that only about one-quarter of the e-waste generated in Western Australia was recycled. This can and must be increased. Western Australia's existing e-waste recycling industry has the potential to manage much more e-waste than it does currently. Because of that, the Cook Labor government has committed to banning e-waste disposal to landfill from next year. The scope of items to be included in the initial ban includes those that are covered under national product stewardship and have a market for collection or recycling and may contain materials of value such as precious metals.

When designing the implementation options, it was a key factor to consider the learnings from other jurisdictions to ensure that we work to national harmonisations to limit the risk of perverse outcomes. Consultation on the implementation of the ban was opened to industry and the community from January to March this year. Three options were provided for feedback and submissions. The preferred option for implementation included new regulations to underpin the ban, with support provided to industry through grants funding for infrastructure to collect and process e-waste. In response to the consultation, 27 submissions were received with comments between January and March. Overwhelmingly, the responses were in support of the ban. The Department of Water and Environmental Regulation has responded to issues raised around the scope of items to be included in the ban and the impacts to regions, local governments and charities. It is important to note that the implementation options are not prescriptive in how e-waste is to be collected; rather, local governments may tailor collections and choose options that work best for them. The Cook Labor government will continue to advocate for improvements to national product stewardship schemes, particularly when the full costs of collection and management are not adequately accounted for currently.

As the need for e-waste management collection and processing systems increases, the Cook Labor government is providing funding of more than \$10 million through the infrastructure grants program for infrastructure projects that will help support the creation of recycling industry opportunities for local governments and regions. The recipients of round 1 grants were announced in July and 21 projects will share in more than \$6.5 million to develop Western Australia's recycling capacity. Earlier this month, I had the great opportunity, along with the member for Belmont, to meet representatives of one of the recipients of these grants, Total Green Recycling in Welshpool. We got involved and looked at the amazing work being done there. The facility was awarded over \$2 million in the first round, which will see it increase its capacity to process e-waste to 5 000 tonnes a year.

The Department of Water and Environmental Regulation is also working with other state agencies to support and encourage innovation in e-waste recycling. An e-waste technical advisory group was formed in June 2023 and is targeting consultation with industry to provide support with the drafting of regulations to underpin the implementation of the ban.

Regulatory obligations of the ban are proposed to be placed on e-waste service providers, including those collecting, processing and managing items. The obligation will focus on responsible source separation, storage, treatment, processing, management, record keeping and reporting of e-waste. E-waste materials not included in the initial ban include photovoltaics and solar panels. There is national action to implement regulatory product stewardship of those materials. This will help drive change and create pathways for this category of e-waste, which, as I said, includes solar panels.

Work has begun on a communications and education campaign for the ban, and future consultation with the collection networks is anticipated. Future incentives and financial assistance programs for re-use and refurbishment, which are also very important, will be considered and informed by monitoring and information data collected during the stages of the ban.

Addressing the rapidly growing stream of e-waste is a crucial component of the Cook Labor government's plan to reduce waste generally. I am proud to be part of a government that is taking this important step towards our goal of a circular economy. The banning of e-waste disposal to landfill will mean that we are not only recovering valuable materials that would otherwise be lost, but also protecting the environment, creating sustainable jobs and building sustainable industries. As I said before, if there are valuable parts in componentry and circuit boards, why on earth would we bury it when we are also digging it out of the ground somewhere else?

I thank the member for Belmont for her commitment to and engagement with her local community and for her passionate support for the environment and managing our waste.

PETRA WESTKEY — WORKERS ACCOMMODATION, KALBARRI

Grievance

MS M. BEARD (North West Central) [9.59 am]: Today I grieve to the Minister for Lands to seek answers on behalf of the Kalbarri community on the status of the much-hyped workers accommodation project at Wood Street. Two and a half years have passed since the original promise was made by then Premier Mark McGowan on 10 March 2021, yet this project still looks as far away from completion as it did on that sunny day in March, as was promoted on the Facebook post I have here. After so long, how has nothing progressed on this project? We seem to be back at square one. This seems to be another clear example of the government making another significant promise versus a gap in delivery. The Kalbarri community has been patient and has worked hard to bounce back after cyclone Seroja, and this is an important piece of the puzzle for its recovery. After the recent revelations around the status of Petra Westkey (WA) and the government's withdrawal from negotiations, the community want to know what that means for the project. The minister has been the Minister for Lands since December 2021. He was in local government prior to that, and has strong links to this project. As the minister responsible for the appointment of Petra Westkey, the lack of action and communication with the community of Kalbarri is concerning.

This brings me back to a question asked in this place during the last sitting week when it seemed that the minister may have been caught off guard and was unaware of the operational status of his hand-picked proponent. *Business News* has seemingly done more due diligence on this, as has the revelation unearthed by the opposition. I come back to the original promise of 10 March 2021. How does the history of this project align with the minister's commitment to fast track the development, as published in this Facebook post back in March 2021?

Politics serves up some good synergies at times, and this was the case last sitting week when it came to the opposition's attention that Petra Westkey looked to have shut up shop in the north of Perth. This new information came to light around 16 August, which coincided with the 12-month anniversary of the announcement that Petra Westkey was the preferred proponent for the redevelopment of the Wood Street site. A media release on March 2022 stated —

“Kalbarri's economy relies heavily on seasonal tourism, and by delivering a new worker accommodation facility, we are supporting the long-term sustainability of local businesses and industry in the town.

...

“We look forward to working with industry to see this great opportunity realised.”

This is again a great intent, but there is seemingly a lack of delivery, which is simply not good enough for the Kalbarri community, which needs some form of certainty. The community has a number of outstanding questions, which rightly deserve answers. The community needs certainty that at some point there will be workers accommodation. What due diligence did the minister do to make sure the proponent would be able to deliver the promise, before it was hand-picked in August 2022? Why did the state government withdraw from negotiations with its preferred proponent around Monday, 28 August 2023? Has the land title been given to Petra Westkey, and what stage is this up to?

One of the community leaders in Kalbarri, Melissa Finlay, has kept close tabs on the project and is an active and forward-leading community role model. Melissa penned a letter to the Minister for Regional Development, which stated —

The commitment to provide suitable and affordable housing for workers in our region was met with great enthusiasm and hope by the local community. This initiative was not only expected to enhance the quality of life for workers but also contribute to the overall growth and development of our region. The shortage of appropriate housing has been a long-standing issue, adversely affecting the well-being of those who contribute to the development and progress of our community. The sudden suspension of operations by the appointed company has caused a wave of uncertainty and disappointment among the local residents who were eagerly looking forward to the positive changes that this accommodation project promised to bring. The current situation raises questions about the future of this project, the fate of the allocated resources, and the subsequent impact on our regional development goals.

These are not my words; these are the words of a concerned community member looking for answers. The community wants clear and transparent communication. It wants to know what will happen to the resources if the proponent does not progress. It wants to know what due diligence was undertaken by the Department of Planning, Lands and Heritage before choosing Petra Westkey, and what is the department and the minister are doing to get to the bottom of this mess? How does the lack of transparent answers about the interactions between the minister's department and Petra Westkey, as highlighted by responses in the other place to Hon Martin Aldridge, align with gold-standard transparency rhetoric, which was to be a hallmark of this government? The eagerness and excitement that existed for this project has been replaced by exasperation, exhaustion and false dawns. Although I can pre-empt the minister's response to today's grievance and the pivot that the minister will no doubt claim to have delivered on the election commitment to make land available for workers accommodation in Kalbarri, this does not wash with the local community given the announcement made in 2021.

The clear intent and impression given during the state election was that the government would deliver workers accommodation in Kalbarri, which has not happened and seemingly may not happen. My impression is that perhaps the government realised that this project was going to be a struggle to deliver, and I acknowledge that there are issues within the building industry at the moment. Even then, with the reduced target in the delivery of the land and in securing a proponent, the community sees it as a failure of a promised delivery. When we have local businesses renting six properties to house the temporary workers it needs, it pushes more long-term renters out of the market, which compounds the demand and housing pressure the regions have grappled with over recent years. Amidst another busy tourism season and the worst housing crisis WA has ever seen, small businesses and local governments are once again left carrying the burden. The community is at its wits' end, and its tolerance for this uncertainty on the project is rightly at a low ebb.

On behalf of the Kalbarri community, I implore the minister to take urgent action to sort out this project and provide the community with some clarity and a pathway forward, with close consultation to deliver the outcome it was promised and it expects. Over the next 560-odd days, I will keep raising the status of the project to ensure that community members understand where this will land and what it might mean for them. I feel it is not the time for spin and we need a commonsense and collaborative approach to try to find solutions for people who are desperately in need of workers accommodation.

MR J.N. CAREY (Perth — Minister for Lands) [10.05 am]: I thank the member for the grievance. I have to say that I am disappointed by the approach of the member for North West Central and her misrepresentation about this and incorrect information in media releases. As a minister, my office and our approach is to always work to be collaborative. Opposition members have come up to me this week to thank my office for the approach that we take to work with members of Parliament on a range of very difficult issues. In fact, a prominent member of the upper house came up to me to thank me for my office's approach. Therefore, I am disappointed that the member took a different approach and misrepresents the position that we took to the community, and that she actually made a false statement in her media release. It is very disappointing. It does the member no good, and it does not help the member's advocacy for her local community.

I want to put on the record, very clearly, the circumstances. Our department worked closely with the Shire of Northampton to identify suitable locations for a workforce accommodation facility. Lot 997 Nanda Drive was the site originally identified by the shire. In July 2021, the Department of Planning, Lands and Heritage expedited granting the shire a management order with the power to lease for up to five years over lot 997 to enable the

pursuit of short-term temporary accommodation. However, and rightly, the shire conducted further investigations, and notified the department that lot 997 was not suitably serviced with sewerage, water and power to support the development. The shire also raised concerns regarding the difficulties of the terrain.

As a result of the shire's investigations, my agency made available a proportion of lot 511 Wood Street adjacent to the recreation area and Murchison River Caravan Park. This was to be via registrations of interest from early to mid-2022. This site has an area of 6 740 square metres and is under the management of the shire. The shire agreed to surrender the management of this proportion of the reserve. However, due to the restricted zoning, workforce accommodation was not permitted at the site. My agency then assisted the shire to prepare a local planning scheme amendment that rezoned the site to enable the development of workforce accommodation. The amendment was initiated in early 2022, endorsed by the council in mid-2022 and lodged for final approval with the Western Australian Planning Commission in August 2022. A recommendation was then made to the Minister for Planning in late October 2022. That gives members some context and history of the project, which was not the approach the member for North West Central made, which just glistened over it. The process was that my agency worked with the shire. The original site was deemed inappropriate and then we had to work through a planning process for the new site.

Prior to the impact of the cyclone, we made a very clear commitment to make state-owned land available, and we launched the expressions of interest process. We delivered on that commitment. It was a competitive process and Petra Westkey was named the successful proponent. The department undertook due diligence, as it would for any housing project. The agency's advice was that Petra Westkey was no longer considered viable. After receiving that formal advice, my office and I acted decisively to approve the withdrawal from negotiations.

I find the use of the terminology "hand-picked" offensive because there was a clear process. I understand there was wheeling and dealing under the opposition's government, and we saw that with the financial risk Goldmaster left to taxpayers. There was a clear process; I did not intervene in that process and hand-pick a proponent. It was a recommendation from the agency, with a clear probity process.

I want to be clear on this: the department did not enter into any financial or contract agreement with Petra Westkey. It was a private development for which the state provided the land. We see a continued misrepresentation by the local member on this issue. The government made a commitment to make the land available, and it was a very detailed and exhaustive process, as I described. There was no financial risk or loss to WA taxpayers. Again, I compare it with the opposition's process with Goldmaster. I will come back to Parliament to report on the loss to taxpayers that was a direct result of its government's mismanagement.

We undertook the due diligence. These processes are long, and a significant amount of time is invested to make sure of the finances and to work with the proponent before we enter into any contract or hand over the land. That is the difference between our side of politics and the opposition's side; we have a very clear process. The process is not quick for the exact reason that we want to ensure that due diligence is undertaken. We undertook and stand by that process.

RAIL SAFETY NATIONAL LAW APPLICATION BILL 2023

Second Reading

Resumed from 30 August.

MR D.A.E. SCAIFE (Cockburn) [10.12 am]: Yesterday, prior to private members' business, I spoke briefly on the Rail Safety National Law Application Bill 2023, and gave members a potted history of the Fremantle line when it ran all the way to Robb Jetty and the abattoir. It will not surprise members to know that that was not really what I wanted to speak about on this bill, but I did what was necessary to get us through to private members' business.

With the chamber's indulgence, I will move to the bill itself and some of the rail issues I would like to raise on behalf of my constituents. As I noted yesterday, this bill is important because it will harmonise rail safety laws across Australia, and that will provide greater certainty for rail operators, rail users and workers.

I want to speak about the operation of the Kwinana freight railway, which passes through the suburbs of Yangebup and Beeliar in my electorate. At the outset, I say that the freight line is an essential piece of infrastructure for Western Australia. It carries hundreds of bulk and container trains, which carry important export commodities, like grain, across the state, and many goods that we import and rely on to support our standard of living. However, the line is also the cause of some problems in my electorate. As the population of Cockburn has grown, housing in Yangebup and Beeliar has encroached on the rail corridor. One of the stories of the development of Cockburn is urban encroachment on what were previously industrial precincts. Most significantly, in my neighbourhood of Beeliar, the Beeliar housing development, which began in the early 2000s, has encroached considerably on the buffer zone for Cockburn Cement, which means that Beeliar and Yangebup residents experience significant dust and odour issues because of the operations of the Cockburn Cement plant. The reality is that Cockburn Cement has been there for a long time, since the 1950s, but the expansion of urban development closer to the industrial precinct has led to issues.

Similarly, the encroachment of urban areas like Beeliar and Yangebup on the Kwinana freight line has caused issues. As a result of the encroachment, we now have housing in Yangebup and Beeliar on either side of the freight line, and those areas are affected by significant noise problems, which became worse as the line became busier. One area that is particularly affected is around Coppito Circle and Wauhop Circle, which are on either side of the rail line in Beeliar. Not long after I was preselected as the Labor candidate for Cockburn, in late 2020, I was approached by Gino Curcuruto, a resident of Coppito Circle. Gino came to a mobile office that I ran with the federal member for Fremantle, Josh Wilson, MP, and raised with me his concerns about noise from the rail line. Gino complained that the trains passing by his house caused noise and vibrations that kept him and his family, including his young daughter, awake at all hours of the night. I spent quite some time at Gino's house waiting for trains to go past so I could experience the issues firsthand. His house is significantly affected by noise from the line. I think it has become worse because the line has become busier.

I welcome things like record grain harvests because they are a boon for our state, but they also mean that traffic on the rail line, and the part of the line that runs through Beeliar and Yangebup, has become very busy in recent years from CBH trains passing through. This means that people like Gino and his wife, Cecilia, experience significant disruption from the line. The noise is magnified for their house and perhaps for the houses on either side of it because the houses are raised on an embankment along that section of the line. The houses sit on the same level as the line, so nothing breaks the noise from the train line. There is no mound of earth or noise wall, and there is not really any fencing. The fencing that is there is too low to block any rail line noise from their house.

As I indicated, I took Gino's complaints very seriously. I went to his house and met with him on a number of occasions. I held a mobile office at the end of his road to talk to other residents. I made representations to the Minister for Transport and to the operator of the rail lines, Arc Infrastructure. As a result of those representations, Arc Infrastructure met with Gino and other affected residents at my office, and after that meeting, Arc Infrastructure announced that it would invest in upgrades to the line infrastructure around Beeliar Drive.

I put on the record that I appreciate Arc Infrastructure's efforts and how it has always been responsive to residents' concerns and my representations. I also put on the record that I recognise that Arc Infrastructure's efforts have not resolved the issues that Gino and his family face. I know that not only because Gino has continued to raise complaints with me, but also because I was most recently approached by another constituent, Mark Gazia, who lives on Wauhop Circle, which is on the other side of the line from Coppito Circle. Mark has diligently raised his concerns with me, the City of Cockburn and Arc Infrastructure. Although Arc Infrastructure has provided an explanation for some of the recent increases in noise along the line in Beeliar, it has not been able to resolve those issues. I will continue to advocate on behalf of Gino and Mark and other residents in Coppito and Wauhop Circle in the hope that a satisfactory resolution can be delivered. I have been up front with my constituents and I recognise that eliminating noise from the rail line is difficult. It is particularly difficult in the section where it passes through Beeliar. However, I want to put on record my dissatisfaction with the level of noise that residents of Coppito and Wauhop Circle experience and I am asking Arc Infrastructure to take further steps to attenuate the noise from the rail line in that area. I am agnostic about what those efforts might be. I am not an engineer by any means, so I will leave it to the experts. I certainly urge Arc Infrastructure to take the concerns of those residents seriously and to invest in upgrades to the rail line along that section to lessen the disruption that is currently being experienced by my constituents.

I would now like to move to another significant rail issue affecting my electorate, which is, of course, the construction of the Thornlie–Cockburn Link, or as I like to call it, the "Cockburn Line". I was pleased to recently see an announcement from the Minister for Transport that work is commencing on the construction of 11 kilometres of new rail for the Kwinana freight line between the Kwinana Freeway at Jandakot and Spencer Road Bridge at Canning Vale. The construction of the new section of freight line will allow the old section of the line to be removed to make way for the Cockburn line passenger rail to be constructed.

My investment in the Cockburn line is obvious. It is another significant piece of infrastructure for my electorate and the community. It is going to cement Cockburn Central as the metropolitan capital of Perth's southern suburbs—the second CBD. The Cockburn line will drive activation in Cockburn Central by making it easier for people to access existing and current services like Cockburn Gateway Shopping City, the Cockburn Aquatic and Recreation Centre and the future Jandakot wave park, which I know residents of my community are very excited about.

On that note, Cockburn Central is a precinct that has a lot to offer. As I said, it has the shopping centre, the future wave park, the Cockburn ARC and an industrial area alongside it. However, if any members have been there recently, they would have been seen that there is a lot of vacant land there and a lot of work that still needs to be done because that precinct has not reached its potential. My hope is that the Cockburn line will create another impetus for the government, private sector and the City of Cockburn to drive activation of that precinct. Given that the new train line will unlock ease of access to Cockburn Central for people across the southern and south-eastern corridor of Perth, I think it will make Cockburn Central the logical location for businesses seeking to service that southern corridor. I am also confident that that ease of access provided by the new train line will attract larger service providers to the area in sectors like health and education. I can say that I have been working closely with the Minister for Lands in recent months to make sure that we maximise the prospects of using the land around Cockburn Central for those sorts of offerings.

I am really hopeful that in the future we will be able to attract a tertiary level education facility to Cockburn Central. It seems to me that it is the logical location for a satellite facility for one of our state's universities. In that respect, I note that the federal government is running an independent review into providing accessibility to university studies to outer metropolitan and regional parts of Australia. As part of that review, I think that that independent panel should give really serious consideration to Cockburn Central as a convenient location with available land, transport infrastructure and a series of complementary services like Cockburn ARC and the shopping precinct that would make it an attractive location for a university satellite campus that could service students who live in Kwinana and Rockingham, but even as far away as Thornlie, Armadale and Byford by virtue of the new rail link. We know that those areas are underrepresented when it comes to young people attending university. I think establishing a facility in Cockburn Central would go a long way to making sure that students in those underrepresented working class areas can access university education without having to go all the way to Joondalup for Edith Cowan University, Bentley for Curtin University or Crawley for the University of Western Australia.

The final issue that I would like to touch on is a topic that the couple of other members have mentioned, that is, this government's commitment to rail manufacturing. It is a point of pride for me to be part of a government that has brought rail manufacturing back to Western Australia. As other members have said, it was the Court Liberal government that shut down the Midland rail workshops. That was an absolutely shameful era in the industrial policy of Western Australia. Those Midland rail workshops produced generations of highly skilled workers, stable secure jobs and apprenticeships for young people. That meant that those young people went on to become the skilled workers of the future to work in our manufacturing industries. The loss of the facility was significant. Of course, the government made the commitment quite early on a number of years ago while it was still in opposition that it would bring rail manufacturing back to Western Australia. That was dismissed by the Liberal–National government at the time. I think the former member for Scarborough Liza Harvey was particularly very dismissive of the prospect. It was really gratifying for me to go on a tour of that facility a couple of months ago to see the new rail assembly facility in Bellevue, which is leased by Alstom Group Australia. It is a really impressive facility. I think we are doing something like 55 per cent of the value of the total chain that it takes to manufacture a rail car at that workshop in Bellevue. This is high-tech advanced manufacturing and is producing exactly the types of jobs that this government committed to provide and is doing that at the same time as bringing back an industry that the Liberal and National parties gave up on.

I want to pay tribute to someone who I know has been mentioned in this place before, a bloke named Neil Byrne. Neil was a great friend of mine and of many people in this place. I was also fortunate to do my early years as a lawyer with his granddaughter Courtney at Slater and Gordon. Neil was an absolute lion of the labour movement. He was one of those unassuming characters who just beavered away at the hard work without any expectation that he would get anything in return for it. When Neil was talking about the railway workshops and bringing back rail manufacturing in those early days, I think even some of us probably thought that it would be unlikely that we would see that in the future. However, Neil was steadfast in his advocacy. He did not get to live to see the final facility, which is a shame. I am sure there is something already there like a plaque, but maybe one day the facility itself should be renamed the Neil Byrne Memorial Rail Manufacturing Facility. That is certainly something that I would love to see. On that note, I conclude my comments and commend this bill to the house.

MR P.C. TINLEY (Willagee) [10.29 am]: Bills like the Rail Safety National Law Application Bill 2023 that is before the house today are, on the surface, almost administrative in their nature and often go past unnoticed or without too much comment. It has been very interesting to hear the contributions from other members, which ranged around the impact of rail in their communities. We just heard from the member for Cockburn about existing lines getting upgraded. He talked about the impact of increased urban development and industrial activity that creates a burden on the community in some parts but obviously has a net benefit over a long time.

I want to take my comments on rail safety, railways and their contribution to the community to a more national thinking. This is harmonisation legislation, done under the Council of Australian Governments, whereby a host jurisdiction identifies the needs and starts the legislative change. Others follow suit in accordance with the agreements reached at COAG, of which this bill is one. There are a lot of swings around on police involvement in drug and substance testing for the purposes of safety. In relation to Western Australia, this legislation creates an interesting issue because one of the most important pieces of rail infrastructure to Western Australia is, of course, the national railway—the Trans-Australian Railway. There is no better evidence of its importance than the recent floods that knocked it out for a significant period and the shortages and concerns it created for our community. As we went through the COVID-19 pandemic, we also realised how important it was to keep those links with the east coast. We often talk about harmonisation in the form of this legislative response but, in part, it comes at the end of a long history of the integration of Federation. Rail is a very good expression of the evolution of that integration. In fact, the Trans-Australian Railway as we know it is almost a metaphor for the tenuous connection between the largest state in the commonwealth of Australia—the only state facing the Indian Ocean—and a third of the continent. That rail line takes on a significance—if you like, a tether—to the east coast as in some form or other, it was the only connection. We often hear stories of federal members of Parliament having to go to the east coast by rail for weeks on end as that was the only way to travel—by rail or ship. That is not so much the case now with air travel, but we still have a very limited link.

We often talk about harmonisation. There is no better example of disharmonisation than the rail gauge mistake. Everybody knows that the Trans-Australian Railway, famously, could never meet up because different gauges were used. It is often thought that that was a singular mistake of engineering or administration but, in fact, it is not; it was a quirk of Federation. Prior to Federation, each of the colonies had jurisdiction over their own domain, particularly in relation to rail. In fact, there were three different gauges of track throughout Australia. As I said, it is a circumstance of European settlement rather than a mistake. The colonies acted independently and there was no standardised gauge. In fact, the idea of standardisation at any level did not come out until post-Federation. As the economic growth of each state improved, it created interoperability issues between states and the capacity to trade and move goods around, particularly agricultural goods, which were always hampered by an inability to move volumes more easily. There were obviously break points along the line, which made it very inefficient as product was moved from one gauge to the other. The lack of uniformity and interoperability created a challenge around the efficiency of transport.

Just very quickly for the record, three gauges were identified. The standard gauge was four feet, 8.5 inches or 1 433 millimetres. It was the most widely used gauge globally and used in the eastern states of New South Wales, Victoria and South Australia. These states developed more rail networks that were more closely connected to international trade routes. With development of the country from the east coast to the west, it achieved that sort of attention. The second gauge, a little less common, was the broad gauge, measuring 1 600 millimetres wide. It was also used in Victoria, but it was influenced in large part by that famous British engineer, Isambard Kingdom Brunel. For those who understand engineering history, he was quite the icon. He designed things like the Great Western Railway in the United Kingdom. He was such a talented engineer, he designed the first propeller-driven ironclad ship, the *SS Great Britain*. He significantly influenced the engineering decisions made by various states in the commonwealth.

We all know of the narrow gauge. Queensland, Western Australia and Tasmania adopted narrow gauges for their rail networks. As the name implies, it is obviously narrower than the standard and broad gauges. They were often chosen because they reduced construction costs and provided capacity to navigate challenging terrain. This piecemeal approach might sound chaotic but it is very understandable when we consider the development of the country and how each of the colonies made their decisions as they independently moved towards their own economic objectives.

As I said, the consequence of having different rail gauges is obvious—the efficiency of the transport systems between states. We should not forget that at the time, we did not have a very large interstate road network; rail and coastal shipping were the two main ways of moving mass goods around. Obviously, the interoperability issues affected time and cost. It would be fair to say that they also hindered the development of a national transport network. During the First World War, they also had military implications. The capacity to move troops and/or logistic support from one side of the country or from north to south was significantly hampered. National security implications largely drove the idea of an ambition of a national railway.

The construction of the Trans-Australian Railway began in 1912. As I said, it was built in response to the growing tensions in Europe and the potential for Australia to be left vulnerable in the Indian Pacific, and particularly made it vulnerable on the west coast with the Indian Ocean. The Trans-Australian Railway project created providence during World War I and was seen as strategic infrastructure that was required for the defence and growth of the nation. There were two main sections of the railway, built from opposite directions—east to west and west to east—at simultaneous times. The east to west section was started at Port Augusta and moved west and the west section simultaneously began construction in Kalgoorlie. The two sections of the Trans-Australian Railway met at a point called Ooldea, approximately halfway across the continent. It was connected in 1917, just as the war was coming to an end. It was obviously a major achievement for its day and was celebrated. It marked the first time we had a continuous rail link between the west coast and the east coast.

Over time, many narrow broad gauges were converted to what we now know as standard-gauge rail. Apparently, some legacy gauge lines still exist today. As I said, the significance of this was fairly obvious. It was a significant milestone in Australian transportation history. It obviously improved connectivity. It, of course, was of strategic importance to the security of the country and allowed for the economic impact of Western Australian goods finding their way to the markets of the east coast. Almost a metaphor, it created a symbol and sense of unity. Do not forget it was 1917, after Federation, and it was all bedding down. We started to develop a national identity. As the colonies transformed from the various colonial identities to a more national one, Western Australia developed its own.

While debating legislation in this place we often spend time considering the nature of this community called Western Australia. What is it to be Western Australian? What is it to understand our own narrative and sense of place? The railway lines and the rail system that support the city of Perth, which contains nearly 75 per cent of the total population of Western Australia, and, more importantly, the transcontinental railway, contribute to that Western Australian identity. We often talk about Perth as the most isolated capital city in the world, but we are really not. We are isolated from Canberra by distance, but we are closer to Jakarta than Canberra. Our connection and identity is informed by those historical and geographic circumstances. We embrace our connection to the Indian Ocean. Similarly, our parochialism is fed in large part by our isolation and our location between the desert and the sea. Our isolation has protected us, too. In very recent memory, if we reach back to COVID, the success that

closing down the state to prevent the disease taking more Western Australians was in large part due to our isolation and capacity to separate ourselves from the rest of the country. Many here have talked about the secession movement, which also represents a part of our personality, by which we see ourselves as rather separate.

That is why the rail line had a significance well beyond the simple laying down of track and the inclusion of Western Australia in the Australian narrative. It is really important that we understand the significance of these things. As we grow in identity and change our self-view, if you like, things like Metronet take on a significance as well. They impact our psyche. As we grow a really good, strong, robust mass transit system, we will see people identify more with their village—their area. Do not forget that this city is 147 kilometres long, so the capacity to move around it is really limited other than by using cars. Increasing the amount of rail that can move a lot of people in a short time with efficiency is fundamentally important to people viewing themselves as being part of a modern, vibrant, livable city. That is fundamentally important.

But with every technology comes consequences. In Western Australia, like the rest of Australia, as the rail networks grew, so did issues of protecting users of the transport system. I wandered through the very engaging website of the Office of the National Rail Safety Regulator and discovered that a significant number of incidents have occurred. I will reach back to a reporting period. One thing this bill deals with is the drug testing regime and the capacity for each state to apply relevant laws and regulations. The drug testing regime is instructive to our understanding. Since 2015, over 291 000 tests for drugs and alcohol have been done in the rail system of Australia. Particularly interesting is that there have been a number of refusals over that period, but not very many in percentage terms—124. Interestingly, the number of positive drug tests was 954 and the number of positive alcohol tests was 895. As a percentage of 290 000-odd tests, that is not a bad number. One is too many, of course, as we always say. Anybody in charge of a machine such as a train needs to be in their right mind. I wholly support appropriate tests and regimes to keep people safe and the train system moving because the consequences of a piece of machinery like a train derailing or having an accident are significant. Also on the ONRSR website are numbers of fatalities—which can be a consequence of having a rail system. We have seen massive tragedies around the world in less regulated jurisdictions where there have been some very significant, and almost quite routine, rail derailments and accidents that have killed hundreds of people. We have been a little bit better looked after in Australia because we have a strong regime, but one death is still too many. We can have a real problem. One thing I focused on just in fatalities, not injuries, was the category of suspected suicide and/or trespass—that is, a fatality by misadventure or deliberate suicide. It was sobering to read that from the period from 2016 through to 2021, 497 people were killed on railway tracks around Australia. Although I could not find numbers for Western Australia, I am sure we would take a proportionate amount of that, probably as much as 11 per cent, which is our proportion of the population.

[Member's time extended.]

Mr P.C. TINLEY: More locally, when we talk about these things, we should always record those who have gone before us and been part of the tragedies of this state. We do not have to go too far back to find some significant things. We still get them in the very well regulated train system we have here. There was the Midland train collision of 1994 between two passenger trains near the station. It resulted in the deaths of seven people and numerous injuries. There was the Wubin train collision of 2001, with the *Indian Pacific* and a freight train derailing near Wubin. There were injuries, but no deaths, thank goodness. There was the Geraldton train derailment of 2008. Several wagons of a goods train came off the track near Geraldton. Again, there were no injuries or deaths, thank goodness. There was the West Kalgoorlie train derailment of 2016, in which the driver of the train lost his life, so there was one death. There was the Subiaco train collision of 2020 between a passenger train and a freight train. There was extensive damage to the passenger train, and some injuries, but no deaths. It can even happen in the metropolitan area in quite well regulated circumstances. Our capacity to keep the public safe and everyone moving around is fundamentally important.

I move to a more local level and pick up again what the member for Cockburn was talking about. In my area there were the implications for traffic management and traffic growth when we, appropriately, deleted Roe 8 from the metropolitan region scheme. I was always consistent in my requests for having a district traffic plan because one of the issues in a growing area like the south of my seat, and the member for Cockburn's seat, is the changing demographics and increasing densification. We needed to make sure the traffic moved laterally east to west to the freeway, and the seat of Willagee was no less in need of that. North Lake Road takes on an increased importance for my constituents as they drive along the road behind Adventure World—for those who want a location in mind—and then curls and heads east through South Lake to the Cockburn Gateway Shopping City. This government is taking great strides in creating a good traffic management arrangement with the Armadale Road Bridge and improvements to the intersections in that area as Cockburn Central grows. Consequential impacts occur where that road crosses the same rail link that the member for Cockburn talked about. As that rail runs through my electorate, I have those same noise issues that impact on the built-form communities there. But the traffic is increasing, particularly when we have a bumper harvest delivered to market. It travels on trains through that area at all sorts of times, which is obviously a point of necessary deconfliction. This forms a level crossing as it crosses the road at North Lake. When the trains come through there at peak hour, it absolutely closes down the place for a short period of time admittedly, but it takes a long time for that packet of traffic to proceed. I have made representations to the

minister for a grade separation at that level crossing. A single road over a single rail corridor would alleviate that arrangement. When linked to the Armadale Road Bridge, as we improve elements of Stock Road, it will create the feeder requirements to ensure quick and easy access to not only the road system, but also the train stations at Cockburn Central and Murdoch for a growing number of people in my seat and surrounding seats.

Although the Rail Safety National Law Application Bill 2023 on its surface might seem quite perfunctory and administrative in nature, it will, like every piece of legislation that comes through this place, have consequential impacts. These debates in Parliament act as reference points in the history of Western Australia, and we should always identify how they add to the idea of what it is to be Western Australian.

I will finish on the idea that our identity is contributed to by the built form, the infrastructure, and the way we see ourselves. If we see our community and economy as a modern, vibrant and liveable place with an attitude of progression taking our rightful place here on the Indian Ocean as representatives of the commonwealth of Australia with our connections to Indonesia, this one small piece fits inside and nests alongside the sort of identity that we want to create for ourselves and our children.

I commend the bill to the house.

MS C.M. TONKIN (Churchlands) [10.52 am]: I rise to make a brief contribution to debate on the Rail Safety National Law Application Bill 2023. Rail safety loomed large in my life growing up because of my father's work for the Western Australian Government Railways that involved the design of railway crossing signals at many level crossings throughout the south and the south west of the state. My siblings and I were well schooled by my father in observing road safety at level crossings. I am therefore delighted to speak in support of this legislation because rail safety is very important and keeping it current and consistent between the states is crucial. The issue of consistency of approach to rail safety between jurisdictions is the key consideration being addressed by this bill. However, a lack of consistency has its roots in the separate development of railways across the states. In fact, the problem of differing railway gauges is the stuff of story, myth and legend in Australia. My good colleague the member for Willagee has certainly set out some of those historical considerations.

The railway gauge dilemma has been used as an analogy for other issues of interoperability between jurisdictions, including in relation to e-commerce in government procurement. I can remember when I represented the Queensland government at the Australasian Procurement and Construction Council in the late 1990s and early 2000s, there was much heated debate about the importance of not repeating the problem of the different railway gauges between the states by failing to standardise e-commerce interoperability. I dare say that the debate generated more heat than light because it was a wrongheaded analogy in the first place—but I get back to the railways.

The saga of different railway gauges—narrow, standard and broad—across Australia began in the mid-1800s. At Federation in 1901, trade barriers between the states were removed and trade problems associated with the three different gauges for railways became apparent. Rail freight was crucial to facilitating interstate trade at the time of Federation and well into the twentieth century. However, by the outbreak of World War II in 1939, there were 13 break-of-gauge locations, one of which was at Kalgoorlie. Incoming goods and passengers were off-loaded at Kalgoorlie and transferred to narrow-gauge rail carriages. My grandparents and their family came to live in Western Australia from Melbourne in the late 1930s and they, along with their belongings, would have been off-loaded at Kalgoorlie and then transhipped to Perth. It was not until the late 1960s that Perth was connected to Sydney by standard-gauge rail, and it took until the 1990s before all mainland state capitals were connected by the one standard gauge.

This bill seeks to deal with a more modern rail gauge dilemma. Historically, every state and territory regulated its railways independently, resulting in many inconsistencies between jurisdictions and inefficiencies for industry. Following a number of years of discussion, in 2011 the Council of Australian Governments agreed to establish a national system of rail safety regulation and investigation. South Australia was appointed as the host jurisdiction of the legislation, and the Rail Safety National Law (South Australia) Bill 2012 was passed in 2012. However, instead of using the applied law to implement the Rail Safety National Law as law of our jurisdiction as other states and territories did, the Barnett government choose to implement the Rail Safety National Law in Western Australia using mirror legislation. We did not quite join up the standard gauge at the border. This requirement has seen the Western Australian rail safety national law fall out of step with the Rail Safety National Law as it applies to all other jurisdictions. Since 2015, eight legislative amendment packages have been passed by the South Australian Parliament that are yet to be adopted in Western Australia.

This bill will see Western Australia move to an applied law approach to ensure that there will be no legislative inconsistencies between jurisdictions. The Rail Safety National Law Application Bill 2023 will apply the Rail Safety National Law with modifications as the law of Western Australia and repeal the Rail Safety National Law (WA) Act 2015 and subsidiary legislation. This reform will provide for greater consistency with the Rail Safety National Law as it applies to this state. The bill will minimise legislative inconsistencies relating to rail safety and support the timely application of safety amendments so that rail operations are regulated consistently and seamlessly across Australia. This is crucial. We cannot afford to have anything but the latest and best safety regulations available in this state. This seamless approach across Australia will provide greater certainty for rail operators, rail

safety workers, the national regulator and the national safety investigator, which will encourage industry participants to better understand their shared safety responsibilities and accountabilities. This bill will update the Rail Safety National Law and incorporate amendments made to the national legislation between 2015 and 2023. It will also reduce the delay between future amendments to the Rail Safety National Law applying in Western Australia and all other state jurisdictions. The Rail Safety National Law sets out the functions and powers of the national rail safety regulator and provides for effective management of safety risks associated with rail operations. Rail safety law covers, amongst other things, accreditation, registrations, safety management systems, and compliance and enforcement measures. Part 2, division 1 of the bill includes an applied legislation mechanism that provides for the timely application of changes to the Rail Safety National Law (South Australia) Act 2012 to the Rail Safety National Law (WA) Act 2015. This bill uses an applied law adoption mechanism to preserve the sovereignty of the Western Australia Parliament. This is a mechanism that the government has been using and moving into other legislation. Moving from mirror law to applied law for rail safety is consistent with the recommendations of the Legislative Council's Standing Committee on Uniform Legislation and Statutes Review for other national scheme laws operating in Western Australia. These laws have been debated in this Parliament since I have been here, including the Legal Profession Uniform Law Application Act 2022, the Fair Trading Amendment Act 2022 and the Marine Safety (Domestic Commercial Vessel National Law Application) Bill. This approach to legislation is really important and this important reform is progressively working its way through this Parliament. The bill will provide greater certainty to industry, the national regulator and the Australian Transport Safety Bureau and ensure rail operators and rail safety workers are not disadvantaged by having to meet different requirements in Western Australia. These people work across Australia. Our railways work across Australia. This is why this legislation is very important. The bill preserves the sovereignty of the Western Australia Parliament by providing for the tabling of amendments made to the Rail Safety National Law by the South Australian Parliament, with the capacity for either house of the WA Parliament to disallow those amendments following appropriate scrutiny. This is a very important aspect of this legislation and this approach to legislative reform to have consistency nationally across the jurisdictions.

However, there is an exception to the nationally consistent approach under this bill and that is the application of local provisions for alcohol and drug testing. It is important to note that as part of the Rail Safety National Law, drug and alcohol testing is conducted in accordance with local practices, which makes an enormous amount of sense, because it is a different authority that applies that law. The participating jurisdictions acknowledged from the outset that applying the provisions that exist already within their jurisdiction would ensure that authorised officers such as police do not face additional operational burdens. Under this legislation, drug and alcohol testing will be conducted in accordance with Western Australian practices. The local provisions of the bill were drafted to align with the drug and alcohol provisions under the Road Traffic Act 1974, which is used by WA police. This is another piece of elegant legislation that brings us easily into line with the national framework and ensures that our application of this national law and any updates are made in a timely and consistent manner. I commend the bill to the house.

MS A.E. KENT (Kalgoorlie) [11.06 am]: I rise today to add my contribution to the Rail Safety National Law Application Bill 2023. I continue the comments of my colleagues who spoke before me and outline that this bill will apply the Rail Safety National Law with modifications as a law of Western Australia, and repeal the Rail Safety National Law (WA) Act 2015 and subsidiary legislation.

I am blessed to be the member for Kalgoorlie. As people in this house are aware, the goldfields holds a significant part of the state's history in its hands. Railways were incredibly important to the gold rush years, and I will share a few interesting facts about railways in the goldfields. Bicycle, horse and buggy, and camel were the early means of transportation in and around the goldfields, until the advent of the car in the twentieth century. The development of the region was boosted by the provision of transport infrastructure. The completion of the Eastern Goldfields Railway from Perth to Coolgardie and Kalgoorlie in 1896 sealed the dominance of Kalgoorlie as the administrative centre of the goldfields.

The Coolgardie Miner—yes, Coolgardie had a newspaper back then—reported in 1895 —

It is not too much to say that next to the camel, the bicycle is one of the most important factors in the development of the Goldfields, and as it eats nothing, and never bucks or shies, its value as a locomotive medium is incalculably enhanced.

From that day, the opening of the Eastern Goldfields railway all things were changed: all the colony was bound together by hooks of steel.

In Kalgoorlie–Boulder from 1897, the Loopline became the main passenger transport to the mines and at the time was the busiest railway line in Western Australia.

In March 1897, much to the annoyance of Boulder business owners, the railway department, without any consultation with Boulder businesses, announced that it was building a railway from Kalgoorlie down Boulder Road and out to the mines. The Boulder community was concerned that the rail would totally bypass the Boulder town and disadvantage their businesses. The railways department conceded and agreed to build a station on the corner of Burt and Hamilton Streets, which was at the end of the main business precinct. Originally named Boulder station,

it was locally referred to as the Loopline station. The Loopline train service made it easier to haul the ever-increasing quantities of machinery, equipment and fuel around the Golden Mile and provided some very out-of-the-ordinary stories and services for the community. The Loopline provided an irregular stop near Williamstown to pick up or drop off people who had been playing two-up in the bush hideout. Sometimes the driver joined in for a few games before continuing the Loopline journey! The Loopline was an essential service during the peak of the Golden Mile deep mining activities and the traffic was record breaking. During its peak, up to 100 steam trains a day moved through the station. The station master must have had very stressful times controlling up to one train every three minutes.

Let us move from the Loopline to one of the most famous trains that runs through Kalgoorlie–Boulder, the *Indian Pacific*—an epic railway journey in every sense of the word. Taking in the remotest parts of Australia, its route provides a link from west to east through the beating heart of the continent, connecting the cities of Perth and Sydney across a staggering 4 352 kilometres. Since a transcontinental railway first commenced operation on those tracks in 1917, it has been celebrated as one of the country’s most significant engineering feats, traversing a vast and beautiful landscape from the shores of one ocean to another. In fact, the train takes its name from the Indian Ocean on the west coast and the Pacific Ocean on the east coast. Although the *Indian Pacific* passenger service did not officially commence until 1970, the railway had been a carrier of stories and a tangible time line of Australia’s complex history long before then. A railway journey across Australia between Sydney and Perth became possible from October 1917 when the Trans-Australian Railway was completed between Port Augusta in South Australia and Kalgoorlie in Western Australia. That section of line was 1 692 kilometres long and took five years to build, with most of the construction occurring during the First World War. It traversed remote and arid areas of Australia and crossed the vast Nullarbor Plain. Although a transcontinental railway journey between Sydney and Perth was possible from 1917, it required numerous changes of trains and travelled a lengthy route via Melbourne, Adelaide, Port Augusta and Kalgoorlie.

Australia’s first passenger train to cross the continent on a single gauge was a major event in 1970. Following a dinner at the Wentworth Hotel in Sydney, a ceremony was held at Central Station where a plaque was unveiled by the Governor-General, Sir Paul Hasluck. A large crowd watched the *Indian Pacific* depart at 10.50 pm. It was hauled by 46 electric locomotives from Sydney to Lithgow and then by diesel–electric motive power for the remainder of its journey. As the train made its way across the country it was cheered on by crowds of people in towns and by trackside observers. Various locomotives have hauled the *Indian Pacific* throughout its history. When it first commenced in 1970, it was hauled by locomotives belonging to the different railway systems over which it passed. Western Australian Government Railways hauled the train from Kalgoorlie to Perth. Initially K-class units were allocated to work the *Indian Pacific* but later the L-class became the dominant motor power on the train over that section. It now caters for luxury travellers making a holiday journey across Australia by rail.

In 2020, the *Indian Pacific* celebrated 50 years of its maiden voyage. The romantic notion of rail travel was not lost on couple Derek and Jeanne Kell, who met on the *Indian Pacific* in 1973 and were married a year later. Mr Kell said the fiftieth anniversary crossing was a second honeymoon for the couple who are now grandparents. He stated —

We both boarded the train, unknown to each other, and we gradually got talking and just felt we liked each other ...

By the time we got to Perth, I asked Jeanne out and the rest is history.

The way I see it is we met on the train and now on the 50th anniversary of the train, it’s now like we’ve come full circle where we started from.

Ms Kell said her husband took his time before finally talking to her at Rawlinna! She said —

On a journey like this you get to meet people and everyone’s so friendly, you just naturally talk to people and get to know them a little bit better and strike up a conversation ...

Although it remains a popular bucket list item for many tourists, the train is also a lifeline for residents on the Nullarbor. At Rawlinna, home to Australia’s biggest sheep station with up to 50 000 sheep shorn every year, residents rely on the train for grocery and mail deliveries. Rawlinna pastoralist Nicole Gray said that the town of three people grows to 230 every Friday night and Monday morning. She said they rely on the train a fair bit because the isolation and the hardship out there is a bit of a downer, but it is a beautiful place to live. Along with lots of other people, the journey on the *Indian Pacific* is on my bucket list. I hope to travel on this amazing train one day. Of course, these train journeys would not be made possible without legislation such as this.

This bill will minimise legislative inconsistencies relating to rail safety and support the timely application of rail safety amendments so that rail operations are regulated consistently and seamlessly across Australia. It will provide greater certainty to rail operators, rail safety workers, the national regulator and the national investigator. This will encourage industry participants to better understand their shared safety responsibilities and accountabilities. This bill will see WA move to an applied law approach, ensuring that there are no legislative inconsistencies between jurisdictions. Importantly, the bill will preserve the sovereignty of the WA Parliament by providing for the tabling of amendments made to the national law by the South Australian Parliament and the capacity for either house of Parliament to disallow those amendments following appropriate scrutiny. I commend the bill to the house.

MRS J.M.C. STOJKOVSKI (Kingsley — Parliamentary Secretary) [11.17 am]: I rise to give my contribution to the Rail Safety National Law Application Bill 2023. As many before me have stated, this bill is essential for providing consistency across Australia. A few speakers have ventilated how our rail system has had numerous different gauges across Australia, making it incredibly difficult in the past to travel from one state to another. I will not go into those issues, because they have been well ventilated. This bill will repeal the Rail Safety National Law (WA) Act 2015 and ensure the timely application of rail safety amendments and minimise any discrepancies between the states.

In 2015, the Barnett government chose mirror legislation to implement the intergovernmental agreement on rail safety instead of using applied law like every other jurisdiction did to implement these changes. The result was that WA obviously started falling behind and becoming out of step with the rail safety law as it applied in other jurisdictions. The state is currently eight legislative amendments behind and these include amendments that clarify terms, provide for the release of documentation and provide penalties for the falsification of documents. However, the one that really got me, probably because I was in this place when we had to deal with COVID-19, was that it made it a lot harder for agility within the WA rail system during the COVID times. Amendments that were brought in in South Australia provided for exemptions for the health and fitness tests for rail workers across the country. It was not provided for in Western Australia. There was no wiggle room because we had not brought in applied legislation, so we did not automatically get those exemptions. That made it very difficult, in an already difficult time during COVID, for Western Australian rail workers to continue working. For anyone who was keeping up with the logistics around that time, we had problems with not only COVID and getting in and out of the state, but also some rail being washed away. Getting supplies into Western Australia was increasingly difficult. An already very tight situation was made even tighter by the fact that we did not have the capacity to provide these exemptions during COVID.

This bill will move WA to an applied law approach, which will ensure that we will not have legislative inconsistencies in the future. However, this bill will not take away WA's sovereignty. It will provide for the tabling in Parliament of all amendments to the national law made by the South Australian Parliament and the capacity for either house to disallow those amendments, following appropriate scrutiny. A really important part of this law is that we will not just go with whatever somebody outside of our jurisdiction decides. We will maintain our sovereignty and ability to scrutinise any amendments that come forward. It will be a more practical application of the legislation.

This bill will improve consistency across WA and Australia, and will allow for the seamless movement of rail across Australia. It will also provide certainty for rail operators, safety workers and the national regulator and investigator into rail safety in Australia. The bill will ensure that people working in this area have a better understanding of their responsibilities and accountability.

Why is rail safety important? In preparation for this speech, I read the TrackSAFE Foundation report, *Fatalities, injuries and near misses on the Western Australian heavy rail network 2001–2022*. It is from September 2022, so it is quite contemporary. It has some interesting facts about rail safety. Between 2001 and 2021, there were 2 167 fatalities on Australian rail lines. That means 2 167 families had to deal with the fatality of a loved one on Australian rail lines. That number consisted of 1 558 suicides and 609 fatalities. That is an annual average of 103 Australians being killed on our rail lines a year, or two deaths a week. Most fatalities occurred in Victoria, with 44 per cent; New South Wales had 31 per cent; Queensland had 12 per cent; WA had nine per cent; and South Australia had four per cent. The other states and territories had smaller numbers. Between July 2000 and December 2021 there were 193 fatalities in Western Australia, with 133 of those being suicides or suspected suicides. That still leaves 60 other fatalities on the heavy rail network in Western Australia during that period, which is an average of nine fatalities a year—six suicides and three other fatalities.

Since 2016, rail operators have been required to report the number of fatalities and near misses on their networks to the Office of the National Rail Safety Regulator. Western Australia has had five fatalities and 11 injuries to trespassers. This is a really interesting statistic for us, given that we recently brought in rail trespassing legislation. As members can see, we have quite a number of fatalities on our network, and any time we can reduce fatalities on the network, that is a good thing. There were 260 reported near misses with trespassers. In my previous speech on the rail trespassing legislation, I spoke about it being very popular to have wedding photographs taken on a railway. Although it provides a beautiful photo, people could potentially end the life they agreed to start with someone by trespassing on the rail network. I am sure that some of those near misses can be attributed to that fad. There were also five fatalities and 12 injuries as a result of collisions with road vehicles and pedestrians at level crossings and 377 near misses at level crossings.

People like me, who have family members who love car movies, may have seen *The Fast and the Furious* more than once. There is an exciting final car chase in which the two main characters start at the top of a hill, race down it and jump the train tracks as the train is coming. Although it makes for very exciting and entertaining cinema, level crossings are actually a very real risk on our rail networks. I am really proud that this government has made a commitment to rail safety. Not only have we brought in the trespassing legislation; we have put our money where our mouth is in making sure we are committed to rail safety by removing level crossings. We have already removed two level crossings as part of the Metronet project, with a further 14 to be removed as part of the Armadale line works. There will be quite a bit of commentary about shutting down the Armadale line, but if we take into context

how many level crossings and potential conflicts we are removing from our rail network in doing these works on the Armadale line—that is not the only reason we are closing the Armadale line—the safety of our road and rail users is paramount. Shutting down the Armadale line to remove a further 14 level crossings as part of those works should be applauded. Those people who criticise shutting down the Armadale line really need to have a good hard look at themselves and what they are actually criticising. We are improving not only the safety, but also the heritage line—that is what it is known as—that has not had any investment in it for a long time.

We will remove those 14 level crossings, but there are currently 960 public road level crossings in WA. Of those public road level crossings, 469 are fitted with the active level crossing controls, which are flashing lights or boom gates. In mid-2021, Main Roads Western Australia initiated a review of the remaining 491 passive level crossings. This included detailed site assessments at each crossing in line with the Australian level crossing assessment model, or ALCAM. These detailed and thorough assessments require the collection of data through site surveys and train and vehicle volume assessments. The assessments identified key safety risks and produced a unique risk score for each individual crossing. The review was completed in 2022 and the findings are as follows. Of the 491 passively controlled level crossings, 87 were identified for improvement and will have amendments made to them; seven upgrades will happen from Give Way-controlled crossings to active flashing light controls at an estimated cost of \$6.16 million; six upgrades will happen from Stop signs to active flashing light controls at a cost of \$5.28 million; and 71 crossings that are currently controlled only by Give Way signs will be upgraded to Stop signs at a cost of \$370 000. As we can see, this government is really investing in rail safety. We are not only changing legislation to make us more contemporary and ensure that we have the highest safety levels for rail, but also ensuring that we invest in removing level crossings or controlling rail crossings.

A lot of criticism comes our way, particularly from members of the opposition, that we are very metropolitan centric for rail because of the Metronet program. I highlight that most of the rail crossings identified in this review were in the regions. There were 81 crossings in the wheatbelt, two in the goldfields, two in the great southern, one in the midwest and only one in metropolitan Perth. This government is really focusing on rail safety across the network, not just in the metropolitan area.

The 13 identified crossings that will be upgraded to have active flashing controls will be part of a program that will run from 2024 to 2029, which is a five-year level crossing capital works program. The 74 crossings controlled by Give Way signs will be upgraded to be controlled by Stop signs by 30 June next year. We are not saying that we have a plan to do these things; we will actually be delivering them in the here and now.

When the program is completed, no crossings will be controlled by Give Way signs on main-line railways in Western Australia. It will mean that 50 per cent of level crossings across public roads will be controlled by flashing lights or boom gates, which will be one of the highest ratios of active to passive controlled crossings in the nation. The Minister for Transport really needs to be commended for this because she is focusing on the safety of our rail networks. The resulting changes are predicted to be a 33 per cent reduction in the Australian level crossing assessment model risk scores across those 87 locations.

There is a real drive by the Cook Labor government and the current Minister for Transport to not only contemporise our legislation by bringing in this applied law legislation so we can stay up to date with other jurisdictions around Australia, but also ensure that people understand that trespassing on the rail network can have some very serious consequences, and reduce the number of conflicts between road and rail on our network. This is another step to ensure the safety of not only the rail network but also the road users who interact with the rail network. I commend the bill to the house.

MR S.N. AUBREY (Scarborough) [11.32 am]: I would like to contribute to debate on the Rail Safety National Law Application Bill 2023. I want to apologise to the member for Kingsley. She mentioned the word “paramount”, and I laughed and distracted her because I had just written that word as she said it, so I apologise for that.

Historically, every state and territory regulated its railways independently, resulting in many inconsistencies between jurisdictions and inefficiencies for industry. Following a number of years of discussion, the Council of Australian Governments agreed to establish a national system of rail safety regulation and investigation in 2011. South Australia was appointed as the host jurisdiction of the legislation in 2012, and the Rail Safety National Law (South Australia) Act 2012 was passed. However, instead of using applied law to implement the Rail Safety National Law as the law of our jurisdiction, as all other states and territories did, the Barnett government chose to implement the Rail Safety National Law in WA using mirror legislation.

WA’s mirror-law approach requires the Parliament of Western Australia to pass laws that mirror those passed by the South Australian Parliament. This requirement has seen the Western Australian Rail Safety National Law fall out of step with the Rail Safety National Law applied in all other states and jurisdictions. Since 2015, the South Australian Parliament has passed eight legislative amendment packages that have not yet been adopted here in WA. This will see WA move to an applied-law approach, ensuring no legislative inconsistencies between jurisdictions. It will provide greater certainty to industry, the national regulator and the Australian Transport Safety Bureau, and will ensure that rail operators and rail safety workers are not disadvantaged by having to meet different requirements in Western Australia.

Importantly, the bill will preserve the sovereignty of the WA Parliament by providing for the tabling of amendments made to the national law by the South Australian Parliament and the capacity of either house of Parliament to disallow those amendments following appropriate scrutiny. The Rail Safety National Law Application Bill 2023 will apply the Rail Safety National Law with modifications as a law of Western Australia and repeal the Rail Safety National Law (WA) Act 2015 and subsidiary legislation. The bill will minimise legislative rail safety inconsistencies and will support the timely application of rail safety amendments so that rail operations are regulated consistently and seamlessly across Australia. This will provide greater certainty to rail operators, rail safety workers, the national regulator and the national investigator, which will encourage industry participants to better understand their shared safety responsibilities and accountabilities.

We have seen a few train derailments in Western Australia, particularly where I used to work in the north west. I encountered quite a few railways in my time working in the north west as an electrical technician. I worked at the port facilities at Dampier's East Intercourse Island and dealt with the big trains and the car dumpers as they brought in the ore and rolled the cars to tip out the ore. We had to maintain safety procedures as we accessed the rail, on and off. I also worked in the mines, where we extracted the ore and put it into the cars. There were safely applications for crossing the rail access or working around the rail.

It is important to note that Rio Tinto has two rail lines that come from all its mines in its part of the Pilbara to Cape Lambert A and B and to East Intercourse Island at Dampier. If we think about it, it is incredibly complex to take multiple trains on the same rail lines to those port facilities from all the different mines, and it requires a lot of regulation and work by Rio Tinto workers to maintain it, especially with the autonomous trains.

We have seen derailments in Western Australia. Probably one of the more well known derailments was BHP's 268-car train that travelled 92 kilometres without a driver. It ran away for about 92 kilometres and was deliberately derailed, causing millions of dollars of damage and lost production. It was fully laden, with almost three kilometres of locomotives and 268 wagons. It reached average speeds of 110 kilometres on the track between Newman and Port Hedland. When the driver stopped about 200 kilometres from Port Hedland and got off to inspect one of the wagons, the train took off without the driver. It was forced to be derailed about 120 kilometres from Port Hedland. No-one was injured, but the Pilbara miner had to suspend all its train operations. It took about seven days to restore the rail and the tracks after the derailment. One rail line goes to two port operations. There are two rail lines to Rio Tinto and a similar set-up for FMG and BHP, and they share some of the rail lines. Shutting down access to a rail line that comes from many mines to the ports that ship out the ore can have impacts on the state's economy. Mining companies have the ability to manage this through stockpiles at the port facilities, but if the rail line has more significant damage and is completely inoperable for a significant period, it could have an impact on the state's economy by not allowing iron ore deposits to be shipped from the ports.

The Australian Transport Safety Bureau investigated the incident and determined it —

... culminated in its intentional derailment, resulting in 2 remote locomotives, 245 ore cars and 2 km of track infrastructure being destroyed.

...

After reporting the emergency stop and taking a number of procedural steps to protect and secure the train, the driver exited the cab without completing the step of placing the automatic brake handle into the pneumatic emergency position. The driver then commenced the process of applying manual handbrakes to each of the train's ore cars.

Sixty minutes after the train stopped, and before the driver was able to secure enough of the ore cars' handbrakes, the affected car control devices shut down, and the brakes were released on the majority of the ore cars in the train.

The train then began to roll away without the driver on board.

In the ensuing runaway, the train travelled more than 90 km over approximately 40 minutes, before BHP's Hedland control intentionally derailed it at a crossover to an adjacent track at Turner South, about 120 km from Port Hedland.

"A train runaway can cause injury or loss of life, and while there were no injuries as a result of this accident, it did carry a significant financial and economic cost," ATSB Chief Commissioner Angus Mitchell said.

More recently, in June 2019, a Rio Tinto iron ore train was derailed. It had only 30 wagons and was a self-driving iron ore train. Analysis of that incident is ongoing, so I will not comment on it too much. However, we have had derailments in Victoria in which people did lose their lives. A passenger train that was 100 kilometres over the speed limit crashed north of Melbourne. I am not saying this legislation will directly fix or stop those derailments, but it will provide clarity for the industry and consistency across the country. Workers and rail operators might come from over east or around the country, and those who investigate these incidents may also have different things to contribute. However, I can say that having worked in the industry, consistency across the states will allow for better clarity and fewer changes to the rules, which will keep the clarity in place for longer.

Given the growth in our state—many of my colleagues have mentioned Metronet and the work that is being done around the state to expand Perth’s public transport network—it is incredibly important, as we put in place this public transport network, that safety is paramount. The *Perth and Peel@3.5 million* report on the transport network was released in March 2018. It states —

Today, the Perth and Peel regions stretch more than 150 kilometres from Two Rocks in the north to Bouvard in the south and are home to more than two million people.

... it is estimated on current trends that more than 3.5 million people will live in Perth and Peel by 2050.

Perth and Peel@3.5 million comprised a strategic suite of documents that presented a long-term growth strategy for land-use and infrastructure provision for the Perth and Peel regions. The suite included four detailed subregional land-use planning and infrastructure frameworks: the central subregion, the north west subregion, the north east subregion and the south metropolitan–Peel subregion. These frameworks show what our city could look like in the future and how we can maintain our valued lifestyle and realistically accommodate a substantial increase in population. Although population growth brings enormous opportunities, it also increases demand on the state’s resources, social and physical infrastructure, services and the natural environment. Strong economic and rapid population growth in the early part of this century has shown how important Perth’s transport system is. As we move towards a population of 3.5 million, fundamental changes will be required to the city’s transport network to service growth areas and keep Perth moving. It is clear that we need a plan for a transport network that will drive urbanisation around infrastructure and enable high levels of accessibility for work, education and other activities. A number of projects across the transport portfolio will support efficient and effective movement of people and freight integrated with land uses and will link key economic and employment opportunities.

One of the government’s key priorities to achieve moving people efficiently while integrating with land use opportunities is Metronet. Metronet will ensure that land-use and transport outcomes will be at the forefront of design of new infrastructure and will lay the groundwork for vibrant new communities. It will also guide the structural evolution of our city, linking diverse urban centres together for the first time and will provide opportunities for greater density and infill development through multiple key suburban centres. Metronet will define the future of public transport in the central subregion. Key transport corridors will be required to transition into multifunctional corridors to achieve a more compact and diverse open form. Areas around train stations and other major public transport infrastructure have been identified as having the potential to accommodate increased development. A balanced transport and land-use approach will be required to accommodate all transport modes, parking and utilities, as well as people friendly urban environments.

Four key passenger rail proposals are included in Metronet stage I and will form part of the potential circle line in the central subregion. The proposals include completing the Forrestfield–Airport Link, an 8.5 kilometre railway spur from Forrestfield to the Perth CBD. It is now completed. I congratulate the minister on the recent opening of that last year. The next proposal will be going a little bit out of my electorate, but it talks to the larger purposes of Metronet in linking and supporting the growth of our city in an important way. It is a 14.5 kilometre extension of the Thornlie line to Cockburn Central, which my colleague the member for Cockburn talked about before. Two new stations have also been proposed at Nicholson Road and Ranford Road, which my colleague the member for Southern River talked about the other day. There is also a new rail line from Midland to Ellenbrook town centre. This has been long promised, and is only now being delivered. The Midland line is also being extended to a new station at Bellevue.

A bit closer to home is the Stirling train station. The three primary distributor reservations proposed for the central subregion will include Orrong Road and Charles Street, and Ellen Stirling Boulevard, which is central in my electorate and links up with the member for Balcatta’s electorate. It will sit right in the Stirling city centre and will link to Stirling station, the train station that runs along the Mitchell Freeway on the border of my and the member for Balcatta’s electorate. The other station that is in both of our electorates is Glendalough station.

Ellen Stirling Boulevard is getting a significant upgrade at the moment with the Stephenson Avenue extension project, which runs parallel to Ellen Stirling Boulevard. The project is now 29 per cent complete and an important construction milestone was achieved in late July 2023 with the temporary ramp at Stirling station being completed and commissioned to use. In the coming months, structures will be progressed in preparation for the bridge construction over the Mitchell Freeway and the Joondalup line. A series of roadworks along Cedric Street and the Mitchell Freeway are required to continue construction over the coming months. Traffic conditions throughout the project area regularly change. People can stay up to date by looking at the Main Roads Western Australia travel map online.

The Stephenson Avenue project is a very important to my electorate. I would like to commend the member for Balcatta because he has been a strong driving force behind this project for a long time, since his days in council and as a member of Parliament. It is a really important project that will not only link our two electorates in many ways, but it will also support the enhancement of the Stirling city centre, which sits right on the Stirling train station. It will allow for greater density and urban activation in that hub. That is exactly what the *Perth and Peel@3.5 million*

report talks about, having that density and urban activation in road corridors and activity zones, and, importantly in this case, train stations Infrastructure nodes can support the capacity of the growing population to allow them to get onto a train and get to the city if they go to work, or for recreation, but it also will allow them to jump on public transport that takes them out to Scarborough Beach, which is a world-class beachside destination.

The Stephenson Avenue extension project is incredibly important to my electorate and to the City of Stirling. The \$165 million project is also set to provide a major boost to the local economy and support an estimated 800 jobs. When complete, the project will provide a new connection from Cedric Street to Scarborough Beach Road, including a new grade-separated Mitchell Freeway interchange with a southbound smart freeway on-ramp as well as new local road links to Ellen Stirling Boulevard. The project will also deliver a \$90 million refurbishment to the Stirling bus interchange, upgrading it from an 18-stand facility to a 30-stand bus interchange.

Phase 2 of the Stephenson Avenue project also includes a new road connecting Sarich Court to Cedric Street east of the freeway and a new principal shared path on the east side of Mitchell Freeway from Telford Crescent to Civic Place, including an underpass at Stephenson Avenue. Correct me if I am wrong, member for Balcatta, that is complete now, is it not?

Mr D.R. Michael: No. the principal shared path currently curls around Telford Crescent past the old tip site in the City of Stirling, but once complete, it will be the link right on the side of the freeway, which will link the whole principal shared path from our electorate to the member for Kingsley's electorate. You'll be able to get straight through on the eastern side.

Mr S.N. AUBREY: I would like to quote some of the comments attributed to the transport minister, Rita Saffioti, because she has been a big driving force for this legislation. She said —

“The Stephenson Avenue Extension project is upgrading local roads, public transport and cycling and walking infrastructure.

“This will completely change the way local residents and visitors can access the area, while ... opening up currently undeveloped land directly adjacent to the Stirling Train Station and the Mitchell Freeway.

[Member's time extended.]

Mr S.N. AUBREY: You seem very excited about granting me that extension, Mr Acting Speaker. By the sounds of it, you are really enjoying this speech. I think all members are very much enjoying this long and drawn-out speech.

The ACTING SPEAKER (Mr D.A.E. Scaife): I think we are all enjoying this, member for Scarborough. Please continue.

Mr S.N. AUBREY: I am enjoying it. It is my first attempt at talking off the cuff.

Part of the project includes the linkage to Ellen Stirling Boulevard and Stephenson Avenue. Local residents know that Scarborough Beach Road, which runs from Mt Hawthorn to Charles Street and all the way to Scarborough Beach and West Coast Highway, is an incredibly important corridor for my electorate and also runs into the member for Perth's electorate. The state government, working with the City of Vincent and government agencies, including the Western Australian Planning Commission and Main Roads, has developed a strategic activity corridor framework for Scarborough Beach Road. The framework provides an overarching transport and land-use vision that, when implemented over time will significantly improve the form and function on the road and its surrounds.

Scarborough Beach Road is often characterised as an ad hoc and congested road that is difficult to use. In many sections, buildings respond poorly to the street and the transport function of the road is now severely constrained as our city continues to grow. A long-term planning framework is required to improve this. Over time, that planning for Scarborough Beach Road will need to integrate transport and land use at the same time as promoting alternatives to private vehicle travel. Planning with an activity corridor approach provides a complete vision of how transport and land use must be considered when designing for its role in the future. If growth continues without a robust vision for how transport and abutting development should function, the environment along the road will continue to deteriorate, affecting the user experience, with likely negative flow-on effects to the local economy. Good street planning and design must strike a balance between the competing interests of all users, working within a limited urban space. An activity corridor approach can help by coordinating the transport use of the road and the buildings that open onto it.

Anyone who lives in my electorate of Scarborough knows that Scarborough Beach Road is a vital corridor for all of us in that area. It is the one that takes people to the freeway and the industrial area of Osborne Park and from the city to the beach—the world-class tourism beachside precinct that is Scarborough Beach. My colleague the member for Cockburn and I have a constant debate about which beach is better—Coogee Beach, which I classify as a lake more than a beach, or Scarborough Beach, with its world-class entertainment precinct.

Ms E.J. Kelsbie: Ocean Beach?

Mr S.N. AUBREY: I am talking about metro beaches.

The ACTING SPEAKER: I warn the member for Scarborough not to draw the chair into the debate.

Mr S.N. AUBREY: But it's so fun!

Ms K.E. Giddens interjected.

Mr S.N. AUBREY: That is right.

This issue is incredibly important because Perth city is growing rapidly. It has the highest population growth compared with any other state in the country. It is growing at a rate of 2.3 per cent compared with the national average of 1.9 per cent. It means that WA is growing at a larger rate than the projected growth, and it has come very quickly. Obviously, the COVID-19 pandemic had a massive impact on this, even though we had a hard border and closures. It really showed people that WA is the envy of the nation, if not the world. It has brought sustained population growth to WA, especially following the removal of the border restrictions. Based on past trends, it is clear that when WA's economy is booming, its population will grow. With the state's natural population growth at below replacement levels, population growth will remain dependent on interstate and international migration.

Moving on to Sydney, although its population continues to grow through a combination of natural growth and international migration, every quarter more local residents leave Sydney than move to Sydney. Everybody knows that Sydney is the most populous city in the country. Through all its success and being an economic powerhouse, its population has been declining for over 20 years. Cost-of-living pressures, commute times and affordable housing shortages are all contributing factors to why local residents leave Sydney.

With Perth now facing some of these same growing pains, it is essential that we look and learn from Australia's megacities, such as Sydney and Melbourne, and put in place plans to ensure that Perth remains a highly liveable city. We can learn from those experiences. Much to my frustration, Scarborough is linked to other major centres in coastal precincts around the country such as the Gold Coast and Bondi but I do not think it is comparable. We are a very unique community that has a very local perspective. It is very parochial. We have a strong connection to our community. Although we welcome tourism and we work hard to activate our precincts with events such as The Aussies, the Canoe Ocean Racing World Championships, which will be held in November, and the Olympic boxing trials at the Rendezvous Hotel the other week, we are doing everything we can. Through events such as the Scarborough Sunset Markets and the Groundswell Festival, we are driving activation and vibrancy in Scarborough. Obviously, they bring challenges with parking, overpopulation and things like that, which is why we have to plan accordingly for Scarborough. Planning for density and transport is essential, especially with rail.

I am proud to be part of a government that has a plan for WA, including Scarborough. To be honest, I am a little concerned about the views of members of the Liberal Party, especially those of the member for Cottesloe, around planning and density. They have not taken a very collaborative or structured approach to density. It does not work. The state government acknowledges that Perth is going to grow and every part of this state has a responsibility to grow sensibly and with maturity. We do not see that from the questions and the comments made by the member for Cottesloe. The former Liberal government's and the Labor government's economic outlook of this state is in stark contrast and shows why the Labor government is more responsible when it comes to planning for the future, planning for density and planning for growth. The economy is a big part of that. After a recent announcement by Moody's Investors Service, the ABC reported on 11 July 2023 —

Western Australia is the only state or territory in the country to have the top credit rating from both major international rating agencies, after Moody's Investor Services upgraded it to AAA today.

The decision by Moody's follows the decision by Standard and Poor's to do the same last June. The state lost its AAA credit rating from S&P in 2013, and from Moody's in 2014.

That occurred under the previous Liberal government. It continues —

In announcing the decision, Moody's highlighted WA's financial performance as "an outlier to its domestic and international peers".

"The state generated excellent revenue growth and strengthened its fiscal buffers over recent years through the successful management of the pandemic combined with sustained fiscal discipline, which Moody's expects to continue going forward," the agency's report read.

"Despite the economic disruption caused by the pandemic, and recent weakening of global economic conditions, the state has improved underlying revenue diversity on account of the ongoing diversification and rapid growth of the economy relative to other Australian states and territories.

It is kind of fitting that the Treasurer has just walked into the chamber because she had a big part to play in that. The article continues —

Moody's vice-president and senior credit officer John Manning said the organisation expected WA to be well-placed to withstand the headwinds currently buffeting the global economy.

"We expect Western Australia's exceptionally strong financial performance and debt management, as well as very strong governance, will continue to boost its financial performance such that its credit profile will remain resilient to external shocks, consistent with the highest-rated issuers globally and across sectors," he said.

WA's net debt levels have fallen from a projected \$43.7 billion in 2017 under the previous Liberal–National government to \$27.9 billion, saving the state around \$4.3 billion in interest payments.

In a statement, Premier Roger Cook —

Which I very strongly agree with —

said the news reflected the Labor government's "years of hard work and responsible financial management to turn the state's finances around since coming to office in 2017".

"Under my government we continue the focus on strong financial management, invest in what matters, pay down debt, diversify the Western Australian economy and create jobs for future ...

This is in strong contrast to an article written back in 2017 before the Labor government came to power. The article from news.com states —

WESTERN AUSTRALIA was once a booming, rich, mining state. A place where FIFO workers earned big bucks, lived in mansions, drove luxury cars and rode jet skis on their weeks off.

Now the heyday is over and the former mining and construction workers are struggling to find work.

Mr W.J. Johnston: How many jet skis do you own?

Mr S.N. AUBREY: None.

Several members interjected.

Mr S.N. AUBREY: I have actually never ridden a jet ski. I used to have a boat that I treated like a jet ski, but not a jet ski.

The article continues —

WA's job market is bleak to say the least, according to the latest Australian Bureau of Statistics figures.

Just to bring it back into context, this was in 2017 just before we took power. Further, the article states —

People are leaving the state at a rapid rate.

There were more departures than arrivals in WA for 2014 ... which has seen Perth's rent and housing prices plummet.

This is in stark contrast to our current situation in Perth, leading population growth in the country and with the highest rising prices of homes. I find the next comment in the article quite amusing, considering where we are as a government. It states —

Workforce diversity specialist Conrad Liveris said WA must create 1500 jobs a month to maintain ... current unemployment ...

There could be further job losses if WA's Labor Party wins the State Election in March.

Things turned out quite differently from what was expected, member for Bateman, because I think around 232 000 jobs have been created since Labor's election in 2017.

A government member: Sounds like a record!

Mr S.N. AUBREY: Sounds like a pretty big record to me.

To wrap up my very long, drawn-out speech, we see from Metronet and our thorough planning for vibrant high-amenity communities that are well designed and connected to our public transport infrastructure such as rail and roads that we are planning for the future of rapid population growth of WA. This government takes the future of this state seriously. This bill is one measure among many to make WA safer and stronger, especially on rail.

I commend the bill to the house.

MS H.M. BEAZLEY (Victoria Park — Parliamentary Secretary) [12.01 pm]: I rise to speak to the Rail Safety National Law Application Bill 2023, which shall apply the Rail Safety National Law. It is a law that needs updating in Western Australia largely because the Barnett government was lazy in how it implemented it to begin with, instilling mirror legislation with South Australia rather than our own applied legislation. Since before Federation, just like the rail gauges themselves, safety law and regulations have been different in every state and territory. This resulted in significant inconsistencies between jurisdictions and inefficiencies for industry.

It has been 122 years since Federation and since the beginning of the push for standardised gauges and standardisation overall. Before Federation it was not a big deal to have different rail gauges that forced train changes at borders, as back then passengers and cargo would have to pass through customs and immigration at the intercolonial border anyway, so disembarkation and cargo unloading was necessary regardless. It was only with Federation in 1901 and the introduction of free trade between the states that the impediment of different rail gauges became obvious. It has only been since then that the impediment of differences in rail safety legislation and regulation has been

fully realised. It has only been in the last 10 years or so that we have had standardised legislation and regulations. It took less time to install common gauges across the country, although there are still some differences there too in localised systems.

In 2011, following several years of discussions, the Council of Australian Governments agreed to establish a national system of rail safety, regulation and investigation. South Australia was appointed the host jurisdiction of the legislation, and in 2012 the Rail Safety National Law (South Australia) Bill 2012 was passed. This legislation replaced 46 pieces of state, territory and commonwealth legislation. In addition, a single national regulatory entity replaced seven separate authorities. South Australian Rail Safety National Law and its equivalents in other states and territories established the Office of National Rail Safety Regulator, which was responsible for rail safety regulation. I mention the other states and territories, as they put forward appropriate legislation in their Parliaments at the time; that is, they introduced applied law to implement the Rail Safety National Law in their jurisdictions. But in WA the Barnett government chose to implement the Rail Safety National Law in WA using mirror legislation. I mentioned this before because the consequences of that poor decision make this bill necessary now.

The former Liberal Premier Barnett's mirror law approach requires the Parliament of Western Australia to pass laws that mirror those passed by the South Australian Parliament. Not only does this compromise the sovereignty of our Western Australian Parliament, which is a hugely important consideration in itself, the requirement has also seen the Western Australian Rail Safety National Law fall out of step with the Rail National Safety Law as it applies in all of the jurisdictions. Since 2015 eight legislative amendment packages have been passed by the South Australian Parliament that are yet to be adopted in WA. This has put us out of step, but it is understandable that we have not immediately adopted legislation from another state.

The modern rail industry is fast changing, more so than ever before. That changing pace is quickening. As such, WA cannot afford to be out of step with safety laws and regulations that exist in every other state and territory—for the sake of railway worker safety most of all. This bill will see WA move to an applied law approach, ensuring that there are no legislative inconsistencies between jurisdictions, as was the intent of the agreement of ministers at COAG to begin with. This rail reform resolves over a century of inconsistent regulatory practices between the states and territories, inconsistencies that have constrained rail transport operators across jurisdictional borders. The practical benefits of national rail safety regulation include single national accreditation for rail transport operators; removing duplication of auditing, monitoring and inspection processes; and the improved availability of resources and specialist knowledge to inform decision-making and safety investigations. Overall, the bill will minimise legislative inconsistencies relating to rail safety, and will support the timely application of rail safety amendments so that rail operations are regulated consistently across Australia. This will provide greater certainty to rail operators, rail safety workers, the national regulator and the national investigator.

This consistency and certainty also encourages industry players to better understand their shared safety responsibilities and accountabilities. After all, the Rail Safety National Law aims for a seamless and coordinated national approach to rail safety regulation in Australia. The new applied legislation will provide greater certainty for industry and the ONRSR, as I have mentioned. It will ensure that rail operators and rail safety workers are not disadvantaged by having to meet different requirements in WA. It is a bit like the regulatory equivalent of our old pre-Federation intercolonial borders.

I note that in June this year, federal, state and territory transport ministers committed to a review of Australia's Rail Safety National Law after the Rail, Tram and Bus Union raised a number of concerns. I would like to give a shout-out to the RTBU, which obviously is doing its good work as union representatives to ensure the safety of its workers and hold government and other industry players to account to ensure its workers get home every day.

I commend Minister Saffioti for hosting the most recent Infrastructure and Transport Ministers' Meeting, at which this important decision was made. However, given the way the Barnett government implemented mirror legislation rather than applied legislation, putting us out of step with other jurisdictions and compromising the sovereignty of the WA Parliament, we need to pass this bill now so its corresponding updates can be reviewed in lockstep with the other jurisdictions to get better safety outcomes for industry and workers nationwide.

One of the industries this legislation will affect is railcar manufacturing. Before this government came to office, this had not applied to WA for decades, as the former Liberal government closed our iconic Midland railway workshops in 1994, killing off a proud almost 100-year history of local railcar manufacturing, a valuable skills training ground, jobs and a proud rail community. This Labor government has brought railcar manufacturing back to WA. We have brought back our community's pride in local railcar manufacturing, a valuable skills training ground and a proud rail community. We have already seen the first trains built in Western Australia in almost 30 years rolled out at our government's Bellevue railway facility. Over 240 new railcars will be built locally over the next decade. As I have said before, I am proud of Labor's historic and ongoing commitment to local manufacturing. I am proud of our ongoing investment in the rail yards, railcars, railyard workers and training, investments that have in the past created the careers of generations of Western Australians.

Labor takes the safety of rail users, rail workers and now rail infrastructure seriously, too. The Rail Safety National Law Application Bill 2023 before us today reflects the McGowan government's commitment to public and industry

safety. Running through the centre of my electorate of Victoria Park is the oldest railway line in Perth, the Armadale line, which the member for Kingsley referred to as our heritage line. The Armadale line is older than Federation. This year marks 130 years of operation of the Armadale railway line. For 130 years the neighbourhoods in my electorate have been cut off from each other by this very handy line. Everybody loves it but it is a barrier in our community that disconnects our neighbourhoods. By raising the rail line and removing our level crossings, we are reconnecting our communities and making them safer. To enable these works, a shutdown of the railway line will begin in November, but associated works have already been happening for months now. I thank my local community for their patience over the last few months and I ask them to keep that patience going over the next couple of years as we complete this very important and fantastic project from which future generations will reap the benefits.

Safety, as my community knows, is at the heart of all the decisions made for this project, from traffic flow changes to the closure itself. After all, a person is killed or injured on the Australian rail network every two-and-a-half days, and jumping the pedestrian gates or taking shortcuts across the track is the most common way by which people risk their lives on our network. We are designing out these risks by removing level crossings on the Armadale line and not creating new ones in projects like the Thornlie–Cockburn Link. This is why it is so important that we raise the rail and get rid of level crossings all along the line. Removing my local level crossings at Mint Street, Oats Street and Welshpool Road will make a huge difference to community safety, especially when I think about what directly surrounds these level crossings and railway stations. For instance, at the Mint Street level crossing that is next door to the Carlisle train station, we have East Victoria Park Primary School on one side and Goodstart Early Learning on the other. Removing this level crossing will improve the safety of families and kids who walk to school and the local day care centre, which happens all the time—I see it every school day at drop-off in the morning and pick-up in the afternoon. On the other side of that level crossing is the Carlisle Hotel and Distillery. I am very pleased that the safety of those people who might stumble out of the hotel and distillery will be improved because the railway line will not be at street level anymore. The level crossing at Oats Street is situated next door to the Carlisle campus of South Metropolitan TAFE. Many students jump on and off the train there and possibly walk across the tracks. That will no longer need to happen. I would not want to see an 18-year-old who is running late to their skills class, jumping the tracks or the pedestrian gates in order to get there on time, which I am sure has happened in the past.

The development of our Metronet project, like I said, has always had safety at its heart, which in turn tends to improve the amenity of the project overall, which is exactly what this bill is trying to achieve. I am very pleased to be speaking about rail safety today and, hopefully, if this bill passes through this place and the Legislative Council, we will have a consistent approach to rail across the nation that will also allow for a consistent review of the legislation to ensure that we improve safety overall. I commend the Rail Safety National Law Application Bill 2023 to the house.

MR R.S. LOVE (Moore — Leader of the Opposition) [12.13 pm]: I think the member concluded just in time. I would like to make a contribution to the discussion on the Rail Safety National Law Application Bill 2023 and say from the outset that we will be supporting the legislation. I understand that the legislation will go to the Standing Committee on Uniform Legislation and Statutes Review —

The ACTING SPEAKER (Mrs L.A. Munday): Sorry, Leader of the Opposition, are you the lead speaker? I just want to give you the right time.

Mr R.S. LOVE: Yes, I am the lead speaker. It does not really matter. I will not take long. I go back to the expectation that this bill will be referred to the Standing Committee on Uniform Legislation and Statutes Review in the Legislative Council, as is the normal practice with uniform legislation. If the minister can confirm that in her response, that would be good. As I said from the outset, we will be supporting this legislation. I was a member of Parliament in 2015 when the Rail Safety National Law (WA) Act, which this bill will repeal, was put in place. There is a general reticence in Western Australian Parliaments to relinquish all sovereign control over acts of Parliament. I do not think that is unique to the Barnett government. There are plenty of examples of Western Australia legislation that has shied away from becoming an applied law in this state, and this is one of those examples. But over time, unless efforts are made to actively amend that legislation as changes take place to the national law, it falls out of place. The rail system is a national system and it should have one safety law that applies across the rail network. Train lines do not stop at the border, they continue over, so it is common sense to have a uniform safety regime.

The opposition received a briefing on 4 August from the minister's office and members of the Department of Transport about the proposed law. We know that there will be a national law, but with some local modifications to allow the Western Australian regime around alcohol and drug testing, for example, to continue because that needs to be in step with other practices in Western Australia that come under, for instance, the Road Traffic Act. When police conduct those types of investigations and testing, it should conform with the normal practices in our state. It was also mentioned in that briefing that this legislation will capture not just commercial operations on rail, but all operations on rail, including tourist rail. I believe that a couple of tourist tracks are in operation. I wonder whether the Toodyay Miniature Railway in Duidgee Park will be captured by this legislation. It might be a stretch to imagine that a train capable of carrying around 15 kids along a track around a park could possibly be captured by this bill. I am not sure how that would go being subjected to national rail law, but maybe the minister might make some comment on that.

We are adopting the national law as it stands in, I think, June of this year. It would be interesting to know what will happen if any changes are made to that law between now and when our newly enacted legislation comes into force. We know that similar types of legislation have been adopted in this state—for instance, the Legal Professions Uniform Law Application Act 2022, the Fair Trading Amendment Act 2022 and Marine Safety (Domestic Commercial Vessel National Law Application) Bill 2023, which has been passed by this chamber but is still in discussion in the Legislative Council.

It is understood from the briefing that we received—again, the minister might be able to confirm this—that all the amendments that occur to the South Australian act that then trigger the changes to the Western Australian legislation and regulations, will have to be agreed upon by all transport ministers. Can the minister confirm that and whether that will be done by some sort of a written agreement or just a stroke of the hand? I am not sure how that operates. That law originally came in after a Council of Australian Governments arrangement, so perhaps there is some written agreement about that. It would be interesting to know what lies behind that. There will be other modifications to the Western Australian legal scene with the introduction and definition of a few terms throughout the bill, but nothing that is of particular importance or has any thorny issues attached. The disallowance provisions have been mentioned, which we might tease out a little further in the consideration in detail stage. I think we will have some consideration of this legislation just to explain a few things, but I do not anticipate it will be a lengthy discussion. As I said, the opposition is supportive of the legislation. We are seeking more of an explanatory episode rather than trying to find a hidden agenda or to move any amendments. It should be a fairly short discussion.

Rail safety is a particularly important issue. Western Australia has many level crossings and there have been some tragedies over the years. I think there are 960 level crossings. I read the piece in the newspaper when the minister announced some improvements to level crossings, which was welcomed. Upgrades were proposed to 87, I think, level crossings. That was a very welcome announcement and something we on this side strongly support. There are 960 public road level crossings and 491 of those are passive; in other words, there are no flashing lights, just a sign of some sort, whether it be a Stop sign or a Give Way sign. I imagine there is some sort of control at the remaining crossings. In that group around 405 have Stop signs and 87 have Give Way signs. There will be upgrades to some of those crossings where a Give Way sign may be elevated to a Stop sign, or others where a level crossing flashing light system will be installed to ensure greater safety.

A group of families in Western Australia has been campaigning for improved rail safety for some time. There was a discussion in private members' business in this place in 2021 between the minister and the member for Central Wheatbelt. That followed lobbying over more than two decades by families who had been impacted by a tragedy at the Yarramony crossing just outside Jennacubbine in the central wheatbelt. Three young people lost their lives at the crossing—Christian Jensen, Hilary Smith and Jess Broad. Tragically, they were young people who were killed; the eldest of them was 20. That followed an accident seven years earlier when a Grass Valley resident was killed at the same level crossing. Many families across regional WA have been impacted by many incidents, but this group of families has been lobbying for 20 years or more for change in the safety of rail level crossings, by not just improvements to level crossings but also the ability of motorists to see the train and know that a train is approaching or going through a crossing.

During the member for Central Wheatbelt's motion, she called on the Labor government to invest in rail safety initiatives and lobby the federal government to improve the critical issue nationwide. She read from a letter by Lara Jensen, Christian's sister, which was sent to Ms Davies and also the former federal Nationals leader and transport minister, Barnaby Joyce, on behalf of seven families whose loved ones had been killed by trains. There is an issue nationwide that needs to be resolved.

In that instance the member called for the installation of flashing amber lights across the front of train roofs to increase visibility and LED lights on the side of carriages so that the entire length of the train is illuminated. If there is no illumination of the train in the dark and it is already going through the crossing, it can be very difficult to see. The member for Geraldton is nodding. She would know that the trains coming in from Karara Mining, for instance, carry magnetite so they get a little black and that they cross the Geraldton–Mount Magnet Road a number of times. That is an issue. Sometimes there are flashing lights, but even though one might see the flashing lights and stop, the train still cannot be seen very well as it goes through the crossing. Members can see how, in the wheatbelt, without controlled crossings, people could easily not notice that the train was there.

The member also called for ultra-high frequency radio communications on channel 40 with trains so that truck drivers could be alerted by the trains and for the implementation of solar-powered flashing red lights on the top of level crossing warning posts that will automatically flash when a train approaches. That is to try to get around the cost of having to install Western Power flashing light installations to each of those crossings powered by the mains system. There has recently been some positive news on that front, with a move by CBH to install LED beacon lights on trains in response to that campaign. A report of 10 August in *Countryman* states —

Australia's biggest grain handler has pledged to install LED beacon lights on the front of its locomotives by early 2025 in response to a campaign calling for improved lighting on trains and spearheaded by four families from WA.

CBH Group announced on Wednesday, August 9, it would install the lighting panels on “current and future locomotives” from October 1 this year, with the rollout to take between 12 and 18 months.

The new LED beacon lights will be positioned on narrow and standard-gauge locomotives, which CBH Group believes will enhance train visibility, without compromising the safety of road users or train drivers.

That is very welcome news. The article goes on to say that the move comes after years of campaigning by those families. In the article, CBH’s chief operating officer, Mick Daw, confirms that the lighting on the new locomotives that CBH would order will meet or exceed the updated standard, which has now been put in place. The article states —

“Any safety improvements we make to our current locomotives and wagons will be implemented into the new fleet prior to them entering service.”

The upgrades include 12 new lights—four on each side, two on the front eyebrow, and two at the rear eyebrow.

The eyebrow lights will flash when the horn is operated, in-sync with the existing bottom ditch light, in the direction of travel.

They are important improvements. It continues —

In response to the campaign, two of Australia’s biggest rail companies, Aurizon and Pacific National, agreed last year to trial lighting—mainly LED and halogen beacon lighting—on their trains.

They have done those trials. Disappointingly, there was a report in *Countryman* on 30 August, which was not too long ago, stating —

Australia’s biggest rail operator Aurizon—which carts grain, coal and iron ore across WA—has no plans to upgrade lighting on its trains until a new industry code of practice is put in place.

Aurizon will wait until there is a code of practice, which is somewhat at odds with it carting CBH’s grains. There seem to be a couple of different stories there.

The report continues —

Countryman asked Aurizon whether it was considering bolstering lighting on its rolling stock after farmer-owned cooperative CBH Group committed to improve its train lighting by early 2025.

It says it carts CBH grain at the moment.

The report stated that Aurizon and Pacific National agreed last year to a lighting trial. It continued —

The study found that lighting makes trains easier to see and recommended national lighting requirements for trains be overhauled.

An Aurizon spokeswoman said level crossing safety was among the rail freight industry’s highest priorities and the results of last year’s trials would help the Office of the Rail Safety Regulator develop a new Code of Practice on Train Illumination.

“Aurizon will continue to contribute to the development of the Code of Practice and implementation of new lighting will be aligned to the development of the Code,” she said.

Instead of the bold announcement from CBH, we see a bit of a walk back, so it is disappointing that Aurizon is not going to immediately implement the types of measures outlined by CBH earlier this month. I think that would be disappointing to everybody campaigning at that point. I implore Aurizon to reconsider that approach and improve the visibility of the trains voluntarily before that code is adopted. If it has actually been contributing to the code, it must have a very good idea of what the requirements will be under the code.

When the Rail Safety National Law was first enacted in 2015, there were many more level crossings in Western Australia than there are now. A lot were private crossings on farms, with a railway running alongside or through a farm, dissecting where a farmer might have property on both sides of the rail corridor. Many farms had their own little crossings. I became very aware of the implementation of that law. As safety measures and responsibilities changed, many of those crossings were closed down. I had many interactions with angry landowners who saw that as a bit of an issue. But at the end of the day, a train is the heaviest vehicle that goes on a public road. Although it is going along the rail corridor, when it is at a rail crossing at the intersection with a main road, it is, basically, a road vehicle. When a road vehicle is hauling thousands and thousands of tonnes, there is no doubt which vehicle is going to come off worse in an interaction with a train, so rail safety is utterly important. There is no reason the law should be different across the states, except for areas such as drug testing, which has to accord with Western Australia’s practices. However, the end result will no doubt lead to an ability to take blood samples and obtain evidence and ensure that safety remains a priority for all people involved in the transport industry, as I am sure it is.

I conclude by saying that the opposition supports this legislation. We do not see it as controversial. It is a sensible measure for the national law as it applies in the rest of Australia to be kept up to date in Western Australia. There

are provisions for the Parliament to disallow anything deemed to be objectionable. That is an important measure that will give some confidence to those who are concerned about the sovereignty of Western Australia's Parliament. I am not so concerned about that. I would rather that we had a safe rail system to ensure we are in step with the rest of Australia on this very important issue. Thank you.

MS C.M. ROWE (Belmont) [12.34 pm]: I rise to comment on the important Rail Safety National Law Application Bill 2023 and congratulate the minister on bringing this important bill to the house. I think any measures that seek to improve safety for rail workers, pedestrians and anyone involved in the rail industry are really important, so I acknowledge the work of the department, the minister and her advisers in making this bill a reality.

I want to talk about why this bill and rail safety is important. When preparing my contribution, I discovered a surprising fact in an article on the website The New Daily that stated that seven people die on the Australian rail network per month. Many of these are pedestrians, which is really tragic. A lot of other members in our chamber have touched on people taking their lives, which is incredibly devastating. It is also incredibly traumatic for the train drivers. Fatalities across Australia are mentioned in this article, in which people are unintentionally hit by trains. It is not death by suicide, but when a person trespasses on train tracks. They might be doing something for social media purposes, or simply trying to quickly get from one place to another without realising how dangerous it is. This article goes on to state that it can take up to the length of 14 football fields for a train to stop. A huge amount of space is required for a train to come to a complete stop. As we can imagine, there is no second chance if someone is hit by a train. Sadly, most of the time, it will end in a fatality. I think that there is possibly a lack of awareness around that.

I remember when I was growing up in regional Victoria—I am a child of the 80s—we did not have Netflix or anything like that. I think we had four television channels available, and they were the regional ones. There was an advertisement run by the state government at the time—I still remember it vividly—called, “Country people die on country roads.” It showed footage of a country person driving across train tracks without stopping and looking, and getting killed. That always stayed with me—how high risk it is.

This is an important bill and I very much want to make a contribution talking about why it is important that we are bringing this bill on. I also take the opportunity to highlight the incredible work we are doing as a Labor government—now as the Cook government, but prior to that as the McGowan government. The moment we were elected, we proved our bona fides when committing to rail. We have established a huge rail network in our six short years. I think that is a short period of time in which to roll out such an immense, truly transformational rail system for our city and the wider metropolitan area. There are 18 Metronet projects underway, which will see 72 kilometres of new rail laid. That is really significant. There are 23 upgraded stations—15 new stations, and eight rebuilds—and 15 level crossings have been removed. I want to pause on this for a moment and say that level crossings are particularly dangerous because they are an intersection of drivers and passengers getting on and off trains. Not only do level crossings create frustration for motorists, but also they can be incredibly dangerous, so I am really proud that our government is removing level crossings as part of our Metronet program.

We will have 246 new WA-built C-series railcars. We are bringing the manufacturing of railcars back to Western Australia. We are creating jobs. It is terrific to have such a highly skilled workforce to support and nurture here in Western Australia. Again, it speaks to our bone fides that we look after local jobs, and that is fantastic.

We have already completed six Metronet projects, and the one I am most excited about is of course in my own electorate. The Redcliffe train station opened to much fanfare. The community came out in droves from not just Belmont, but right across the metropolitan area. It was a day of much excitement. I could not convince my kids to come for a free train ride; they were not that interested, but it was exciting nonetheless because the Prime Minister was there. It showed how relatively quickly we were able to develop, build and roll it out during a pandemic. It was a huge achievement. The issues around the supply chain and disturbances and disruptions during that period have been well ventilated, but we still delivered on that key commitment. I was very excited to see the Redcliffe train station and the airport train station open in my electorate.

I take this opportunity to acknowledge the Minister for Transport. When we initially talked about a Metronet station coming into Belmont, it was originally going to be called Belmont train station. However, my community got up in arms because geographically it was not actually in Belmont; it was in Redcliffe. The minister absolutely agreed to change the name and the locals are very happy with that decision.

Some other Metronet projects that have been completed include High Wycombe and Lakelands stations, the removal of the Denny Avenue and Caledonian Avenue level crossings, the Metronet railcar facility and Mandurah station multistorey car park. The 12 projects we have underway are the Thornlie–Cockburn Link, Yanchep rail extension, Morley–Ellenbrook line, Byford rail extension, the new Bayswater station with four platforms, a new Midland station, Victoria Park–Canning level crossing removal, Greenwood station multistorey car park, a high-capacity signalling program of works, Canning Bridge bus interchange, Morrison Road level crossing removal and the acquisition of railcars. As I have mentioned, after 27 years, railcar manufacturing is returning to Western Australia in the purpose-built Bellevue Railcar Manufacturing and Assembly Facility. This will deliver 246 new C-series railcars to service the Metronet projects, so I think that is fantastic.

Over the six short years that we have been rolling out all these incredible projects, we have had to listen to the opposition bemoan how long it has taken for these projects to occur, but I do not hear members opposite saying anything now. These projects have truly transformed the way people live in our communities and the broader metropolitan area. We have provided a network that helps people get to TAFE, university, their workplaces or to visit their friends and family. We have totally changed our city and metropolitan area to make it incredibly connected. When we think about rail, we have to look at the implications. It is not just about railcars and train tracks; although, I note that this bill is about safety.

A reason that rail is important is the cost of living. At this time, people are really feeling the cost-of-living pressures, and it is really important that we have affordable transportation so that people can get to and from employment opportunities. That is a really critical thing that was in mind of the Deputy Premier when she first looked at the Metronet program. She wanted to make sure that we could provide people with cost-effective transport means to get the best opportunities for employment. The second reason that rail transport is important is the environmental impact or lack thereof from using it. Rail transport has very little environmental impact. Many people use public transport over cars and I wanted to touch on that because it is an important thing to note. In recent times, we have had some pretty concerning reports in the media, especially this year. Earlier I read through the *Climate change 2023 synthesis report* of the Intergovernmental Panel on Climate Change, which highlights the need for action. I will quote some of the observations by the people who contributed to this report. It states —

Widespread and rapid changes in the atmosphere, ocean, cryosphere —

I hope that pronunciation is correct —

and biosphere have occurred. Human-caused climate change is already affecting many weather and climate extremes in every region across the globe. This has led to widespread adverse impacts and related losses and damages to nature and people ...

The report refers to how climate change has caused increasingly irreversible losses to not only our terrestrial landscape, but also the freshwater and coastal environments and ecosystems. This is a major issue because it is irreversible. The other major issue around climate change is the impact it will have on our access to fresh water. The report refers to water security and food security and states —

Climate change has reduced food security and affected water security, hindering efforts to meet Sustainable Development Goals ...

It goes on to say —

Roughly half of the world's population currently experience severe water scarcity ...

A major contributing factor to that is climate change. It continues —

In all regions increases in extreme heat events have resulted in human mortality and morbidity ...

In urban areas, observed climate change has caused adverse impacts on human health, livelihoods and key infrastructure. Hot extremes have intensified in cities. Urban infrastructure, including transportation, water, sanitation and energy systems have been compromised by extreme and slow-onset events ...

I bring that up because there have been terrible fires recently in Europe, Canada and Hawaii, and so climate change is happening. It is happening. It is quite devastating and extreme. We know that the UN chief issued a statement only a few months ago, saying —

... the era of global warming has ended ... the era of global boiling has arrived ...

He then went on to say —

Climate change is here. It is terrifying. And it is just the beginning.

A professor of climate physics from the University of Leeds in England, who is also the chair of Britain's Climate Change Committee, said in an article —

Debate interrupted, pursuant to standing orders.

[Continued on page 4329.]

ESPERANCE DISTRICT FOOTBALL ASSOCIATION

Statement by Member for Roe

MR P.J. RUNDLE (Roe — Deputy Leader of the Opposition) [12.50 pm]: The Esperance District Football Association recently celebrated its 2023 season and recognised the efforts made by players, teams and umpires during the year.

Esperance Football Club midfielder Richard Bourne was named the Hepburn medallist for the senior men's league, with his Bulldogs teammate the runner-up. The Hepburn medal was not the only honour bestowed on Bourne, who was also deemed to be the association's footballer of the year. Gibson Football Club women's player Rani Smart

won her second fairest and best medal in a three-year period, taking home the Brett Crawford medal. Her club colleagues Jacob Barber and Regan Mott won similar accolades for the A-reserve and colts grades respectively. Mott was awarded the McArthur medal, and Barber was presented with the Frank Murray medal by its namesake, Frank Murray.

The Paddy Rule medallist was Matt Harding. The Ted Young medallist was Brett Trocinski, and the umpire of the year was David McGrinder. Newtown–Condungup Football Club player Oakley Wallace received the Graeme “Ozzie” Ainsworth memorial shield for the best player in the association under the age of 21 years. Other medals presented were for the volunteer club person of the year awards, which went to Sophie Hawke of Esperance, Greg Curnow of Gibson, Shane Liddelow of Newtown–Condungup, and Chris Cassam of Ports.

The strength of sporting clubs reflects the role of sport in the community in places like Esperance, and the celebrations that come at the end of the season provide players and supporters with the chance to end their season on a high note.

COCKBURN ENVIRONMENTAL LEADERSHIP PROGRAM

Statement by Member for Cockburn

MR D.A.E. SCAIFE (Cockburn) [12.51 pm]: On 11 August, I hosted the second annual Cockburn environmental leadership program at the Wetlands Centre in Bibra Lake. The program brings together year 5 students from my electorate for workshops that focus on developing their ability to drive sustainability initiatives in their communities, schools and homes.

The students this year were welcomed by Noongar elder Marie Taylor, who spoke to students about the significance of the Beeliiar wetlands to Aboriginal culture. The students then enjoyed a presentation by the Water Corporation on the sustainable use of Perth’s water supply, before quizzing the Minister for Environment, Hon Reece Whitby, MLA, on topics such as the government’s plans to protect native species. The students finished the day with a workshop from Peg Davies, a waste educator, and a tour of the Wetlands Centre. I thank all the presenters for their time, particularly the Minister for Environment for personally meeting with the students for the second year running.

I congratulate the following students on being the 2023 graduates of the Cockburn environmental leadership program: Zander Schott and Junho Yu from Atwell Primary School, Paige Hollingsworth and Sahna Turner from Beeliiar Primary School, Nia Coleman and Eva Locantro from Coogee Primary School, Milly Thomas and Isabelle Gerhard from Harmony Primary School, Patrick Lai and Kushal Sal Sanapala from Jandakot Primary School, Evelyn Turner and Olivia Bissett from Mater Christi Catholic Primary School, Kate Winstanley and Elsie Pascoe from Newton Primary School, Sophie May and Hannah Pearson from South Coogee Primary School, Sumarlee Barbour and Jace Liam Emil from South Lake Primary School, Domenic Lioni and Harper Wolfenden from St Jerome’s Catholic Primary School, Nikrye Rashidi and Zara Worthington from Success Primary School, and Mylee Rothel and Sara Soslaric from Yangebup Primary School.

PHYLIS TOOVEY — 100TH BIRTHDAY

Statement by Member for Cottesloe

DR D.J. HONEY (Cottesloe) [12.53 pm]: My former neighbour at our family farm in Cranbrook, Mrs Phylis Toovey, turned 100 on 7 August this year. I take this opportunity to celebrate her life and contribution to our community.

Phylis is my godmother, and I have always known her as Aunty Phyl. Aunty Phyl was born Phylis Evelyn Taylor at Mt Barker hospital on 7 August 1923, the daughter of Arthur and Rose Taylor and the second eldest of eight children. Aunty Phyl married Lomas Toovey, known as Ted Toovey, in 1943 before moving to Ted’s father’s farm, Boyacup, in Cranbrook in 1945. They raised three children, George, Neville and Robyn, while developing and growing their property. These were tough times, with limited farm mechanisation and hard physical work. Ted and Phyl worked hard, alongside their children, in developing their property, and they were especially proud of the sheep and cattle lines they developed together. After the passing of their daughter Robyn at the young age of 39 years in 1988, they made the move to Perth for retirement. Uncle Ted passed away in Perth in 1998, and Aunty Phyl returned to live in the great southern town of Kojonup.

Aunty Phyl is typical of the many women who are the backbone of rural communities. They are hardworking and resilient, and forgo many of the comforts of city life to support their families and their local communities. Aunty Phyl was my mother’s best friend, and they provided mutual support for each other in their isolation. Aunty Phyl now lives in the Springhaven Lodge nursing home, where we had a birthday party for her. Happy birthday to Aunty Phyl. I also thank the honourable member for Roe for his congratulations, which she very much enjoyed.

OLYMPIC KINGSWAY SOCCER CLUB

Statement by Member for Landsdale

MS M.M. QUIRK (Landsdale) [12.54 pm]: We are basking in the afterglow of the wonderful FIFA Women’s World Cup. I acknowledge many within my electorate who worked tirelessly behind the scenes. The contribution of volunteers across Australia has largely been ignored. Team Denmark used Olympic Kingsway Soccer Club

as its base in July and August. This permitted it to have exclusive use of the premises and grounds. Scheduled matches and other events held regularly at Kingsway were relocated. The popular Kingsway markets temporarily moved, and Olympic Kingsway club dinners were instead held at Wanneroo City Soccer Club and Hepburn Centre in Marangaroo. Those worthy of special mention, the board and cheerful vollies, included Mandy Gordon, James Damianopoulos, John Colli, Harry Trandos, Kim Michailides, Venessa Stickells, Uli Purwien, Jason Stern, Bev Errington, Jim Gordon, Scott Stickells, Vasko Spiroski, Stephanie Brown and President Steve Nelkovski.

Despite grassroots and community enthusiasm, team contact with local players and fans was limited to an invitation-only training session with restricted numbers. Players are highly paid professionals, but we hoped there would be school visits or more opportunity for close contact with world-class players. Ground staff at the City of Wanneroo did a wonderful job. The garden surrounds were first class. Garden beds were even planted with red and white flowers in the colours of Denmark, which was a lovely welcome. Olympic Kingsway finished third in the 2023 national premier league home and away season. It is the club's best finish since 1981, a strong achievement in its first season in the top league.

WILUNA — COMMUNITY FACILITIES

Statement by Member for North West Central

MS M. BEARD (North West Central) [12.56 pm]: Earlier this month I joined the local community for the official opening of the new Wiluna skate park; an outstanding event that has delivered an impressive community asset, showcasing the positive forward-facing community of Wiluna. I congratulate shire CEO Gary Gaffney, president Peter Grundy, deputy Brodie Sawyer and councillors for their leadership, along with Emidio Boto from the Wiluna Remote Community School for the active engagement of students. The skate park was designed with the involvement of local students to ensure there was buy-in from those who will use this fantastic resource, a group that is now tasked with naming their skate park.

It was great to also see the new caravan park under development, which will provide a vital tourism resource for the town, complementing the wonderful discovery centre, which is overseen by Carolyn, and catering for visitors to the region, including the Canning Stock Route and Gunbarrel Highway. Our visit to the Goldfields Highway guided by Gary, Brodie and Tim Carmody was concerning. It is a state highway that, shockingly, remains unsealed. I was gobsmacked to see the narrowness of the road in parts, especially across the West Creek Crossing where quads hammer along as well as numerous caravans and travellers. This highway must be sealed as a priority by the Labor government. Wiluna is a long way from Perth, but its concerns are no less important than those of areas in Perth. The community is still waiting for the first section, which was funded by the previous coalition government, to be delivered. I will keep the pressure on until this project is delivered in full. I thank Karen Chapple, President of the Western Australian Local Government Association, for joining me on this visit. Seeing a proactive, hardworking local government and community in action left all in attendance inspired. Wiluna forging ahead with such positive outcomes shows the importance of strong local governments in regional WA.

WESTERN AUSTRALIA ALL ABILITIES FOOTBALL ASSOCIATION

Statement by Member for Darling Range

MR H.T. JONES (Darling Range) [12.58 pm]: The Western Australia All Abilities Football Association, or WAAFA, provides an opportunity for people with a disability to be involved in footy like any other Australian. WAAFA exists to improve the independence, wellbeing, self-esteem and life skills of people with a disability, which is achieved by facilitating organised footy, supporting clubs to provide an inclusive environment, advocacy and promotion, and raising funds. We know that football is popular, and that being part of a footy club is something that brings people together and attracts people from diverse cultural backgrounds, particularly Aboriginal people.

WAAFA has formed many business, community and sporting partnerships and now has 3 130 participants across the state in 14 programs including All Abilities Football, blind AFL, wheelchair football and Kickability in schools. My son Gryff has now played his first season with the Kelmscott All Abilities Football team and has become more active, confident, engaged and has formed friendships. The team has grown from about seven players three years ago to now having a squad of 40 players—both men and women—aged from late teens to late fifties. I am looking at you, Larry!

I give special mention to Hayden Marchetto, the executive officer of WAAFA for his superb relationship building, and to coach Robert Turner of the Kelmscott Bulldogs for being recognised as the national AFL disability inclusion ambassador of the year for displaying exceptional leadership in engaging people with disabilities in football. He knows every player by name! The grand finals were played last Saturday in Willetton. I congratulate Coolbinia for winning the A division flag and Curtin University Wesley Football Club on winning the B division flag. I encourage all sporting codes to embrace all-abilities sport, not only to be inclusive, but also to realise the financial and participation benefit of more members and their families, making clubs more viable, welcoming and increasing the number of volunteers!

Sitting suspended from 1.00 to 2.00 pm

**DISTINGUISHED VISITORS — PARLIAMENT OF NEW SOUTH WALES
ST KIERAN CATHOLIC PRIMARY SCHOOL — FREMANTLE COLLEGE**

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [2.00 pm]: Members, I welcome to the Speaker's gallery today some members of the New South Wales Parliament, including the NSW Leader of the Nationals and member for Dubbo, Mr Dugald Saunders, MP; Mr Gurmeh Singh, MP; Tanya Thompson, MP; Sarah Mitchell, MP; Sam Faraway, MP; and Eleni Petinos, MP. Welcome to the Western Australian Legislative Assembly.

On behalf of the member for Balcatta, I welcome students from St Kieran Catholic Primary School. On behalf of Minister McGurk, I welcome both Ivanya Ammoun and students from Fremantle College to the Speaker's gallery today.

I also wish Minister Punch a very happy birthday.

Members: Hear, hear!

CAROLINE VAN BEELEN — RETIREMENT

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [2.02 pm]: I also want to specially acknowledge one of our Hansard reporters who has retired. Caroline van Beelen commenced with Hansard at the Western Australian Parliament on 30 March 1987—one of the few people who has been here longer than me! She was recruited from the Victorian courts as a stenograph shorthand reporter. Caroline has been a committed Hansard reporter over many terms of government, with a diligent work ethic and strong language skills throughout more than 36 years with the Hansard team.

[Applause.]

The SPEAKER: Caroline will be missed by her colleagues, who wish her all the best for her retirement, in which she plans to travel and take up some voluntary work.

Can I say to Caroline, on behalf of all members of the Assembly, thank you for your outstanding service to the Parliament of Western Australia. All members of this house wish you well.

Members: Hear, hear!

QUESTIONS WITHOUT NOTICE

DOMESTIC VIOLENCE CRISIS SUMMIT

579. Ms L. METTAM to the Premier:

I refer to the tragic family and domestic violence death of Lynn Cannon in December 2022. Yesterday the police minister admitted that he had not yet received a briefing on this tragic incident and could not explain why it took the Western Australia Police Force over an hour to respond to her 000 calls for help, to which the Commissioner of Police acknowledged that WAPOL had let her down.

- (1) How does the Premier expect Western Australians to believe his government is taking this seriously when he has a police minister who was unaware of the circumstances of a FDV death and had not sought a briefing after nine months?
- (2) Why do we have a family and domestic violence minister who could not answer simple questions about a government initiative for GPS monitoring —

Several members interjected.

Point of Order

Dr D.J. HONEY: Madam Speaker, I literally cannot hear the Leader of the Liberal Party because of the noise coming from the other side.

The SPEAKER: Members, the level of interjection whilst the Leader of the Liberal Party was asking the question is too high. I ask people to desist. I think it is important that we get to hear the question and then I will ask the Premier to respond.

Questions without Notice Resumed

Ms L. METTAM: I go to the second part of the question: why do we have a family and domestic violence minister who cannot answer simple questions about a government initiative for GPS monitoring to protect women and children?

Mr R.H. COOK replied:

- (1)–(2) Just to the first point, I thought the Minister for the Prevention of Family and Domestic Violence dispatched the member pretty effectively in terms of her question. She is a very effective minister. The member was actually asking her a question that was not about her portfolio; it was the Attorney General's area. If the member wanted to understand how that particular program was developing, he would have been the more appropriate minister.

I had the honour this morning to attend the Domestic Violence Crisis Summit. I say it was an honour because people at that forum brought forward some of the rawest emotions from their experiences, whether individually or as a member of a family that has experienced family and domestic violence. We know of the incredible disease on our community, which is FDV. I know I speak on behalf of all members of Parliament when we say that we condemn it. We want to see it, if not eliminated, reduced as much as possible, and we all want to see the community unite to work together against this insidious aspect of our society. I had the honour to attend this morning with the Deputy Premier; the Minister for Prevention of Family and Domestic Violence; the Minister for Women's Interests, Hon Sue Ellery; and the Minister for Police, Hon Paul Papalia. We were front and centre with our key leaders of the public sector, specifically Commissioner Col Blanch, to meet with these people, to discuss and to hear their concerns and understand their pain, although we can never understand it from their perspective or feel it so viciously. What happened at that particular forum was very moving and very powerful. I commit on behalf of my government that we will take away the thoughts and pleas of those people at today's summit and make sure that as a government, we recommit ourselves to ensuring that we are doing everything we can to reduce the incidence of family and domestic violence in our community. We cannot always be successful, but we can do our best.

We have invested over \$200 million since 2017—the largest investment in family and domestic violence services in this state's history, which includes \$84.5 million this year and a wide range of strategies and initiatives to support victim survivors. That includes 43 refuges and safe houses around WA. Two more refuges are currently under construction. We have set up 17 family and domestic violence response teams, a rapid rehousing pilot to support safe and stable tenancies, counselling advocacy services, perpetrator interventions, outreach services like Safe at Home and other programs that support victim survivors, and committed around \$4.5 million annually for perpetrator interventions, including the residential Breathing Space program, a men's behaviour change intervention.

I acknowledge Hon Simone McGurk, the previous Minister for Prevention of Family and Domestic Violence, for the programs she put in place, including 16 Days WA and the respectful relationships teaching support program, which is about to continue to elevate this issue in our community and to make sure that we are doing everything we can to be aware of it, identify it and respond to it. That is a conversation that we have to continue to have right throughout our community.

When we get to a situation in which people are impacted by family and domestic violence, we need our first responders to be there and to be able to make the interventions that we require. We have invested \$2 million into St John Ambulance to provide it with family and domestic service-specific training to ensure that we can support it better—and, of course, we want our frontline services, including our police officers, to have all the resources they need to be able to intervene in these circumstances. It does not always happen and we do not always get it right, but the government is committed like none in this state's history to ensuring we do everything we can to reduce and eliminate the incidence of family and domestic violence.

DOMESTIC VIOLENCE CRISIS SUMMIT

580. Ms L. METTAM to the Premier:

I have a supplementary question. How can we believe the government will address family and domestic violence issues when within an hour of today's emergency summit, the Minister for Police has already dismissed a key recommendation from the sector?

Mr R.H. COOK replied:

Madam Speaker, you and the Western Australian people can be assured that we are committed to this policy outcome because we are the first government in this state's history to have a dedicated Minister for Prevention of Family and Domestic Violence. We have invested a record \$200 million since being elected in 2017, and we will continue to find and allocate resources so we can have the appropriate wraparound and collaboration between departments to ensure that we support people impacted by family and domestic violence.

INDONESIAN TRADE MISSION — PREMIER

581. Mr P.C. TINLEY to the Premier:

Before I ask my question, on behalf of the member for Albany, I acknowledge students and staff from the Great Southern Grammar here with us today in the gallery.

I refer to the Premier's upcoming mission to Indonesia, which aims to strengthen economic ties between Western Australia and Indonesia.

- (1) Can the Premier advise the house how this mission will support the diversification of Western Australia's economy and provide a boost to local sectors such as energy, primary industries and international education?
- (2) Can the Premier advise the house what Western Australia's relationship with Indonesia means for the state's economy?

Mr R.H. COOK replied:

- (1)–(2) I thank the member for the question and for his previous and ongoing work on engagement with Asia and its importance as part of our economic future.

I take the opportunity to congratulate the member for Bunbury on his forty-fifth birthday! I also take the opportunity to acknowledge the former member for Mirrabooka, who is in the public gallery today. It is good to see you here.

I have said a lot recently about the fact that Perth is closer to Jakarta than Canberra, and I dare say more Western Australians have been to Indonesia than the nation's capital! Indonesia represents an incredibly important part of our ongoing relationship with Asia, but also our ongoing prosperity in terms of trade, people-to-people and business-to-business relationships, and continuing to grow our influence in the South-East Asian regional economies. Indeed, the importance of Indonesia is underscored by the fact that it will be the world's fifth largest economy by 2030, and our state will and needs to be part of this growth. Last year, Western Australia accounted for 30 per cent of Australia's goods exports to Indonesia. That is \$3.8 billion worth of goods—and it is just the start. As Indonesia is our closest international neighbour, Western Australia must continue to strengthen its connection with Indonesia to unlock new trade and investment partnerships.

To further this objective, I will be leading my first trade mission as Premier to Indonesia. Beginning in the Indonesian capital of Jakarta, the mission will involve more than 130 key government and business representatives, including three members of cabinet—Ministers Johnson, Templeman and Jarvis. This is the biggest trade delegation ever taken overseas by a Western Australia government. It is an indication of our commitment to ensuring we continue to engage strongly with Asia and our regional economic neighbours. There are important opportunities for Western Australia and Indonesia if we work together to realise our mutual prosperity.

At the same time, our state can make further inroads into diversifying our economy. Our focus will be on highlighting investment and trade opportunities across energy transition, creative industries, the digital economy, international education, primary industries and tourism. Although this will be my first trade mission as Premier, it will be my third official visit to Indonesia since our border opened, a clear demonstration of the value that Western Australia places on our partnership with our closest neighbour. The mission is yet another platform to promote the state as a recognised and trusted partner.

Recently, I took a similarly large, but slightly smaller, mission to India. Out of that have come some great opportunities including, most notably, Perth-based battery company Thorion Energy, which earned a manufacturing agreement with Hild Energy in Chennai after last year's trade missions. The company's CEO, Brad Appleyard, and COO, Paul Hersey, are a testament to the ingenuity simmering away in Western Australian industry today.

Given the success of previous trade missions, it comes as no surprise that there was a huge demand for delegates to be on this delegation. I very much look forward to taking Western Australia to our South-East Asian community, continuing to make sure that we realise trade and prosperity opportunities for Western Australians and our neighbours and to drive Western Australian jobs by continuing to drive Western Australia's trade.

INVESTMENT AND TRADE COMMISSIONER FOR ASEAN

582. Ms L. METTAM to the Premier:

I refer to the Premier's upcoming trip to Indonesia and note the decision by the WA Labor government to no longer to have a dedicated trade commissioner for Indonesia, instead spreading that role thin across countries of the Association of South-East Asian Nations and having it based in Singapore.

- (1) Is the government reconsidering a permanent and experienced in-country commissioner to be based in Jakarta focused solely on Indonesia?
- (2) Will this help Western Australia build and improve partnerships in critical minerals, agriculture, education and other important economic, trade and investment opportunities for WA?

Mr R.H. COOK replied:

- (1)–(2) We saw what a debacle some of our trade commission offices were under the previous government. Those activities that occurred overseas, some of them at the hands of a Liberal member of Parliament, were quite frankly embarrassing and did us reputational damage. They frankly needed addressing. The WA Labor government undertook a review of our overseas trade offices to make sure that we drive value for money for the WA taxpayer, drive a strategic approach in our regional economies and drive dollars to Western Australian businesses so they can drive jobs for Western Australians. As a result, we settled on the creation of a hub-and-spoke model around the United Kingdom and Europe, India and the Gulf region, the ASEAN region, North Asia, China and, latterly, the Americas. Via this process, we can have teams

right around the region ensuring we can be in the right place at the right time. For instance, we have an Agent General in London, but under this government that Agent General now has an office in Frankfurt as well. We have an ASEAN trade commissioner in the ASEAN region, but because of the hub-and-spoke model, that person is not necessarily anchored in a single place. They can have teams working around the region. Our government has also opened an office in Ho Chi Minh City in Vietnam. Having a trade commissioner dedicated to the Americas means that we have now opened our office in Austin. Our government continues to expand its influence.

There was a reason that the Investment and Trade Commissioner for ASEAN region was no longer based in Singapore; it is called COVID. It was simply too dangerous to have someone employed in the Singaporean office because of that area's struggles with COVID. The Investment and Trade Commissioner for ASEAN will be based in Jakarta. The acting trade commissioner is currently in Jakarta, but that does not mean that Singapore is not important, and we do not have people working there. This is one of the lessons that we have learned from other states with a very aggressive overseas trade network, particularly Victoria. The message for everyone is that if we want to be globally competitive, we have to be in the game. We have to have an extensive network of offices right around the world and in our strategic markets to ensure we can drive these particular outcomes. We saw what happened under the previous government. It lost track of it, it lost control of our trade offices and, quite frankly, it was a debacle!

Several members interjected.

The SPEAKER: Order, please!

Mr R.H. COOK: Sorry, Madam Speaker; I forgot that we have just opened up the Manilla office as well, so that is fresh off the press.

Our trade offices are doing an extraordinary job at the moment because we have reinvented the system. We have young, driven and strategic trade commissioners working in those regions to drive business to Western Australian companies and to build those relationships. If members want see the most significant indication of how effective our trade and investment strategy is, just look at the number of businesses that want to come on the Indonesian trip. Over 130 business leaders want to be part of our trade mission to Indonesia. That is a vote of confidence. They know that the Western Australian government is firmly focused on engagement with Asia, on driving trade to Western Australia and on creating great quality trade jobs for Western Australians.

INVESTMENT AND TRADE COMMISSIONER FOR ASEAN

583. Ms L. METTAM to the Premier:

I have a supplementary question. How can our Indonesian neighbours take the Western Australian Labor government seriously when in 2021 one of the government's first acts was to scrap the Asian engagement portfolio?

Several members interjected.

The SPEAKER: Order, please!

Several members interjected.

The SPEAKER: Members!

Mr R.H. COOK replied:

That is simply not correct. We continue to work on our Asian engagement strategy that continues to be a key part of our engagement with the South-East Asian economies. If the member for Vasse thinks that somehow people are not confident, she simply need to look at not only the expressions of interest, but also the waitlist of people who want to come on the Indonesian trade mission. If the member for Vasse thinks that the Indonesian government does not have confidence in us, why did the President of the Republic of Indonesia invite me to Sydney as part of his Asian tour? At that meeting, we signed a plan of action with the Australian–Indonesian business council, or KADIN, that was witnessed by the President of the Republic Indonesia. I said to him, “Your Excellency, it would be much easier if we met in Perth because that is much closer for both of us”, but he was very pleased to engage with us. I was the only Premier in Australia invited to that meeting, even though it was held in New South Wales. I think that members can see the level of confidence that the Indonesians have in engaging with Western Australian people.

TONKIN GAP PROJECT

584. Ms L.L. BAKER to the Minister for Transport:

I refer to the record investment in job-creating transport infrastructure being delivered by the Cook Labor government across Western Australia.

- (1) Can the minister update the house on the construction of the Tonkin Gap project, including the works to support the Metronet Morley–Ellenbrook line that runs through Bayswater—just mentioning it?
- (2) Can the minister outline to the house what these significant investments means for local jobs, business, commuters and communities?

Ms R. SAFFIOTI replied:

I thank the member for Maylands for that question.

- (1)–(2) The Tonkin Gap project is progressing very well and residents in that area would acknowledge that, but I thank all residents along the entire corridor. It has been a massive project with lot of different traffic management strategies and diversions, but we are nearing the end of that project, which is very exciting for everyone involved.

It will eliminate one of the key bottlenecks across the system along the Tonkin Highway in that area. It will save commuters time, reduce congestion and improve safety. We have done a lot of work so far. A new bridge over the Swan River has been built, along with new noise walls put in. After negotiations with the member for Belmont’s local residents, we reached a compromise and now have new perspex noise walls. Some people complain because they cannot look at the river, but it does stop the noise going to into the local community, which is good from the member for Maylands’ perspective, too.

New bridges have been built over Guildford Road, the Midland line and Railway Parade. The Great Eastern Highway west-bound entry loop onto Tonkin Highway is now in use and works continue on the east-bound ramp. Collector–distributor lanes are set to open south-bound. New signage is about to be installed, and a new principal shared path will be built along that area, too. The project is going very well.

As members know, we are committed to city projects as well as regional projects. We are a party for the whole of Western Australia. Of course, the Nationals have diverted their attention from regional WA to metro WA. I cannot help but look at some of the comments from the Leader of the Opposition about the seats he is targeting. The seat of Nedlands, member, because of the National Party’s environmental policies —

Point of Order

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

Several members interjected.

The SPEAKER: Order, please! I hope people have had their little bit of fun with that and we can now hear the point of order in silence.

Dr D.J. HONEY: Madam Speaker, I know you are generous, but the answer has drifted well away from anything that was asked of her.

The SPEAKER: Minister, I suspect you are making an analogy here, so I ask you to answer the question asked, and if it is an analogy, you might make it clear.

Questions without Notice Resumed

Ms R. SAFFIOTI: It is an analogy—and a very good one, too!

Then, of course, my personal favourite is that the National Party will be targeting the seat of Fremantle because it believes in taking trucks off the road and putting more freight on rail, members. The National Party that sold and privatised the railway lines, shut down the regional rail lines and opposes Westport and Metronet, is now somehow going to appeal to the good folk of Fremantle, member for Fremantle, about how it wants to put more freight on rail. This is the party that is solely responsible for moving freight off rail and onto roads in regional Western Australia. I cannot wait for the National Party to give us the names of more seats that it will be targeting because this will give me enough material to last until at least the end of this year! National Party members opposite want to compare their track record on rail with ours of investing in Metronet, and moving the amount of rail freight into the port of Fremantle from about nine per cent under the coalition government to over 20 per cent. This government has provided a subsidy to support freight and rail. We have projects across Western Australia from the wheatbelt through to midwest to upgrade, with industry, regional rail sidings and tracks to support more grain on rail throughout WA. We have conducted projects such as the feasibility study in relation to Greenbushes. There are many projects. I look forward to hearing about the seats that the Nationals will be targeting. Perhaps the member for Cottesloe should be watching his back because the “MetroNats” are on their way, and while they are targeting our seats, I am sure that they will also be targeting the member for Cottesloe’s electorate with its record on the environment.

COOK GOVERNMENT — PRIMARY INDUSTRY**585. Mr R.S. LOVE to the Premier:**

I refer to comments made by the Prime Minister on Tuesday, lauding the strength of our primary industries. He said agriculture, forestry and fisheries are areas in which Western Australia already sets world standards in quality.

Noting the Prime Minister is presiding over the end of live sheep exports and seemingly has not been told the Premier is attacking the other world standard industries with the cessation of the native forestry and unwarranted restrictions on the fishing sector, can we expect to see a reprieve of the Premier’s relentless attacks on primary industries or was that just lip service from an ill-informed Labor leader?

Mr R.H. COOK replied:

I do not think the people of Nedlands will be happy with that question at all!

Mr R.S. Love: I don't know where the Nedlands joke comes from but it's not from me.

Mr R.H. COOK: I know, but it is good fun.

The Prime Minister is right. We have great industries in forestry and primary industries. Under the leadership of Hon Jackie Jarvis, we are making significant inroads in continuing to grow our farming industries through the continued support of farmers themselves, but also through the development of agrifoods and other related products. They continue to add value to the work that is done right across our great farming sector. It is right for the Prime Minister to say what a great job that sector is doing for our economy. We will continue to make sure we support it and ensure it has the support of this government to continue doing great things on behalf of the Western Australian community. That is a very important element of what we want to do to continue to diversify our economy—add value to our primary industries, particularly as part of our trade relationships, so that we can continue to contribute to the food security of the world. I am sure the Prime Minister was thinking about the fact that it was the efforts of a collection of members of his government to stabilise the relationship with China so that we can re-instate the billion-dollar trade relationship we have with China in barley. I think that if the Leader of the Opposition has concerns in relation to the farming industry, they are allayed by the fact that the coalition government has now been kicked out of Canberra and we can build on these strengthened these relationships. We are very much looking forward to Hon Don Farrell, the Minister for Trade and Tourism, making further inroads and perhaps reinstating the rock lobster trade with China, which was so comprehensively destroyed under the coalition government in Canberra because of its mishandling of the relationship with China. I hope we enjoy for many years to come great opportunities for our fishing industry to grow and for Western Australian recreational fishers —

Mr P.J. Rundle interjected.

Mr R.H. COOK: Do not worry, member for Roe; I am coming for you!

There are great opportunities for our commercial fisheries and recreational fishers to have a sustainable future going forward. That is why, under the leadership of the Minister for Fisheries, we are making the tough decisions based upon the best possible science to ensure that we can preserve our stocks and make sure those commercial activities are available into the future. It is the exact opposite of what the member was saying; we are not attacking fishers and the fishing industry. We are supporting that industry and making sure that it is sustainable for the future.

Several members interjected.

The SPEAKER: Order, please, members.

Mr R.S. Love interjected.

The SPEAKER: Leader of the Opposition!

Several members interjected.

Mr R.H. COOK: Perhaps if the Leader of the Opposition had asked me questions on Tuesday and Wednesday, he would have got more out of his system and not been quite so angry with the world today. The Minister for Fisheries is doing a great job, relying on the science to make sure we can preserve fish stocks for the future. It is true that we have ended logging in old-growth forests. It is a record we are very proud of, again, because we know that the science demands it.

Dr D.J. Honey: Rubbish; absolute rubbish.

Several members interjected.

The SPEAKER: Order, please, members.

Several members interjected.

The SPEAKER: Premier, I think —

Mr D.J. Kelly interjected.

The SPEAKER: Member for Bassendean, do not interject when the Speaker is trying to call order. Thank you. Premier, you keep opening up new topics, which everyone then interjects on. We will not move on to the next question if that keeps occurring. It is government members as well as the opposition participating here. We have had a situation in which we have had up to 20 people or more interjecting at the same time. We cannot progress for the full question time list of questions if that continues.

Mr R.H. COOK: I apologise, Madam Speaker. The opposition asked me a question around forestry, fishing and farming communities and there is so much work we have done to preserve those industries. I note that the latter-day Tony Abbott, the member for Cottesloe, is now a climate change denier. Quite frankly, maybe the member could clarify for us —

Dr D.J. Honey: The IPCC said managed forestry is the best thing you can do for the climate.

Mr R.H. COOK: Can the member for Cottesloe clarify for us, if he ever gets back into government —

Dr D.J. Honey: Do you follow the IPCC reports?

Mr R.H. COOK: Member for Cottesloe, if your party gets back into government, will you re-instigate logging in old-growth forests?

Several members interjected.

The SPEAKER: Order, please!

Several members interjected.

Mr R.H. COOK: Madam Speaker, I seek your protection.

The SPEAKER: If government members continue to interject, I will just give fewer questions to the government. If we have lengthy answers and lots of interjections, it will not be fair on the opposition if it does not get to ask a number of questions. I will just cut government questions if government members continue to interject.

Mr R.H. COOK: Thank you, Madam Speaker. I might put opposition members out of their torture. To clarify for the record and for the purposes of *Hansard*, the member for Cottesloe did not deny that the Liberal Party would reintroduce old-growth logging if it achieved government again—the most blatant act of climate change denial. The opposition will not commit to protecting Western Australia’s old-growth forests.

Dr D.J. Honey interjected.

The SPEAKER: Order, please, member for Cottesloe.

Mr R.H. COOK: We will protect forestry jobs by continuing to make sure we have strong plantation logging available for generations to come. It is an important industry. It is a carbon neutral industry. It is a great part of our future and we will continue to invest in it as part of our Diversify WA strategy so that we can continue to keep the Western Australian economy strong and keep Western Australian jobs in Western Australia.

COOK GOVERNMENT — PRIMARY INDUSTRY

586. Mr R.S. LOVE to the Premier:

I have a supplementary question.

Madam Speaker, I am going to waive the right to a supplementary question because we want our questions answered and the Premier has already taken far too much time with this.

Several members interjected.

The SPEAKER: If we can have order, please, I will give the call to the member for Dawesville in a moment. That is an abuse of a parliamentary question. It is not a point of order. It is not a supplementary question. It is out of order. Member for Dawesville.

FAMILY AND DOMESTIC VIOLENCE — ONE-STOP HUBS

587. Mrs L.A. MUNDAY to the Minister for Prevention of Family and Domestic Violence:

I refer to the WA Labor government election commitment to establish a one-stop family and domestic violence hub in regional Western Australia.

- (1) Can the minister update the house on the delivery of this hub, which will build on this government’s investment in support services for victim–survivors?
- (2) Can the minister also inform the house of this morning’s talks on family and domestic violence held by the Centre for Women’s Safety and Wellbeing?

Ms S.E. WINTON replied:

I thank the member for Dawesville for the question.

- (1)–(2) Of course, one-stop hubs were a key election commitment of this government to provide wraparound services to allow victim–survivors comfortable and easy access at times of need. We know that the \$64.8 million commitment is having an impact. It is having an impact in the hub in Kalgoorlie, which I visited, and it is having an impact in the hub in Mirrabooka. I am really happy to announce today that our third hub, for Broome, has now reached the stage of restricted tender. It is important to acknowledge that we have deliberately gone with a restricted tender for the Broome one-stop hub because we want Aboriginal organisations to be able to run that service and be key partners in influencing what services there are and how they will operate in Broome in that hub. It is a really important milestone.

People in Broome have told us that cultural healing and on-country activities are absolutely critical to prevent family and domestic violence and to support the healing and recovery process, and are an important area of primary prevention. I also want to acknowledge the member for Kimberley in this place. She is

an extraordinary local member and quite an extraordinary woman who knows her community so, so well and spends her entire time advocating with all ministers, but I have had experience particularly around the prevention of family and domestic violence. I know that she is very pleased that we have taken this approach of having a restricted tender to make sure that the Broome prevention of family and domestic violence hub will serve the people of Broome and surrounds.

One of the most important primary prevention activities is to increase the awareness of family and domestic violence. We have made great gains in that regard in the last six years, but we have not done enough. By me saying we have not done enough, I mean that our community still has a long way to go. It is absolutely clear that we all need to play a part in changing the attitudes that lead to violence in our communities. The 16 Days in WA campaign, which has been running for the last few years and was started under the previous Minister for Prevention of Family and Domestic Violence, is a really great opportunity. For 16 days in November, the community comes together to make it clear that the prevention of family and domestic violence is everyone's responsibility. This year it will be a grassroots campaign that reflects the need for us to encourage conversations out in our community about violent behaviour. This year, for the first time, the Centre for Women's Safety and Wellbeing, as well as Aboriginal Family Legal Services, have been provided grants to support local communities to get that message out during that campaign. I look forward to being able to support communities right across our state as we amplify the conversations we need to have as a community.

The theme for 2023 is "Stopping family and domestic violence—Play your part". Everyone has to play their part. Government is playing its part strongly. We have a resolute commitment to stopping family and domestic violence in this community. The community has its part to play. Whether it is employers, businesses, community groups or parents, we all have a role to play, and so I think the theme "Play your part" is the right one at this critical time when we are all talking about the unacceptable levels of family and domestic violence in our community.

The Premier, Deputy Premier, Minister for Police, Minister for Women's Interests, the Leader of the Liberal Party and I were pretty privileged to attend a really powerful event this morning at which people with lived experience had the opportunity to speak and tell us what needs to change. We also heard important contributions from various family and domestic violence sector partners. What was made abundantly clear to me at the event this morning is that no-one is apportioning blame. The message was loud and clear from victim-survivors, from the ones who are most impacted, that we must come together as a community and all play our part in this. Our government reaffirms its commitment to those people with lived experience and the family and domestic violence sector, as we have done for the last six years. In developing our Path to Safety and the Aboriginal Family First strategies over the last six years, the key planks have been talking to people with lived experience and working very closely with our sector partners. In fact, the one-stop hub is a clear example of a model that was not developed by us; it came from the sector and we responded accordingly.

I reaffirm this government's commitment and my commitment to preventing the scourge of family and domestic violence, and I look forward to continuing to work with people with lived experience and the sector to address this issue.

SCHOOLS — WORKING WITH CHILDREN CHECKS

588. Mr P.J. RUNDLE to the Minister for Education:

I refer to working with children checks, the requisite ticket to enable people to work in our schools.

- (1) Can the minister please detail the process that follows after a complaint by a student is made against a working with children check holder employed in a school?
- (2) Is the minister aware of any occasions on which this process has broken down?

Dr A.D. BUTI replied:

- (1)–(2) If the report is made to the Department of Education and it is related to an alleged offence, the department will then report it to the appropriate authority, which is the police. Maybe the member's question should be directed to the Minister for Police in regard to allegations of offences.

SCHOOLS — WORKING WITH CHILDREN CHECKS

589. Mr P.J. RUNDLE to the Minister for Education:

I have a supplementary question. Is the minister satisfied that the process he has outlined is duly followed across our schools?

Dr A.D. BUTI replied:

Does the member have any particular school in question? The Department of Education, the director general and those who work under the director general are very clear in their obligations. A number of checks, policies and

rules are in place to provide a safe environment for our children. Can I guarantee it is 100 per cent foolproof? Of course I cannot. No-one can in any industry. But I can tell the member that there is very robust, clear sight, from the director general down, of the obligations and what needs to be done in circumstances in which children may be in harm's way.

PLAN FOR OUR PARKS

590. Mr M. HUGHES to the Minister for Environment:

I refer to the Cook Labor government's Plan for Our Parks initiative, which will create five million hectares of new national and marine parks in Western Australia.

- (1) Can the minister advise the house how this important initiative will create new tourism opportunities and provide enhanced biodiversity conservation across the state?
- (2) Can the minister update the house on the delivery to date of this significant increase to the state's conservation estate?

Mr R.R. WHITBY replied:

I thank the member for Kalamunda, a member who is passionate about the environment and the beautiful hills community that he represents. It is no wonder he asked this question today.

- (1)–(2) This is one of those issues, policies and commitments that our government is just getting on with. It will be one of those legacy issues that we will look back on and marvel at the achievement of this government in protecting the environment. I can tell members that we have made significant progress in our Plan for Our Parks.

I was recently in the Kimberley electorate to announce the creation of the new Bunuba National Park in the Fitzroy River area. It covers an area of more than 220 000 hectares of the stunning, amazing Kimberley landscape, including the beautiful Fitzroy River. An area larger than metropolitan London will be preserved and protected in perpetuity for all the community, including the traditional owners. The creation of this park marks the halfway milestone for Plan for Our Parks. Members might remember we committed to creating five million hectares of new national parks and reserves over five years. Bunuba gets us to 2.5 million hectares of land and sea now protected under this initiative. Members would be aware that the major legacy of this is that it increases the area covered by our parks and reserves across Western Australia by 20 per cent. This is a significant increase in what is protected across Western Australia. Over the last three months, we have also finalised additions to Kennedy Range National Park and Pimbee National Park, created the Lake Moore Nature Reserve as well as included 800 000 hectares of new conservation reserves at Matuwa Kurrara Kurrara, Lake Carnegie and Little Sandy Desert. That was no small feat as it is an area bigger than Bali. It comprises the largest area of exclusive possession land ever to be reserved as part of a conservation agreement in Western Australia.

This is important work that protects some of the state's most valuable natural assets, including wetlands, rangelands, forests, marine areas and scores of threatened flora and fauna. That has now been secured. But it is not just about conservation; this initiative also provides the basis for a new era in working with traditional owners. Plan for Our Parks provides transformative job opportunities, training and career development for many Aboriginal people in all areas of land management. There is also a considerable opportunity for the further development of nature-based and cultural tourism attractions and facilities, based on the remoteness, vast open spaces and spectacular scenery of where we are creating these parks. Therefore, the environment is protected, but there is also an economic story here for traditional owners to become proud of their country and proud to protect it. It will create business and entrepreneurial opportunities for traditional owners from remote communities.

A great deal of work is currently going on in negotiating Indigenous land use agreements with traditional owners, and I will have more to say on this later this year as we continue to open new parks to protect more of Western Australia's unique and very valuable natural landscape.

HAMELIN POOL STROMATOLITES

591. Ms M. BEARD to the Minister for Environment:

I refer to the ongoing closure of the world-famous Hamelin Pool stromatolites and the associated impact on tourism.

- (1) When will the communities of the Gascoyne and visitors be provided with a definitive time line of when this site will be reopened?
- (2) Why has the minister not taken action in two and half years?
- (3) What advice has the minister received about the ongoing impact of the closure on the site's UNESCO World Heritage status?

Mr R.R. WHITBY replied:

I thank the member for the question.

- (1)–(3) I will begin by making the comment that the Labor Party understands the natural value of this area. The Hawke Labor government, in partnership with the Lawrence Labor government, in 1991 successfully inscribed Shark Bay on the World Heritage List, so I will just start with that fact.

Several members interjected.

The SPEAKER: Order, please!

Mr R.R. WHITBY: We recognise, and have been instrumental in protecting, the value of the stromatolites at Hamelin Pool. It is true that a cyclone hit the area in April 2021 and, as a result of that cyclone, significant damage was done to the boardwalk. We responded appropriately and had engineers investigate to look at what work needed to be done. We were not going to rush it; we were going to take our time and do it properly. The investigation found that, given the whole structure was approaching end of life in the next 10-or-so years, it made absolute sense to look at a total replacement rather than a piecemeal approach of fixing the damaged section and then coming back in a few years' time to start planning for a replacement. The repair approach would have led to more disruption at the site, longer closures and more threats to the stromatolites because of the increased activity of building twice rather than once. We are now conducting a thorough investigation into the entire rebuild, and we will continue to protect those natural assets in their environment. I make the point that our government is very keen to protect this part of the world and very keen to make very large investments in the natural environment in the member's electorate. We have spent more than \$12 million to protect the region's natural environment through the WA Recovery Plan, Plan for Our Parks and national heritage grant initiatives. We have projects and upgrades for Monkey Mia; walk trails; interpretive landscaping; park infrastructure; and Kennedy Range National Park and Pimbee National Park, which I have just mentioned. Of course, in 2020, the McGowan government delivered the \$24 million Kalbarri Skywalk, in the heart of the member's electorate, which was a major project. Seriously, what more can we do? This is one of the major attractions of any national park, and we have invested heavily and delivered that project in the member's electorate.

Several members interjected.

The SPEAKER: Order, please, members!

Mr R.R. WHITBY: We will continue to work and deliver for the environment in the member's electorate, and we will continue to protect the stromatolites.

HAMELIN POOL STROMATOLITES

592. Ms M. BEARD to the Minister for Environment:

I have a supplementary question. Given the significance of this particular site, will the minister guarantee the funds required for a full site upgrade through the midyear budget process?

Mr R.R. WHITBY replied:

I will guarantee the approach that this government always takes—that is, to carefully invest taxpayers' money in this state and build a business case to make sure we get the very best return on any expenditure and the very best facility that we can for Hamelin Pool.

Several members interjected.

The SPEAKER: Order, please!

ALBANY SENIOR HIGH SCHOOL — CAPITAL WORKS PROGRAM

593. Ms E.J. KELSBIE to the Minister for Education:

On behalf of the member for Albany, I refer to the \$1.5 million investment in public education capital works being delivered by the Cook Labor government.

- (1) Can the minister outline to the house how this significant investment is delivering new and improved facilities across Western Australia?
- (2) Can the minister advise the house how the new performing arts centre at Albany Senior High School will benefit the Albany community?

Dr A.D. BUTI replied:

I thank the member for Warren–Blackwood very much for the question on behalf of the member for Albany, who has been an outstanding advocate for the improvement of educational facilities in her electorate.

- (1)–(2) Last Friday, I had the great pleasure to be down in beautiful Albany with the Premier as we officially opened the beautiful new performing arts centre at Albany Senior High School. This event was eagerly anticipated by the staff, students and wider community. This government is all about ensuring the community can also enjoy beautiful school facilities like performing arts centres and sporting facilities.

This centre was a \$9 million project that included a large stage, green room, specialist music facilities, foyer—just like a real theatre—and retractable seating for 200 people, with space for another 50 loose seats if required, plus storerooms. Albany Senior High School has a strong history of performing arts talent, and has famous alumni such as the current member for Albany, former Premier Alan Carpenter and famous singer Ross Ryan. I have been educating the Premier on Ross Ryan as I think the Premier only knows about the “King”, Elvis Presley. Ross Ryan is an alumni of Albany Senior High School and has an interesting history. He wrote the song *I Am Pegasus*. If members have not heard it, I invite them to go on Spotify to listen to it—actually, it may not be on Spotify anymore, but they will be able to find it somewhere. It is a brilliant song. Ross Ryan was a graduate of Albany Senior High School, and he would have loved to perform in the new performing arts centre at Albany Senior High School.

Albany Senior High School is celebrating its 100th year, and this is a great milestone of that history. It has an incredibly vibrant instrumental music program, and these facilities will be utilised by students and staff members. This is part of our government’s commitment to build infrastructure in our public education system to ensure that we have facilities available for students, staff and the wider community. I know that the member for Albany will enjoy going to performances at this beautiful new centre. It was an incredibly proud moment to be there with the Premier, the member for Albany and the wider Albany community to officially open this fantastic facility. This is part of the Cook government’s commitment to delivering infrastructure projects across the state. It is one of 60 infrastructure projects in our education system that have been completed in the last 12 months. We have completed 60 educational infrastructure building and upgrade projects in the last 12 months, which is an outstanding achievement by any government in history.

The SPEAKER: The member for Cottesloe has the last question.

HARDWOOD TIMBER INDUSTRY

594. Dr D.J. HONEY to the Premier:

I refer to the commitment by the Minister for Forestry in February to ensure that the supply of sawlogs recovered from mine site clearings are given priority allocations to high-value-adding local industries. Despite this, I note reports from the WA Furniture Manufacturers Association that high-quality sawlogs, like the sawlogs in this picture, are instead being processed for firewood and not furniture.

Given the Minister for Forestry gave her commitment that this government would maintain the supply of native timber for those high-value uses, will the Premier intervene to ensure that supply is indeed maintained?

Mr R.H. COOK replied:

I note that the forest management plan does not actually begin until next year, so it is probably a little bit early to come out of the blocks with these alarmist declarations. I will continue to take advice on these things but, of course, we obviously want to elevate the value of these important assets to make sure that they return as much value as possible to the Western Australian economy. I am sure that the Minister for Forestry has those considerations uppermost in her mind.

HARDWOOD TIMBER INDUSTRY

595. Dr D.J. HONEY to the Premier:

I have a supplementary question. Given the Premier’s response, why is it that the Minister for Forestry has failed to ensure that those furniture-quality logs are in fact being delivered to mills and not being used for firewood?

Mr R.H. COOK replied:

Who said that the minister has failed? As I said, the forest management plan does not actually begin until next year. We will continue to manage all the stakeholders to ensure that we do two things: one, that we end native old-growth logging, which is an important achievement and, two, that we continue to work with stakeholders, particularly the workers and the sawmills —

Dr D.J. Honey: It is mine-clearing operations.

Mr R.H. COOK: I know that.

Several members interjected.

The SPEAKER: Order, please!

Mr R.H. COOK: We will continue to work with all stakeholders as we transition through this important process. Obviously, when mining companies clear land under their mine management plans and are authorised to do so, that provides another opportunity to access very precious logs and timber. Clearly, we want to maximise that outcome. I stress that it is some time before the FMP actually takes place, and we will continue to monitor the situation.

The SPEAKER: Members, that concludes question time.

INVESTMENT AND TRADE COMMISSIONER FOR ASEAN*Question without Notice 582 — Supplementary Information*

MR R.H. COOK (Kwinana — Premier) [3.02 pm]: Madam Speaker, I rise under standing order 82A to provide further information about —

Several members interjected.

The SPEAKER: Order, please, members!

Mr R.H. COOK: I will provide further information about a question to me from the member for Vasse today. The member for Vasse stated that the government should not be taken seriously, following the incorrect allegation that we had closed the WA trade office in Indonesia.

I now table an ABC News article dated 27 September 2014, in which the former Liberal–National state government announced its intention to close the WA trade office in Indonesia without consultation.

[See paper [2205](#).]

Several members interjected.

The SPEAKER: Order! Members, just remain where you are for a moment. That is an unacceptable level of noise and interjections. I try to be tolerant, but I ask you to contemplate that over the little break you are about to have.

I also suggest that this question time has run an awful long time. That is largely because of the length of some of the answers. It is also because of the level of interjections, so I ask people to take that into account. We should be able to have question time wrapped up in about 45 to 50 minutes and have a good number of questions from each side, but that has not been possible either this week or the last sitting week. I ask all members to take some responsibility for that.

Premier, I am not sure that you strictly conformed with the standing orders, either, but we can have a further discussion about that.

***REPORT OF THE SPEAKER'S PARLIAMENTARY DELEGATION
TO INDIA AND BHUTAN, MAY–JUNE 2023***

Tabling — Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [3.04 pm]: Just before I give you the call, Leader of the House, I also have a paper for tabling. I am tabling the *Report of the Speaker's parliamentary delegation to India and Bhutan, May–June 2023*.

[See paper [2206](#).]

RAIL SAFETY NATIONAL LAW APPLICATION BILL 2023*Second Reading*

Resumed from an earlier stage of the sitting.

MS C.M. ROWE (Belmont) [3.05 pm]: I wish to continue my contribution on the Rail Safety National Law Application Bill 2023, which is a very important bill. I will reiterate a few comments I made before we rose for the lunch break.

[Member's time extended.]

Ms C.M. ROWE: Because I have segued into climate change, I would like to reiterate how I got talking about climate change when we are discussing a rail safety bill. Yet again, I highlight the amazing work that our Labor government has done over six years of government to implement the most transformational rail network that our state has ever seen. We have already laid 72 kilometres of new rail. I will not go through all the Metronet projects again, but I will highlight that 18 Metronet projects are underway and six have already been completed, including two train stations in my electorate. We also have 12 other projects right across the metropolitan area. None of this would have happened under a Liberal government. We are really invested in rail.

Obviously, we want to ensure the safety of passengers and everybody involved in the rail industry. We do not want to see people injured or dying. I talked about how fatalities occur and how long it takes for trains to come to a standstill. A train takes something like the length of 14 football ovals to come to a standstill, so it is very difficult to manage situations if people trespass or accidentally find themselves in the way of a train, and that leads to fatalities. We also see awful instances of suicide. For those reasons, it is important to invest in rail and ensure safety.

When talking about this bill, I have two other reasons to highlight the importance of rail. One reason is that we currently see many people who are financially stressed and stretched by food insecurity and rising cost-of-living pressures. They are real. I see these people every single day when they come into my office to talk about how hard it

is to meet the rising costs of rent. Rent is going up at astronomical rates. I see this day in, day out. Having a functional, reliable and interconnected rail system that links people to employment opportunities is essential. It is also essential for public transport to be an affordable way for people to get to and from their employment.

The second reason that I think rail is really important and that, with the indulgence of the house, I will be spending a large part of my remarks focusing on, is the positive environmental impact of rail. It provides people with an opportunity to go about their day-to-day lives without having to rely on cars and motor vehicles. I want to talk about this because unfolding before our eyes is a situation that we have not seen before. This has been predicted by many scientists, and that is nothing to crow about. From their point of view, their predictions of global warming coming to fruition are awful. It is truly horrific. I was quoting from an article in *The Washington Post* just before the lunch break. I will just reiterate what the Secretary-General of the United Nations said recently. It created quite a wave when he stated —

“The era of global warming has ended; the era of global boiling has arrived,”

...

“Climate change is here. It is terrifying. And it is just the beginning,”

The same article includes statements from Piers Forster, who is a professor of climate physics. I am not even sure I know what that means, but he is understandably an expert. He is from the University of Leeds in England and is also the chair of Britain’s Climate Change Committee. He stated —

The changes are “extreme, but these are exactly in line with our predictions,” Forster said. “This is what we told people would occur 20 years ago, and it’s occurring.”

The UN has labelled this as a “code red for humanity”. If anybody needs to be convinced, they clearly have not read a newspaper. However, assuming that some people are still unsure whether this is really as bad as what the UN is saying, I will read an article from *The Guardian* entitled “‘Era of global boiling has arrived,’ says UN chief as July set to be hottest month on record”. I will provide this all to Hansard. It simply talks a little bit about how July was the hottest month on record since before industrialisation. Temperatures have gone up 1.5 degrees. It does not sound like a lot, but it is incredibly significant when thinking about how fragile ecosystems are. It is incredibly dangerous and impactful.

If we take a glance around the world at what transpired over the European summer in Greece, the fires in Italy and all over the world in Europe and Canada, we can see that the photos speak louder than words. They are truly devastating. A professor of climate science from the University of Melbourne stated —

“Climate science’s projections are pretty robust over the last decades. Unfortunately, humanity’s stubbornness to spew out ever-higher amounts of greenhouse gases has also been pretty robust,”

We obviously have seen these increasingly severe weather impacts. These have been long signposted—we know that. The scientists are all saying, “This is what we predicted”, but we continue to have our heads in the sand. Although this year has been eye-opening in terms of the catastrophic heatwaves and fires resulting from increasing temperatures around the globe, scientists are saying—I am going to use layman’s terms—that this is going to be the norm and average going forward.

I will quote another article from *The Guardian* entitled “‘Off-the-charts records’: has humanity finally broken the climate?” That is a very interesting prospect and one that I think we should all ponder in this place as legislators. I am going to quote from Piers Forster, whom I quoted earlier. He is from the University of Leeds. He stated —

“July has been the hottest month in human history and people around the world are suffering the consequences,”

...

“But this is what we expected at [this level] of warming. This will become the average summer in 10 years’ time unless the world cooperates and puts climate action top of the agenda.”

Many scientists have been particularly blunt about this. Natalie Mahowald of Cornell University stated —

“What we are seeing this year is just the tip of the iceberg, so to speak, of what we expect to happen.” Meinshausen said: “If we do not halt global warming soon, then the extreme events we see this year will pale against the ones that are to come.”

The other thing that happened this week to further cement the catastrophic situation that we are now seeing was the death of thousands of emperor penguin chicks in Antarctica. I know that that might sound like an interesting thing to talk about; I am an animal lover, but someone does not have to be an animal lover to recognise that this is indicative of how serious the problem is. On this issue, the *New York Times* stated —

Sea ice levels around Antarctica in 2023 are likely to reach record low levels by a wide margin. This sudden drop has alarmed scientists and has some speculating that Antarctic sea ice is entering a new, unstable state.

That was something that really distressed me to read about. In fact, I believe it was thousands of emperor penguin chicks that died. Another article from *The Guardian* entitled “Emperor penguins: thousands of chicks in Antarctica die due to record-low sea ice levels” stated —

... record-low sea ice levels that caused a “catastrophic breeding failure”

It then went on to state —

About 30% of the known 62 emperor penguin colonies in Antarctica have been affected by partial or total sea ice loss since 2018.

This has been the result of our climate inaction in only a few short years. When I say “our”, I mean globally. This is a major problem that the world is facing. Dr Jeremy Wilkinson is a sea ice physicist—I did not know such a thing existed before reading this article—and he is with the British Antarctic Survey. He stated —

... the research “dramatically reveals the connection between sea ice loss and ecosystem annihilation”.

Another scientist in the same article stated —

“What’s most devastating for me is that we know this will get worse before it gets better. This is the trajectory that we are on.

“It’s only by changing our behaviour and the amounts of fossil fuels we use will we reverse the trajectory for these emperor penguins, and many other species.

“How bad it gets is still up to us.”

I think that is something that we all need to reflect on and take on board, especially as legislators. I think we are doing great work in Australia and I am so relieved that we have a federal Labor government. We all know that there was a major environmental report that the Morrison government simply ignored; it sat on its hands and did not release it. When Labor got into government, it released that report. It showed that the health of the Australian environment was deteriorating at a really rapid rate.

I will just touch on some of the things that have occurred. One is that since 2016, 202 animal and plant species have been listed as threatened. This is really significant. We are seeing a major depletion of native species. One of the major contributing factors was the massive bushfires seen in 2019, which apparently killed and displaced over a billion animals. I think that paints a pretty clear picture. Global warming is happening and it is a massive issue facing all of humanity. There is no planet B. We need to be doing everything that we can at every level of government to address this.

I know that I have taken members on a bit of a tangent when speaking on this bill, but I think bills like this can be really helpful. Whether or not that was the intent of the bill, what we do as a government by providing people with the opportunity to travel to and from work and to get to other commitments that they have in their life in a way that does not have an extensive carbon footprint is really impactful. I am very grateful that our minister and Deputy Premier are doing so much in so many ways. I know our cabinet is really committed to looking under every policy nook and cranny to see how it can contribute to ensuring that we are doing our bit to address climate change.

On that note, it has been a rather bleak contribution, but I commend this bill to the house.

MS K.E. GIDDENS (Bateman) [3.20 pm]: I am also pleased to make a brief contribution to the Rail Safety National Law Application Bill 2023. Before I begin my contribution, I acknowledge the member for Belmont. She is very passionate about climate change, in particular; this is a passion shared by many of us in this chamber, including me. She made the extremely valid point that our rail network is a very low emissions way to transport people. It is not only socially and economically a just means of transport, but also has an effect on our carbon footprint. She made a very important contribution to the debate in that regard.

I think that our railways are as strategically important now in 2023 as they were in 1917 with the opening of the Trans-Australian Railway, which first linked Western Australia to the east by rail. Our rail network in a trading state like Western Australia is important not only for the movement of goods, but also it supports our economic growth. We heard from the member for Scarborough about the railcars that carry thousands of tonnes of iron ore from the Pilbara to our ports, fuelling not only the economy of this state, but also the nation, and the incredible technology that has gone into things like driverless railcars. Western Australia is not a mining state as much as it is an innovation state.

The contribution of rail to our economy cannot be overlooked. This was perhaps brought home to us just last year, in 2022, when we had significant rain throughout the outback, the impact of which affected not only the Kimberley, but also our rail link to the east, when the rail line was washed out between South Australia, Western Australia and the Northern Territory. In the few weeks that the rail line was washed out, we saw the impact it had on our ability to move groceries across the country. Although air travel is a brilliant invention and great for carrying people, it is not the most cost-effective means of conducting trade. Regardless of how technologically advanced we become, our rail network remains a significant piece of economic infrastructure in our state and this country. With that in mind, anything that contributes to the safety, confidence or efficiency of that mode of transport is very welcome.

Given that my colleagues have already made excellent contributions about the nature of this bill, I will just provide a very brief summary. This bill follows a 2011 decision of the Council of Australian Governments to establish a national system of rail safety regulation. I just highlighted one of the reasons that is really important. South Australia was appointed to be the host jurisdiction of this legislation. In 2012, it passed the Rail Safety National Law (South Australia) Bill 2012. At the time, the Barnett government elected to implement the Rail Safety National Law (WA) Act 2015 using mirror legislation, which then required the Western Australian Parliament to pass laws that mirrored those passed by South Australia. As others have noticed, since 2015, eight legislative amendment packages have been passed in South Australia that have not yet been adopted here in Western Australia. This bill will do the work that arguably should have been done in 2012 to ensure that there are no legislative inconsistencies between the jurisdictions and to achieve that goal of national uniformity.

Obviously, speaking to the name of this bill, which is rail safety, the bill also seeks to make it extremely clear that the jurisdiction for drug and alcohol testing is and will continue to be conducted using Western Australian practices, thereby giving the Western Australia Police, in particular, the right to conduct those tests. Alcohol and drug use on our roads has been a major focus of road safety campaigns. There were 29 000 drug and alcohol tests conducted on rail drivers between 2015 and 2022. That is quite a large number. I am not good with maths. That is definitely 29 000. A total of 954 were found positive for drugs and 895 were found positive for alcohol. Although that is a very small percentage of the sample taken, we can all agree that anything we can do to strengthen a zero approach to drug and alcohol use on our rail network will improve our confidence and the safety of that network.

We have had some great contributions. The member for Collie–Preston talked about her electorate’s links to rail, with the history of the naming of the *Australind*. I could not help but reflect on *Boaty McBoatface* and the wonderful campaign that led to its naming. Maybe we need a “Train McTrainface” in Western Australia!

In reflecting on my electorate’s connection to rail, and the impact of rail safety in particular, I am going to talk about a road—Leach Highway. Members might ask: what is the connection between Leach Highway and this bill? Our transport modes do not operate in isolation. It is really important that our rail network is well connected to our port networks and our port networks are connected to our road networks. Leach Highway runs through my electorate and carries a large volume of truck traffic to Fremantle port. When I was elected in 2021, one of the key issues raised with me both throughout the campaign and afterwards when I surveyed my community was traffic on Leach Highway, particularly because of its size and the presence of trucks on that road. Thanks to the investment of the then McGowan government since 2017, and now ongoing investment by the Cook Labor government, the issue has been addressed in a number of significant ways. The first relates to freight on rail. We heard from the Deputy Premier; Minister for Transport today in question time about the outrageous way in which the Nationals WA and the Liberal Party significantly decreased our capacity of freight on rail in this state. Since 2017, this government has made a huge investment in freight on rail, which has had the consequence of removing tens of thousands of truck movements directly out of my community in Bateman directly off Leach Highway onto rail, creating not only better traffic flow, but also a much safer environment.

It is not just about freight on rail; it is also about the way the road operates. I want to talk about some of those investments by the Labor government since 2017 and go through some of them in detail. I was at a small business forum the other day with the federal Minister for Small Business, Julie Collins, and my friend and federal colleague Sam Lim, the member for Tangney. It was hosted by the Blue Gum Park Tennis Club, a club that I love. It is a great community club. It was the middle of the day and games were being played. We enjoyed the beautiful spring weather. One of the tennis players stopped his game, jogged over to me and said, “Remember that you promised: don’t forget about Leach Highway.” I said, “I haven’t forgotten. Don’t worry. We’re working on it.” These are some of the things that have happened. We have seen over \$2.2 million worth of investments in a number of upgrades, including Leach Highway. Is the Welshpool Road interchange in the member for Victoria Park’s patch?

Ms H.M. Beazley: Yes, it is.

Ms K.E. GIDDENS: Yes, so the member knows very much about that. There has been significant investment. There has been huge investment in the upgrade of Stirling Highway and the interchange at the end of what was the old High Road in the electorate of my other neighbour the member for Bicton.

More specifically to my patch, there have been a number of investments in local infrastructure. They include an upgrade to the Leach Highway–Moolyean Road intersection. This intersection was upgraded to allow another left-hand lane to get more traffic off Leach Highway to prevent the build-up of cars wanting to turn. There was the installation of partial traffic lights at the intersection of Leach Highway and Norma Road, allowing a right turn into Norma Road from Leach Highway and Myaree. There was an upgrade to the intersection of Leach Highway and Rome Road, including the construction of a median island on Rome Road and Leach Highway to prevent right turns from Rome Road onto Leach Highway. There are a number of others, and I will get to them shortly.

Before I do, I want to talk about safety on Leach Highway because since 2017 that there has been a reduction in road vehicle crashes. That is a great trend to see. However, there have been slightly more truck crashes. I acknowledge that the interaction of cars and trucks on Leach Highway is of concern to people in my electorate. Apart from the road upgrades, there is a significant plan to ultimately remove trucks from Leach Highway. I will not say forever;

there will always be movement into those industrial areas, but getting the large volume of freight trucks out of our electorate will be the plan for the outer harbour. Of course, work on that is steadily underway and this government has committed to getting that work done. It makes sense. The Anketell–Thomas Road link is an obvious choice to take heavy traffic out of the suburbs of my electorate to the industrial zone and to a new modern port where we can continue to be one of the best exporting states in the world.

I like to keep my contributions in this place positive, but I have to point out some of the things I anticipate the Liberal Party might claim in the lead-up to the 2025 election. History and the Liberal Party's behaviour in the past is a strong indicator of the future. I note that in several election campaigns the Liberal Party campaigned for Roe 8 and Roe 9 and did not support the McGowan Labor government's decision on that at the time. It is a complex issue. Again, I have had feedback from my community that it did not want trucks on Leach Highway, so there was a degree of support for getting that road extension. But, of course, a bad solution is a bad solution. As I said, the Labor government is working towards a good solution, and that good solution is the outer harbour. Just how seriously did the Liberals take this, having campaigned on it in several elections? In the 2021 state election—members might remember this one because it was a curious event indeed—the Liberals committed \$135 million out of a required amount of more than \$700 million to finish Roe 8. This party campaigned on this issue on numerous occasions and said it was serious about it, but then committed only \$135 million of the \$700 million required. I have to ask just how seriously the Liberal Party took that commitment.

Again, in 2022, the then member for Tangney, Ben Morton, ran a petition just barely outside my patch. He called for a flyover and significant upgrades to Stock Road and Leach Highway. That might seem reasonable, as he was representing his community and was getting together names on a petition, but the curious thing was that the member for Tangney was a member of the federal Liberal government and had been in the federal Parliament since 2013. He had been part of a Liberal–National federal government for almost 10 years, and in 2022, in the lead-up to the state election, Hon Ben Morton, MP, was getting signatures on a petition for investment in infrastructure. That is curious because he was in government. Again, if he had been serious, he could easily have made that commitment, especially noting at the time his special position of Assistant Minister to the Prime Minister and Cabinet.

I would rather talk about what we are doing, but that is worth pointing out because it will come up again. Promises, squeaks and noises will be made, but the record of the Liberal members on this issue is that they talk the talk, but do not walk the walk.

I turn to the return of freight on rail and in particular to the comments of the Deputy Premier; Minister for Transport in question time today. I have some figures here about rail. Over 20 per cent of freight volume is now, in 2023, carried on rail to Fremantle port. As the Deputy Premier; Minister for Transport noted, that is an increase from under 10 per cent when we took over government from the Liberals in 2017.

I conclude by saying that rail continues to be significantly and strategically important infrastructure. It is supported by this government, not only in terms of the very significant investment in Metronet, as mentioned by many members, with 18 programs and 27 kilometres of new line, but also the less sexy freight on rail. With that, I conclude my comments and commend this bill to the house.

MS E.J. KELSBIE (Warren–Blackwood) [3.36 pm]: I rise today in support of the Rail Safety National Law Application Bill 2023, which will apply the Rail Safety National Law, with modifications, as the law of Western Australia and repeal the Rail Safety National Law (WA) Act 2015 and subsidiary legislation.

The potential for rail gets raised pretty consistently and often with me as the member for Warren–Blackwood. I have been working alongside a community group from Balingup, the Balingup Rail Group, which is a passionate, dedicated group from Balingup that is proactive in its advocacy to get road transport onto rail. It was established to examine and report on two issues: first, the possible use of the south west train line between Bunbury and Bridgetown to replace road transport of lithium ore; and, second, the prospect of establishing a tourist rail service between Bunbury and Bridgetown if the use of the line becomes available. I have met this group quite a few times. They are a passionate bunch. The group's website states —

The argument for re-opening the rail line extends beyond the interests of Balingup and is a proposal for the use of State infrastructure for the benefit of the whole of the South West.

Judging by a lot of the commentary and meetings in my electorate, plenty of people would agree with the group. I was particularly pleased to stand alongside the Minister for Regional Development recently to announce the commencement of a joint government and industry feasibility study into the recommissioning of the Greenbushes–Bunbury railway line. The state government, through the South West Development Commission, has allocated \$3.3 million to conduct the study, which is also being matched by \$3.3 million from Talison Lithium. The study will be led by Talison Lithium, which operates one of the world's most important lithium mines at Greenbushes. My colleague the member for Collie–Preston and I met for dinner with the CEO, Lorry Mignacca. We talked about this important study and accommodation projects in the town of Bridgetown and Greenbushes. With the demand for lithium continuing to rise globally and with production from Greenbushes expected to rise to more than two million tonnes in the coming years, both industry and government have determined that it is

appropriate to go to the next stages. Talison Lithium will work with Arc Infrastructure, the state government and me, as the local member, on community consultation, and look at a detailed assessment of the engineering requirements to bring that railway line back into operation. It has been 15 years since that rail line has been active, and if it is reactivated, it will remove about 200 trucks a day from the road. The benefits from recommissioning the line would include improved road safety, job creation and support for local industries. As mine production increases, we will see more trucks on our roads. With production levels of more than two million tonnes, that equates to 70 000 truck movements along the South Western Highway each year.

I move on to talk about Bridgetown and Greenbushes. Bridgetown has a strong history of rail. The official opening of the railway station in Bridgetown was booked for early October 1898, but regrettably no dignitaries or parliamentarians from Perth could make it, so it had to be postponed until December 1898. The first train arrived in Bridgetown in July 1898. One of my election commitments, which I am very proud to have delivered, involves the Bridgetown historical rail line. My commitment was for \$200 000 to support the revitalisation of the two historic railway station buildings in Bridgetown and Greenbushes. It was to include the refurbishment of the old Bridgetown railway station, which is an absolutely beautiful and iconic space in the centre of the town, to provide a mixed-use space with a commercial and retail community hub. The other part was to relocate and redevelop the old Greenbushes railway station to create an interactive heritage display module at the Greenbushes Discovery Centre. I am pleased to say that the refurbishment of the Bridgetown railway station is now complete and the redevelopment of the Greenbushes railway station is due to start in mid-September. I believe that the Shire of Bridgetown–Greenbushes signed up its builder just this week. The project will involve the relocation of the historic station building from North Greenbushes to Greenbushes. It is expected to take about three months to complete to lock up. The internal refurbishment will commence and then it will become an interpretation centre as part of the new Greenbushes Discovery Centre.

This weekend, along with Minister Templeman, I am pleased to be attending the Royal Western Australian Historical Society's 58th State History Conference of Affiliated Societies, hosted by the Bridgetown Historical Society. On Saturday morning we will open the conference that has the theme of "Moving Forward Looking Back". I am particularly looking forward to the presentation by Philippa Rogers titled "WA Railway history to Bridgetown". I believe that Philippa is a historian and heritage officer with a fascination for Western Australian history, but with a particular interest in railway history. I believe she is the curator of the Bassendean Railway Museum, so I am pretty excited to listen to what she has to say and to hear more about the history of Bridgetown and its connection to rail.

I return to the Rail Safety National Law Application Bill 2023. Historically, every state and territory regulated its railways independently, resulting in many inconsistencies between jurisdictions and also inefficiencies for industry. This bill will minimise legislative inconsistencies related to rail safety and support the timely application of rail safety amendments so that rail operations are regulated consistently and seamlessly across Australia. This will provide greater certainty for rail operators, rail safety workers, and the national rail safety regulator and investigator, which will encourage industry participants to better understand their shared responsibility and accountabilities. I commend the bill to the house.

MS M.J. HAMMAT (Mirrabooka — Parliamentary Secretary) [3.45 pm] — in reply: I rise to give the second reading reply on behalf of the Minister for Transport and to close off this second reading debate on the Rail Safety National Law Application Bill 2023. I want to start by thanking everyone who has contributed to this second reading debate. I always enjoy it when we debate a bill related to rail. There are so many passionate contributions by people who enjoy speaking about rail projects and the history of their rail lines. To reiterate the purpose of this bill, it will apply the Rail Safety National Law, with modifications, as the law of this state and repeal the Rail Safety National Law (WA) Act 2015 and subsidiary legislation. I thank the Leader of the Opposition for his contribution to the second reading debate, including his acknowledgement of the importance of this legislation in supporting rail safety in Western Australia. I also acknowledge and thank the Leader of the Opposition for indicating the opposition's support of the bill, notwithstanding the fact that there are some matters to talk about in consideration in detail.

I want to address some of the questions raised by the Leader of the Opposition in his second reading contribution. Firstly, I confirm that this bill will be considered by the Standing Committee on Uniform Legislation and Statutes Review. The member also asked whether the Toodyay Miniature Railway will be captured by this legislation. I do not want to provide specific advice on that operation because I have to confess that I am not familiar with it, but I understand that it is operated by a local hobby organisation and I can advise that section 7 of the Rail Safety National Law (South Australia) Act provides for a power to exclude certain railways from coverage of the national law. Regulation 7 of the national regulations prescribes particular railways and classes of railways to which the law does not apply. I also advise the Leader of the Opposition that no further amendments have been made to the Rail Safety National Law since 20 June 2023, and that none is proposed before we anticipate passing this bill. In relation to the member's questions about how proposed amendments are agreed upon, I advise that amendments require the unanimous agreement of the ministers of the Infrastructure and Transport Ministers' Meeting, as set out in the Intergovernmental Agreement on Rail Safety Regulation and Investigation Reform. Those amendments are then legislated in the South Australian Parliament. The member also spoke more generally about rail safety, particularly around level crossings in regional WA. Although this bill does not specifically deal with level crossings,

a matter that is not strictly relevant to the content of the bill before us, I affirm this government's commitment to rail and road safety. I draw the member's attention to our government's commitment to upgrade 87 passive level crossings on public roads in regional WA, including the installation of flashing light controls at 13 crossings and the replacement of Give Way signs with Stop signs at 74 crossings. This will mean that no level crossings will be controlled by Give Way signs on public roads in WA, which will be an important safety achievement.

I also thank all government members for their contributions. I thank the member for Southern River, who can always be relied upon for a colourful contribution. In his contribution to this debate, he acknowledged the community benefits of government investment in rail infrastructure, particularly through Metronet. The member for Bassendean in particular talked about safe workplaces and work practices and the important role that unions play in achieving that. The member for Thornlie gave a very considered contribution explaining the difference between mirror law and applied legislative mechanisms with an interesting historical perspective. I confirm for the member for Thornlie that this bill will cover all railway operations, both government and privately owned, and, in particular, Arc Infrastructure, to which he referred in his second reading contribution. Arc Infrastructure is an accredited rail infrastructure manager and rolling stock operator and is required to comply with all requirements of the Rail Safety National Law.

I thank the member for Collie–Preston, who highlighted heritage work being done on railways throughout WA. The member for Cockburn raised a number of issues that he is advocating for on behalf of his constituents. He also mentioned Neil Byrne and I thank him for that because I also have fond memories of Neil Byrne speaking to me about the Midland Railway Workshops. I thank the member for Willagee for his contribution. He noted the significant number of drug and alcohol tests undertaken by the Office of the National Rail Safety Regulator to monitor the capacity of rail safety workers to carry out their work safely. I thank the members for Churchlands and Kalgoorlie for their support and the issues they raised. I also thank the member for Kingsley for noting the government's commitment to rail safety and, again, level crossings in particular.

The Member for Scarborough highlighted the importance of rail in creating connectivity and, again, as he frequently does, passionately advocated for his community of Scarborough. The Member for Victoria Park detailed the deficiencies in the mirror law approach and very clearly highlighted the benefits of adopting an applied legislation approach to national uniform laws, as proposed by this bill. The member for Belmont, who is always a passionate advocate on a range of issues, highlighted the connection between public transport, rail and climate change. The member for Bateman highlighted interactions between rail and road, particularly trucks. I thank the member for Warren–Blackwood for her contribution in which she highlighted the historical and community importance of railways, particularly in the south west.

In concluding the debate, I thank government and opposition members for their contributions to the second reading debate and for their support of the Rail Safety National Law Application Bill 2023. The bill will provide for greater consistency with the Rail Safety National Law as it applies in this state and will ensure that Western Australian rail operators and rail safety workers benefit from the efficiencies of a consistent and seamless national rail safety regime. I commend the bill to the house.

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: Deputy Speaker, I understand we can ask a couple of general questions at clause 1.

The DEPUTY SPEAKER: We will see how you go!

Mr R.S. LOVE: I have not conducted consideration in detail on a transport bill with the parliamentary secretary before, so I congratulate her upon her first bill.

Also, I wonder whether someone could consult standing orders to see whether it is acceptable for a former staff member of the Legislative Council to appear! I note the presence of Nigel Pratt, and welcome him back to Parliament.

The DEPUTY SPEAKER: We will take that on notice!

Mr R.S. LOVE: The Rail Safety National Law Application Act 2023 is the short title. The parliamentary secretary made comment in this regard. I asked a question after a statement was given in the briefing about the necessity for all transport ministers to agree to amendments to the South Australian law before the amendments could happen. Is that reflected in the legislation; and, if so, where is it reflected?

Ms M.J. HAMMAT: It is not in the bill as such, but the requirement to get the agreement of that group is in clause 4 of the intergovernmental agreement.

Clause put and passed.

Clauses 2 to 4 put and passed.

Clause 5: Application of National Law as law of the State —

Mr R.S. LOVE: Clause 5(1) reads —

Rail Safety National Law means the Rail Safety National Law set out in the Schedule to the *Rail Safety National Law (South Australia) Act 2012* (South Australia) as in force on 20 June 2023, as amended by —

It gives a list of things after that. Clause 5(2) reads —

The Rail Safety National Law —

- (a) applies as a law of the State; and
- (b) as so applying, may be referred to as the *Rail Safety National Law (WA)*; and
- (c) so applies as if it were an Act.

A change possibly could not happen without the agreement of the Western Australian Minister for Transport, as the parliamentary secretary just outlined, but would a change occur if an amendment were made to the South Australian law post June 2023? Would some process be needed insofar as that change would need to be laid before Parliament or would it be dealt with in some other way?

Ms M.J. HAMMAT: Can I clarify that the member means a change that happens before this bill has gone through both our houses of Parliament? Is that the change the member is referring to or a change subsequent to this bill being adopted by our Parliament?

Mr R.S. LOVE: To be clear, I refer to subsequent to 20 June 2023—that period before the commencement of the Rail Safety National Law as Western Australian legislation.

Ms M.J. HAMMAT: Amendments that received royal assent in South Australia after 20 June 2023 but before the commencement day for this WA act will have a commencement day as the date determined by proclamation—and they will be subject to the disallowance provisions of this act.

Mr R.S. LOVE: To be clear, is it the commencement date of those provisions?

Ms M.J. Hammat: Yes.

Clause put and passed.

Clauses 6 and 7 put and passed.

Clause 8: Disallowance of amending Acts —

Mr R.S. LOVE: This provision relates to disallowance of amending acts. I am trying to get an explanation on a couple of things. Clause 8(3) reads —

For the purposes of this section and section 7 —

- (a) the period specified in section 7, a notice period or a disallowance period continues to run even though a House of Parliament is prorogued or dissolved or expires ...

Could the parliamentary secretary run through what that will mean in reality or what would happen once the next Parliament is initiated?

Ms M.J. HAMMAT: I am advised that, ordinarily, the notice period would end when Parliament is prorogued for an election, but this provision will ensure that that will not happen. This provision will ensure that the disallowance period will continue beyond the proroguing or dissolution of Parliament. Over the page, subclause (3)(b) addresses that.

Clause put and passed.

Clauses 9 to 11 put and passed.

Clause 12: Application of National Regulations as subsidiary legislation —

Mr R.S. LOVE: We are now dealing with the regulations that are made under the national system and the application of national regulations as subsidiary legislation. Are the processes for all the matters of disallowance and the application of various regulations and any amendments that occur exactly the same as those for the legislation, or are there differences between the two processes?

Ms M.J. HAMMAT: I am advised there is a small difference in changes to the act and changes to the regulations. When a disallowance process applies to an amending act, the disallowance process will happen before the act comes into effect. The changes to regulations will come into effect and then the disallowance process will occur.

Mr R.S. LOVE: Is the application of the national regulations, as they stand at the moment, set at a particular time? I noticed in the legislation that the date of 20 June was given. Will that apply to the regulations as well or just to the legislation?

Ms M.J. HAMMAT: It is the same operational date, 20 June, for both the regulations and the act.

Clause put and passed.

Clauses 13 to 19 put and passed.**Clause 20: Exclusion of legislation of this jurisdiction —**

Mr R.S. LOVE: Clause 20, “Exclusion of legislation of this jurisdiction”, states —

- (1) The *Interpretation Act 1984* does not apply to the *Rail Safety National Law*.
...
- (2) The following Acts of this jurisdiction do not apply to the *Rail Safety National Law* ... or to the instruments made under the Law (except as applied under the Law) —
 - (a) the *Auditor General Act 2006*;
 - (b) the *Financial Management Act 2006*;
 - (c) the *Freedom of Information Act 1992*;
 - (d) the *Parliamentary Commissioner Act 1971*;
 - (e) the *Public Sector Management Act 1994*;
 - (f) the *State Records Act 2000*.

Can the parliamentary secretary explain why these acts will be excluded from operation? After the parliamentary secretary has done that, I might ask another question depending on the answer I get.

Ms M.J. HAMMAT: The exclusions will ensure that a consistent regulatory framework is applied right across Australia. These acts will be excluded and in their place corresponding legislation in South Australia will apply, so there is a structure that will allow for those same objects to be met but using the legislation of the South Australian Parliament. These exclusions, I am advised, are in the 2015 legislation, so the exclusion of the WA acts and the operation under the corresponding South Australian legislation has been in place since the bill was passed in 2015.

Clause put and passed.**Clauses 21 to 24 put and passed.****Clause 25: When rail safety worker is not obliged to comply with requirement —**

Mr R.S. LOVE: I have selected this particular clause, but there are a number of similar provisions throughout the bill. Perhaps the parliamentary secretary can explain something to me here. This clause is about when a rail safety worker is not obliged to comply with the requirement to submit to alcohol testing and so on. It states —

- (1) A rail safety worker who is on railway premises after carrying out rail safety work is not obliged to comply with a requirement made under the *Rail Safety National Law* ... section 126(1) if —
 - (a) the worker is not involved in a notifiable occurrence; and
 - (b) more than 12 hours have passed since the worker finished carrying out the work.
- (2) A rail safety worker who is involved in a notifiable occurrence is not obliged to comply with a requirement made under the *Rail Safety National Law* ... section 126(1) if —
 - (a) more than 12 hours have passed since the worker was involved in the occurrence; or
 - (b) the worker —
 - (i) has finished a shift during which the worker carried out rail safety work; and
 - (ii) has left the place where the worker finished the shift; and
 - (iii) was unaware of the occurrence when the worker finished the shift.

Can the parliamentary secretary explain the rationale behind those provisions and why the period of 12 hours has been accepted? Perhaps there are already similar provisions in the current law—I fully expect this—but can the parliamentary secretary explain what is behind those exclusions and provisions?

Ms M.J. HAMMAT: I am advised that the provision of 12 hours and 12 hours having passed is consistent with section 66 of the Road Traffic Act 1974, which deals with police powers to require breath or blood samples, so it is already part of our legislative framework. The second part about the worker finishing their shift and leaving their place of work is about the fact that the worker has finished work and left the premises, so they will not be covered by the scope of those provisions.

Mr R.S. LOVE: If we go back to that answer, clause 25(1) refers to a worker who is on railway premises after carrying out rail safety work and is not obliged to comply with a requirement when “more than 12 hours have passed since the worker finished carrying out the work”. Presumably, this refers to a worker who is resident on some sort of rail system? Is this a driver who might be sleeping on the train? I am trying to understand why that 12-hour system applies in both circumstances, whether or not the worker has left the premises.

Ms M.J. HAMMAT: Subclause (1) deals with a worker on railway premises and it contains the provisions around 12 hours of work. It is not necessarily easy to think of circumstances in which someone might have completed their 12-hour shift and still be on the premises—maybe someone returned to work. The clear intention of the clause is that if there is a notifiable incident and less than 12 hours has passed, that person will be subject to the drug and alcohol testing provisions. The incorporation of the 12 hours is consistent with the approach the government takes in the road safety legislation I mentioned earlier.

Clause put and passed.

Clauses 26 to 28 put and passed.

Clause 29: Breath analysis indicates prescribed BAC —

Mr R.S. LOVE: Is there any provision in the legislation at any point to allow a person who has had an indication of blood alcohol content to then get a blood test or to allow the person to seek further testing if there is some doubt or they dispute the outcome? It might be tied up with clause 43, which refers to the collection of evidence, but could the parliamentary secretary explain whether a person who was close to or just over the limit of the prescribed amount would be allowed to have another test—perhaps a blood test—to indicate exactly what the situation was?

Ms M.J. HAMMAT: I am advised that there is nothing in the legislative framework that would allow a worker to require a subsequent test, but there would be nothing to prevent them from going to their own medical practitioner and getting their own test conducted.

Mr R.S. LOVE: If the provisions are intended to be reflective of those in the Road Traffic Act, are there not provisions in the Road Traffic Act that provide such a recourse for that person? I thought there was, but I could be wrong. If it is to be consistent, surely it should be included.

Ms M.J. HAMMAT: I am advised that under the Road Traffic Act, if there is a positive breath test, that is the reading that is used. It is taken as the final test, for want of a better description. In the event that the blood alcohol test is a blood test, there is the capacity for that person to get a B sample of their blood, which they can then have tested independently. I am advised that the same provision will apply under this legislation.

Mr R.S. LOVE: Without getting the Road Traffic Act out and studying it, can the parliamentary secretary unequivocally state that these are exactly the same provisions that apply under the Road Traffic Act? I am not sure about it, so I ask for that unequivocal affirmation.

Ms M.J. HAMMAT: I am advised that I am not here with experts on the Road Traffic Act. Our understanding and the advice I have is that the scheme is, in general, the same as the scheme that operates for road traffic offences. The intention of the bill is to carve out that particular section of legislation so we can have consistent standards. The advice I have been given is that it is broadly intended to operate in the same way as the current road traffic provisions.

Mr R.S. LOVE: Thank you. Perhaps that might be investigated before the bill goes to the other place, because the same question will be asked there. I hope the answer is more unequivocal on that occasion.

Clause put and passed.

Clauses 30 to 58 put and passed.

Title put and passed.

[Leave granted to proceed forthwith to third reading.]

Third Reading

MS M.J. HAMMAT (Mirrabooka — Parliamentary Secretary) [4.22 pm]: I move —

That the bill be now read a third time.

MR R.S. LOVE (Moore — Leader of the Opposition) [4.22 pm]: I would like to thank the parliamentary secretary for the answers given in consideration in detail. I thank the advisers for their time in coming along and spending a fair amount of time here today only to answer a few questions, but I think we explored some interesting concepts in some questions.

We had the issue about whether the rail safety legislation matches exactly the Road Traffic Act provisions on blood testing for alcohol and drugs. As has been stated in the speeches, perhaps some nuances are different. It has been stated that is the case, but I am not sure that it is exactly. We will get some confirmation of that.

Otherwise, as I said in my second reading contribution, the opposition supports the legislation. I do not think it is controversial. We have been given a further understanding of the Parliament's ability to disallow provisions and the process that has to be gone through before any changes are made under the Council of Australian Governments arrangements. With that, I will wind up my third reading contribution and commend the bill to the house.

MS M.J. HAMMAT (Mirrabooka — Parliamentary Secretary) [4.24 pm] — in reply: I rise to make a third reading contribution. I would like to thank everyone who has contributed to the second reading debate on the Rail Safety National Law Application Bill 2023. I thank the opposition, including the member for Moore, for its support for this important legislation. It has been heartening to see so many contributions from so many members. As I said earlier, I always love hearing people talk about the importance of rail and rail safety.

I will undertake to provide clarification on the point that the member for Moore raised during consideration in detail. I thank him for his consideration on that.

I thank my advisers at the table for their work. They are Charlie Marks, Melissa Bouvarie and Nigel Pratt from the Department of Transport. This bill has been a long time in the works, and lots of work has gone on behind the scenes. I appreciate the advisers' work and the work of everyone at the Department of Transport over what has been a very long period.

I would like to briefly summarise the purpose of this bill and outline why this change is required. The purpose of this bill is to apply the Rail Safety National Law, with modifications, as a law of this state and to repeal the Rail Safety National Law (WA) Act 2015 and subsidiary legislation. In 2011, the Council of Australian Governments endorsed the Intergovernmental Agreement on Rail Safety Regulation and Investigation Reform and agreed to establish a national system of rail safety regulation and investigation.

In 2012, the Office of the National Rail Safety Regulator was established under the Rail Safety National Law in South Australia. Unlike other participating jurisdictions that applied the Rail Safety National Law as a law of their jurisdiction as it existed from time to time, Western Australia chose a more cautious approach and implemented the Rail Safety National Law using mirror legislation. In November 2015, Western Australia passed the Rail Safety National Law (WA) Act 2015. WA's mirror law approach requires the Parliament of Western Australia to pass laws that mirror those passed by the South Australian Parliament, and this has not proven effective in maintaining a seamless national rail safety system.

The bill will provide for greater consistency with the National Rail Safety Law as it applies in this state, and it will ensure that WA rail operators and rail safety workers benefit from the efficiencies of a consistent and seamless national rail safety regime.

With that, I commend the bill to the house.

Question put and passed.

Bill read a third time and transmitted to the Council.

ADJOURNMENT OF THE HOUSE

Special

On motion without notice by **Mr D.A. Templeman (Leader of the House)**, resolved —

That the house at its rising adjourn until Tuesday, 12 September 2023, at 1.00 pm.

House adjourned at 4.28 pm
