



# Parliamentary Debates

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Thursday, 28 October 2021

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**THE PRESIDENT (Hon Alanna Clohesy)** took the chair at 10.00 am, read prayers and acknowledged country.

## **NATIONAL REDRESS SCHEME — BRONTE GLASS**

*Statement by Parliamentary Secretary*

**HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary)** [10.03 am]: On 11 August 2021, Hon Colin de Grussa brought to Parliament's attention Ms Bronte Glass's experience in applying for redress as part of the National Redress Scheme. Her application related to historical abuse she suffered when she was a ward of the state. I note that Ms Glass is in the President's gallery today.

The two state government departments involved in Ms Glass's Redress process were the Department of Justice and the Department of Communities. The Department of Justice was involved because it has responsibility for the Office of the Commissioner for Victims of Crime and the Redress coordination unit, which play a key role in administering Redress applications. The Department of Communities was involved because Ms Glass was a ward of the state when the abuse occurred, and therefore the department was responsible for providing the verbal and written apology that Ms Glass had requested as part of her Redress application.

I note that at the conclusion of Hon Colin de Grussa's statement, he called for the relevant ministers—Hon John Quigley, MLA, Attorney General, and Hon Simone McGurk, MLA, Minister for Child Protection—to meet with Ms Glass to discuss her experience. Following Mr de Grussa's statement to Parliament, a meeting was convened so government representatives could hear directly from Ms Glass. I understand that attendees included a number of people, including the Attorney General, the Minister for Child Protection, the director general of the Department of Justice, the Commissioner for Victims of Crime, and a senior officer from the Department of Communities. I also understand Hon Colin de Grussa was present at the meeting, and that Ms Glass is very grateful for his ongoing assistance and support. Following that meeting, and with Ms Glass's permission, the Attorney General asked me to provide a statement updating the Parliament and the public on the status of this matter.

Regrettably, there were various failures by the Department of Justice in administering Ms Glass's Redress application. Certain staff members involved were not adequately trained prior to speaking to Ms Glass. There was also significant misinformation given to Ms Glass by the Department of Justice. For example, it was suggested to her that apology letters were simply template letters "rubberstamped" by the Department of Justice, rather than individualised responses provided by the responsible department. This is not the case and has never been the case. However, I cannot imagine how utterly demoralising it would be for a survivor of abuse to hear that from a departmental officer. I can confirm that the director general of the Department of Communities has provided Ms Glass a written apology for the abuse she suffered. This was not a template letter and it certainly was not rubberstamped by the Department of Justice. I can also confirm that the Commissioner for Victims of Crime has personally written to Ms Glass to apologise for the way in which her direct personal response was conducted.

Since Ms Glass first raised her concerns, various measures have been taken to avoid her experience being repeated. Her concerns were taken seriously by the Department of Justice and a full investigation of the matter was undertaken, including a referral to the Department of Justice's professional standards division. In addition to the independent review of the concerns, a full review of the direct personal response process was undertaken to ensure that the Department of Justice is meeting the objectives of the scheme. This review found several areas for improvement and since then the following improvements have been implemented: a training package has been developed in partnership with an external expert; all Justice staff involved in the National Redress Scheme are required to complete the training; and all executives who participate in a direct personal response are required to complete the training. In addition, a new national Redress coordinator has been engaged. This coordinator is highly experienced in trauma-informed practice and is leading the direct personal response process in WA. A panel of outside facilitators is also available for complex cases.

The recent Kruk independent review into the National Redress Scheme found that there are significant issues in the delivery of direct personal responses across the national scheme. Ms Kruk recommended the development of an action plan focused on improving communication about the process, better provision of support to survivors, improved training provided to executives and creating an oversight process. The Department of Justice is working closely with the commonwealth government and all states and territories to develop an action plan to address these recommendations.

The National Redress Scheme was intended to assist survivors in obtaining accountability and acknowledgement from those institutions and government departments that were responsible for historical abuse. However, in this case, Ms Glass's experience fell well short of expectations.

Again, Ms Glass, on behalf of the Attorney General and the state government, I apologise for your experience and I hope that the improvements made will avoid this happening to any other survivor of abuse.

**PAPERS TABLED**

Papers were tabled and ordered to lie upon the table of the house.

**MEDICAL PRIVACY***Notice of Motion*

**Hon Sophia Moermond** gave notice that at the next sitting of the house she would move —

That this house notes that all Western Australians have a right to medical privacy, and that the disclosure of private medical information is a personal choice and should not be mandated by the state. In so noting, the house supports all citizens' constitutional right to freedom of choice as it relates to their own medical decisions.

**SPACE INDUSTRY***Motion*

**HON SOPHIA MOERMOND (South West)** [10.10 am] — without notice: I move —

That this house —

- (1) expresses its support to the Department of Jobs, Tourism, Science and Innovation for its partnership with the Western Australian space sector and their goal to create high-paying jobs and diversify the economy in the exciting area that is the Western Australian space sector, to drive innovation within our state, and to inspire a passion for science, technology, engineering and mathematics amongst Western Australian students; and
- (2) urges the government to think big, and act even bigger, by making substantial investments in organisations that support this inspiring and growing part of our economy that Western Australia is geographically perfectly poised to take advantage of.

Recently the world's attention has been captured by the first flights into space by civilian astronauts. We have even seen Captain Kirk himself, William Shatner, at age 90—which is quite amazing and gives us all hope—blast into low Earth orbit. At the beginning of my exciting journey in this place, some of the headlines were “How high can I get”; I think this is probably the highest position that I will ever achieve. It should also come as no surprise that the world's two richest men, Elon Musk and Richard Branson—I think they keep swapping first and second positions every week as their companies' stock prices keep rising—are now both in the business of space. Space is now a big business, and one that WA should be in in a big way—bigger than we are now.

When we talk about the worldwide space economy, what exactly are we talking about? A recent international report by investment house Morgan Stanley estimated that the roughly \$350 billion global space industry could surge to over \$1 trillion by 2040. That is a lot of money. The report says that the new space economy is going to require a self-sufficient ecosystem that includes capital and new international strategic partnerships in what is an evolving business model. A plethora of new organisations and high-tech startups have formed in the past several years to explore opportunities in space infrastructure. We are talking about things like satellite manufacturing, launch capabilities, information technology hardware and the like. There is now a swag of previously unthought of adjacent areas of this growing space economy including things like space tourism and satellite broadband ventures. There are even new ventures out there investigating how we can go about asteroid mining!

I must admit, talk of asteroid mining bothers me a bit; trust big companies to already be thinking about how they can extract minerals from somewhere for profit, but that is a whole other conversation. I am sure the Greens might have something to say about that in the future. Do not get me wrong; I think that WA absolutely should be making a bigger investment in the space industry and in this planet as well, but there is a nexus here. Innovation in the sustainable energy sector is required so that we can do our best to have an impact on global emissions. The 2050 net zero target that our federal government has just adopted, on the tick off by the esteemed climate scientists within the National Party—thank you, “Professor Barnaby”—is not going to be achieved by hope alone.

The Legalise Cannabis WA Party has been highlighting in this place how the cannabis sector can have an impact here, especially in providing new sustainable crops for agricultural regions as well as the rehabilitation of areas impacted by pollution. This does not mean that Western Australia cannot walk and chew gum at the same time. These are all new and exciting sectors, all requiring education in STEM areas. These future jobs and this huge need for high-paying, high-tech jobs, many of which do not even exist yet, will require young minds that have been inspired to look towards the stars. It has been noted that millennials and generation Z are focused on two big areas—climate change and space—and that there is a great deal of crossover between the two areas. As the new space economy develops, it increasingly overlaps with sustainability in areas such as earth observation and energy, as well as communications. Companies and governments are using satellites to monitor emissions data, helping to detect CO<sub>2</sub> emissions and natural gas leaks from a range of sources, including oil wells, landfills and industrial operations. Satellite thermal signatures can help forest management authorities identify and put out fires faster and more effectively, whilst earth observation from satellites helps monitor illegal fishing and helps farmers improve agricultural efficiency through better predictive weather modelling.

Our future focus on space technology could also lead to an improvement for the greater good. The deployment of low-level satellite constellations could bring internet access to up to four billion people who live in regions where traditional internet access is uneconomical or unfeasible. Deep space exploration could offer benefits to hydrogen fuel cell technology, robotics, propulsion, computer hardware and software and health care—the list is endless. We need to be doing a better job of shepherding WA students towards STEM subjects. If we can show them a pathway towards a career that is actually “out of this world”, we may see more young people take a bigger interest in the subjects they know will get them there.

WA could and should be leading the nation on this issue. We have an incredible amount of land that is ideally suited for the observation of our universe. Space is a world of heavy machinery, infrastructure and manpower—also womanpower. In other words, it requires vast amounts of physical and monetary capital in both the research phase and the development phase, as companies actually build the infrastructure required for all these new activities. Our state is in a unique position geographically to be at the forefront here.

I want for all parties across the state to support the work of government departments under the science and innovation portfolios, and the tertiary and school education sectors. This Labor government needs to think bigger when it comes to the future of space technology and the benefits it can bring to this planet. It will also allow for great cooperation between various countries around the globe. Western Australia is already cooperating with Italy at the moment. It is the right thing to do for our short-term and long-term future both environmentally and economically. Thank you.

**HON NEIL THOMSON (Mining and Pastoral)** [10.20 am]: I congratulate Hon Sophia Moermond for bringing this motion before the house. I must confess that I am a bit of a space nerd myself!

**Hon Alannah MacTiernan:** Not a space cadet?

**Hon NEIL THOMSON:** No, definitely not a space cadet.

I do not know whether any members are familiar with Marcus House, who is on YouTube. I recommend anyone who is interested in space to follow and subscribe to his channel. He is an Australian who operates out of the United States of America and provides incredible weekly updates on the development of space technology around the world. It is great to see Australians take the lead in this very important field.

This is the second time in two days that I have spoken about my home country, New Zealand. I went to school in a regional city called Gisborne. That is right on the east coast of New Zealand. It is one of the most remote regional centres in New Zealand on the far side of the east coast of the North Island. When I was going up, I would never have expected that my dream of being in proximity to the space industry would become a reality. The Mahia Peninsula is 50 kilometres south of Gisborne and is now a booming space industry.

I want to throw down a challenge. As an Australian, I am a strong supporter of Australian sporting teams, although I have to admit that when the All Blacks play, I tend to barrack for them. I am sorry to confess that, but it is the one thing members will never be able to drive out of me! As Australians, we are very competitive. The fact that New Zealand has a commercial space industry should be a challenge to the organisation responsible for our science and technology, the Department of Jobs, Tourism, Science and Innovation. It should also be a challenge to the Minister for Regional Development and the Minister for Science to get ahead of the Kiwis. Rocket Lab was set up by New Zealander Peter Beck in about 2006. It is now delivering low-cost satellites into space on a regular basis and is about to test its re-usable rocket system, which is a very important development. The growth of re-usable rockets will absolutely transform the industry. I am spruiking Marcus House’s channel because members can get an incredible insight into what is going on in the space industry.

The Australian Space Agency was set up by the federal government with the goal of increasing the domestic space industry in Australia. I think Western Australia should be at the forefront of that. We should get in front of the pack. By 2030, the goal is to employ 30 000 people in that agency. I speak about this because I think there is a huge opportunity in the north of the state. The Northern Territory has also taken a lead on this. Again, I am hopefully provoking the minister responsible for that agency —

**Hon Tjorn Sibma:** “Encouraging”.

**Hon NEIL THOMSON:** “Provoking” was probably the wrong word; I am encouraging the minister to get ahead of the pack and be ahead of New Zealand and make sure that Western Australia is the leading light in space.

**Hon Kyle McGinn:** Call your mate ScoMo!

**Hon NEIL THOMSON:** No; he has put money on the table. The member talks about the federal government. It is out there promoting the space industry, but, at the end of the day, there is a huge role for the state government to ensure that we deliver a viable space industry in Western Australia. The Northern Territory has taken the bull by the horns; maybe it is the buffalo by the horns, I am not sure! The Northern Territory is trying to get in front of Western Australia because of its ideal location, it says. The Northern Territory website refers to its proximity to the equator. The Kimberley region is right up there in the north; we have plenty of opportunities near the equator. Being close to the equator requires less fuel to get into space. The Northern Territory has a small population. We

have a small population in Western Australia. Being in the Southern Hemisphere is an advantage because there are unique opportunities in the Southern Hemisphere. The Northern Territory has clear skies; I think we have those in Western Australia too. The Northern Territory has low light interference; we have that in Western Australia, certainly in my region. The Perth-based members who like to get out in the regions can visit and have a look. They are welcome to join me and stay with us and I will take them to the bush. Low radio interference is also very important. That was not listed on the Northern Territory's website, but I added it because of the incredible —

Several members interjected.

**The PRESIDENT:** Order, members! It is increasingly hard for Hansard to record the important debate. Just keep your murmurs to a minimum, please.

**Hon NEIL THOMSON:** The Square Kilometre Array is an incredible initiative and opportunity to investigate deep space, and it has low radio interference.

In my remaining time, I encourage the Minister for Lands in particular to consider that one of the biggest impediments to investment in Western Australia is our diabolical land tenure system and the diabolical administration of it, particularly on crown land. I can assure members that if there is an Elon Musk out there who wants to invest in this ideal location in Western Australia to help create those 30 000 jobs and be ahead of the Northern Territory and the Kiwis with a decent space industry in the north, it would take about 10 years for them to negotiate the diabolical land tenure system. I will give the Minister for Regional Development free advice: how about getting land precincts around the state —

**Hon Kyle McGinn:** This is a ramble.

**Hon NEIL THOMSON:** This is not a ramble, honourable member.

Several members interjected.

**The PRESIDENT:** Order, members! Let us keep our cross-chamber chat to a minimum to allow Hansard to record the debate.

**Hon NEIL THOMSON:** The member for the Mining and Pastoral Region, who is based in Kalgoorlie, knows that there is a shortage of industrial land. Businesses must go through machinations just to get a bit of land to do the work that it needs to do.

**Hon Martin Aldridge** interjected.

**The PRESIDENT:** Order, member! Contain your remarks to the chamber and I will acknowledge the visitors to the gallery later.

**Hon NEIL THOMSON:** I give that advice because we have seen in the news over the last 12 months Equatorial Launch Australia looking to establish itself in the Northern Territory at the Arnhem Space Centre. How good would that be to see?

I commend this motion to the house. I think we have a huge opportunity. I ask members to take the time to look at the incredible material that is out there in the news and at what is going on and the innovation that is occurring. I certainly encourage the Labor government of the day to make available precincts of land that would be ideal for this sort of development, along with other industrial development.

*Visitors — Al-Ameen College*

**The PRESIDENT:** I would like to welcome to the public gallery visitors from Al-Ameen College, formerly Langford Islamic College. Welcome to the Legislative Council and I just would like to let you know that we are debating a motion about the Western Australian space sector.

*Debate Resumed*

**HON ALANNAH MacTIERNAN (South West — Minister for Regional Development)** [10.29 am]: I also commend Hon Sophia Moermond for bringing forward this topic. There is no doubt that this is one of those industries that we want Western Australians to have the opportunity to participate in. We are geographically well placed to participate in the space industry and, indeed, we are already seeing benefits from the work that we are doing. I was interested that the member talked about asteroid mining as one potential, but it is probably a few years away.

**Hon Neil Thomson:** It's got to get off the ground first!

**Hon ALANNAH MacTIERNAN:** We had an interesting invitation from Hon Neil Thomson. He invited us to *All Aussie Adventures* with Russell Coight. I can see us all there! But I think that we on this side might gracefully decline that invitation and stick with hanging out with Hon Rosie Sahanna and Hon Kyle McGinn and getting them to take us around some of those areas.

I was a little intrigued with the linking of this motion to the aspiration of legalising cannabis. I thought at one stage we might be talking about hemp spaceships, but if I got Hon Sophia Moermond's drift correctly, she was talking

simply about us being prepared to venture into new fields. It is certainly the case that we already are seeing in the work that is being done in space real implications for farming. The Pastures from Space program is really helping farmers and pastoralists understand what is happening with crops. Hopefully, as this is refined, we will be able to get greater clarity about things such as soil carbon and vegetative carbon. All of that is very important in the work that is now being done in carbon sequestration and a more intensive agricultural sector. There are certainly many opportunities in this area.

I want to tell this story. When we got into government in 2017, one of my jobs was to assist the Premier in the portfolio of jobs and trade. Very early on I was sent over to represent the Premier at a national industry and skills ministerial council. They were very surprised when I rocked up. They said, “Western Australia doesn’t normally come to these things. We haven’t seen a Western Australian minister”—this was referring to the Barnett government—“over here for quite some time.” As we worked through the agenda, we found that the federal government had been working with various states on space programs but WA was not involved. When I put up my hand and asked why we were not involved, I was told that it was because we do not turn up. I have to say that when Hon Neil Thomson lectures us about this, he should know that we had to absolutely kick-off from a standing start when we got into government to rebuild that capability because it was zero. I could see that when I was in federal Parliament. One incentive for me to get back into state politics was that I could see that Western Australia was not trying enough in the national field. It was not there at the table getting its share of federal funding, whether it was in space or defence. We have been working hard to turn that around.

There are some interesting projects. There is an enormous array of space projects happening in Western Australia. Of course, we have quite a history in this space. I think Hon Kyle McGinn will talk about some of that history and our seminal role in Carnarvon. But, of course, we have the Square Kilometre Array, the biggest radioastronomy project in the world, which successive governments have been working on. Western Australia has more than 70 years’ experience in the space industry with ground stations. It is quite amazing to note the array of ground stations. There is the European Space Agency tracking station at New Norcia, the Optus Earth Station at Lockridge, the Swedish Space Corporation based at Yarragadee, Geoscience Australia also at Yarragadee, the solar observatory at Learmonth and a satellite ground station at Mingenew.

What is happening at Mingenew is an interesting little story and I think that perhaps Hon Sandra Carr will talk a bit about that later. Those who travel to Mingenew will be well aware of the very strong lobbying that has gone on from Mingenew, which does not see itself as just a sheep and wheat place anymore. There are very strong aspirations for the development of a space precinct at Mingenew. We have tipped in some funds for what seems to be a moonshot project in Mingenew and we are funding the Shire of Mingenew to develop its concepts.

Certainly, since we came to government, we have been very keen and focused on attracting the space industry. Hon Sandra Carr is also going to talk about some STEM investment into schools.

**Hon Martin Aldridge:** How do you know that? Have you given her a speech?

**Hon ALANNAH MacTIERNAN:** No, because we talk about what we are going to do. Unlike you, you completely uncoordinated rabble —

**The PRESIDENT:** Order, member!

**Hon ALANNAH MacTIERNAN:** — unable to do anything but have blues with each other.

**The PRESIDENT:** Minister for Regional Development, I called order. Thank you.

**Hon ALANNAH MacTIERNAN:** Of course we work out who wants to talk about what.

**Hon Martin Aldridge:** I want to listen to Hon Sandra Carr.

**Hon ALANNAH MacTIERNAN:** Be patient, member.

We established the Australian Remote Operations for Space and Earth in February 2020, in which we have invested \$1.5 million. We have also put \$3.5 million into the establishment of the Australian Space Automation, Artificial Intelligence and Robotics Control Complex. We have invested in the Australian Space Data Analysis Facility at the Pawsey Supercomputing Centre. That facility will support the analysis of satellite data for mining, agriculture and emergency services. Something of particular interest and excitement is the \$500 000 support that we gave Curtin University for its Binar-1 CubeSat space program, which launched Western Australia’s first spacecraft into space in August this year. Former minister Dave Kelly was telling me that the really critical thing about this particular project is that it has been able to get so much of its operational material onto a single chip that it is able to carry much more payload than is normally the case. We are very keen to support those sorts of projects.

Of course, we have also invested \$20 million in the Australian Automation and Robotics Precinct at Neerabup, which is the world’s leading facility for testing, research and development in autonomous remote operations and robotics and equipment. That is fundamental stuff that is absolutely necessary to develop those skill sets for us to be able to meaningfully participate in the space industry.

We also note the work that is being done in Wyndham. I recall going up to Wyndham to have a look at the Zephyr project, which will eventually lead to low-orbit satellites. The project is being run by Airbus. That is an exciting project. I think it had a setback in 2020, but that is understandable; there will always be the occasional experiment that does not work. The Zephyr project is based in Wyndham because the geography and uncontested air space of Wyndham makes it the ideal place for that project. I think that is another first for Australia. It was interesting to see the collaboration there between Australian scientists working with scientists from the UK to develop this technology. That is what we need; we need to be very open and active.

As Hon Sophia Moermond has recognised in her motion, through the science part of the Department of Jobs, Tourism, Science and Innovation, we are very focused on seeing this as a real opportunity for Western Australia. We have the right geography to make us a very attractive place for these operations. Just as we were selected back in the early 1960s by NASA as being an ideal location for its Southern Hemisphere operations, that same geographic logic applies today. It gives us a competitive advantage. Of course, that will not mean anything if we are not out there, actively making ourselves available to that industry and having personnel available within government agencies who are focused on giving these projects lead agency status and on getting the approvals for these projects. If that does not happen, we will fall behind in competitiveness. However, I am very pleased to say that since coming to government in 2017, we have rectified that lack of architecture within state government. We have been building our capacity to understand the opportunities that are available to us and going out there and making sure that we are bringing every opportunity possible into Western Australia.

**HON WILSON TUCKER (Mining and Pastoral)** [10.44 am]: I rise to support this excellent motion raised by Hon Sophia Moermond. I was particularly interested in clause (b) of this motion and the word “innovation”. That is not typically a word that we see associated with WA very often. There is certainly innovation happening in a few industries in WA, such as the mining sector, with companies cutting down their operational costs and optimising their supply chains when they dig up resources, and certainly in the agricultural sector, as well, with our farmers achieving more with less with the annual rainfall that we have here in WA.

We know that the tech sector can become a change operator that can really drive innovation in other industries and help to disrupt and promote change, which will help the WA economy to stay relevant in the global market.

I have friends who work in Blue Origin, which is Jeff Bezos’ space arm based in Seattle. Underpinning that entire company are software engineers and data analysts. We can really think of that company as a tech company with a little bit of space thrown in. It is a very data-driven company, as one would expect. The company would not be able to innovate and send 90-year-old actors into space without the software engineers who support the company.

I refer to a recent quote from Mike Cannon-Brookes. For members who do not know who Mike Cannon-Brookes is, he is the founder of Atlassian.

**Hon Tjorn Sibma** interjected.

**Hon WILSON TUCKER:** You do know? Okay.

**Hon Tjorn Sibma:** If you don’t know, we’ll let you know who he is.

**Hon WILSON TUCKER:** Okay. Atlassian is the largest software company in Australia. It was founded and is headquartered in Sydney. Mike is worth a couple of billion dollars. He recently spoke at the Tech Council of Australia about the opportunity that WA has in the tech sector. He is quoted in an article in *The West Australian*. He said —

“WA’s key industries at the moment are at the forefront in a lot of cases—agriculture, mining—of being disrupted by technology or improved with technology, and that will itself create a whole lot of opportunities for that skills base and talent base,” ...

There are a couple of other quotes from Mike. He mentioned time zones, as well, which interested me quite a lot. He said —

“WA is a lot closer to markets like India, the Middle East, to other areas where it is a few hours of the time shift which is very, very advantageous.

“If you think about the global economy, that proximity to Asia and technology is incredibly important, especially in those areas important to WA like mining and agriculture where there are huge export markets for those goods, that time zone can only be helpful.”

In these quotes, Mr Cannon-Brookes spoke about the talent base that is needed in the tech industry. We have an incredibly important opportunity here for WA to really diversify its economy, rather than the tech industry today, which is really just paying homage to the mining sector.

I think we would all agree that we are addicted to mining here in WA. If we want to diversify our economy and stay globally relevant, we should support the tech industry and produce a tech industry that stands up in its own right and is able to become a change operator for a lot of other industries, including the space sector.

I welcome this motion raised by Hon Sophia Moermond and the opportunity and discussion that we are having about the emerging opportunities for a space industry here in WA.

**HON SANDRA CARR (Agricultural)** [10.48 am]: I thank Hon Sophia Moermond for raising this motion and my honourable colleagues in this room for their contributions. I also welcome the opportunity to outline the ways in which WA is both collaborating and innovating, and, indeed, as part (c) of the motion suggests, inspiring our community and young people to participate in space and STEM.

As Hon Alannah MacTiernan stated, WA has more than 70 years' experience in the space industry. We are in a strong position to develop that industry further. We host space infrastructure for civil and defence application, space-related facilities, and institution and university research programs. In particular, WA has industry capabilities in the maintenance and operation of ground-based space systems and autonomous remote operations, often in harsh environments. Those environments are particularly well suited. Those areas have very limited radio frequency interference and often some really dark skies, so there is limited light pollution, and that creates a great opportunity for space exploration and discovery.

I would like to talk a little bit about the space industry capability in Western Australia. Our Southern Hemisphere location and longitude are ideal for space situational awareness and the facilities that contribute to the global coverage of space assets, including the tracking of launches. We have seen that historically in Western Australia. We provide maximum access for global navigation of satellite systems and constellations. Our geographical advantages have been reinforced by investment in things such as communication, computational infrastructure and access to technical expertise. Some of that comes into the state, but those things add value and create that passion, drive and interest in the area. I suggest that just because we do not necessarily hear of things happening in the tech and space industry, that does not mean they are not happening. Science, technology, engineering and mathematics subjects are often not considered to be the sexiest subjects in the room, so people do not necessarily give them due attention. WA is creating significant opportunities in the areas of space situational awareness, optical communications, astronomy, space operations and defence. Substantial investments, training programs and other things are happening within our universities. For example, Curtin University has a partnership with a place as little known as the National Aeronautics and Space Administration, in which its students participate in a NASA program. Curtin has been doing that for quite some time. Again, just because we have not heard about it, does not mean it is not happening.

In July 2019, the then Western Australian Minister for Science, Hon Dave Kelly, and then federal Minister for Industry, Science and Technology, Karen Andrews, signed a memorandum of understanding between WA and the Australian Space Agency for the advancement and growth of the space industry sector. It focuses on tripling the size of the Australian space sector to \$12 billion and creating 20 000 jobs by 2030. The Australian Space Infrastructure fund will provide \$6 million and the Western Australian government will contribute \$4.5 million to provide for the Australian Remote Operations for Space and Earth. That initiative will look at artificial intelligence and a robotics control complex that will provide a world-leading multi-user and multisector facility for space on earth, and remote operations. The funding has also provided for the Australian Space Data Analysis Facility in Kensington. Launched in February 2020, the Western Australian–headquartered industry-led not-for-profit consortium was positioned in Perth as a global centre for remote operations in space. Western Australia has also played a key role in NASA's Mercury, Gemini and Apollo missions to the moon. Australia is already part of the United States Space Surveillance Network for space debris. The capability in WA allows us to detect and track objects in space, including debris, which is an important subject in its own space—if members will excuse the pun. Space debris is a significant issue with the number of satellites and other things launched into the atmosphere. Along with the passion and excitement for those developments in the space industry, we need to be mindful of the consequences. When we think about those things, the phrase that comes to mind is “fools rush in” —

**Hon Alannah MacTiernan:** It is exponential, member, because you have debris knocking into other debris. The more debris there is, the greater the chances of collision and more breaks up.

**Hon SANDRA CARR:** Exactly, and that, coupled with this —

**Hon Neil Thomson** interjected.

**Hon SANDRA CARR:** That is a valid point and I welcome the contribution from Hon Alannah MacTiernan.

**Hon Neil Thomson** interjected.

**The PRESIDENT:** Order, member! Please allow Hon Sandra Carr the same right that you had and that is to speak without interjection.

**Hon SANDRA CARR:** Thank you, President. I will continue. I share in Hon Sophia Moermond's passion and excitement for space and exploration, but we should err on the side of caution and perhaps give more careful forethought to the way we develop this area.

I will focus on the Agricultural Region and name some more exciting developments. The European Space Agency has the deep space ground station in New Norcia. As Hon Alannah MacTiernan mentioned, and I know that Hon Martin Aldridge will be listening excitedly because he said that he wanted to hear me speak, we have the Mingenew space precinct located in the midwest radio quiet zone. Operators in that precinct include the Swedish Space Corporation, Geoscience Australia and Capricorn Space. Capricorn Space is the latest major space organisation



to be based in Mingenew and its function is to capture information from the sky. It is able to capture data because it is located in a declared radio quiet zone where there is very little interference. It is remote but not too remote. Mingenew is not too far from my home town of Geraldton.

**Hon Jackie Jarvis:** Do you live in the regions?

**Hon SANDRA CARR:** I live in the regions; yes, I do. I get around the regions quite a bit. I do not spend a lot of time in Geraldton anymore, I have to say.

The commercial ground station collects data from orbiting satellites and sells that information for use by different organisations and companies around the world. High tech space exploration and information gathering is happening just in our backyard—well, my backyard anyway.

Recently, the Yandanooka Stargazing Night was held at Mingenew. This was all about inspiring that passion and interest for STEM in the community. A laser-guided night of stargazing was held to educate and promote that passion and awe for what is out in the sky. The night was sponsored by Astrotourism Western Australia.

As Hon Alannah MacTiernan mentioned earlier, there is the Murchison Radio-astronomy Observatory with the Square Kilometre Array, the Murchison Widefield Array and the Experiment to Detect Global EoR Signature. EDGES is about seeking or detecting hydrogen signatures from the historical period in the formation of the universe—it is looking for signs of life, essentially. That is a really exciting project that is happening in our region and part of the innovation and exploration happening right here in WA.

I turn back to the Square Kilometre Array and CSIRO's involvement in that. It runs the Murchison Radio-astronomy Observatory. Its offices are based in Geraldton and it is a pretty significant employer with about 16 people currently working there. It is an ever-growing group that operates in Geraldton and from the Boolardy station in the Murchison in collaboration and agreement with the Wajarri Yamatji people through an Indigenous land use agreement. It does some pretty exciting observation and exploration work out there collaborating with a range of organisations. The CSIRO also runs the New Norcia ground station that tracks spacecraft for the European Space Agency. A lot of collaboration is happening with international groups and organisations.

**HON KYLE MCGINN (Mining and Pastoral — Parliamentary Secretary) [10.58 am]:** I thank Hon Sophia Moermond for bringing such a great motion to this house for debate. It is a really interesting topic with so much history in Western Australia, which I will get into in my speech. Firstly, I need to correct a few wrongs that have already been said by Hon Neil Thomson, which is quite usual. I have heard rumours that the Liberal Party is crowdfunding a new satellite that will find Melissa Price and Rick Wilson, because they have been missing in action for Western Australia for so long, particularly in the space space. Hon Neil Thomson implored the state government to get involved, but he and his federal colleagues have done diddly squat—absolutely diddly! It is unbelievable. When Melissa Price was environment minister, she wanted to build trees. I do not know how you build trees. I think she wanted to get plastic and build some trees. There was also Rick Wilson, who when his electorate spoke on same-sex marriage, decided not to even vote at all—missing in action. He did not even go into the chamber. That is absolutely disgraceful. So it is not surprising to me that the Liberal Party was missing in action in 2018 when there was over \$700 million of funding to start a space headquarters here in Australia. Where were the Liberal Party members, Hon Neil Thomson? Where were they? They were in South Australia fighting for —

Several members interjected.

**The PRESIDENT:** Order! I suggest that the honourable member not invite interjections and continue to focus on the content of the motion.

**Hon KYLE MCGINN:** Thank you, President. I assure you that I will try my best, but it is hard when I have heard some woeful lies from the opposition about its lacklustre approach to space. Let us be honest. Now the motion is on the floor, Hon Neil Thomson wants to beat his chest, but where was he in 2018 when his colleagues over east were more excited about South Australia than WA? It is absolutely disgraceful. We missed out on over \$700 million worth of funding for space headquarters, which would have been spectacular in the Murchison region.

**Hon Neil Thomson** interjected.

**Hon KYLE MCGINN:** He gets a bit upset because his colleagues are still missing in action here in 2021.

**Hon Alannah MacTiernan:** We saw that the federal government promised to build the ship here, but has decided it is not going to build it.

**Hon KYLE MCGINN:** Yes, the submarines!

**Hon Alannah MacTiernan:** No, not submarines, another ship.

**Hon KYLE MCGINN:** Yes, and the ships.

Several members interjected.

**The DEPUTY PRESIDENT:** Order!

**Hon KYLE McGINN:** It never surprises me that our federal Liberals, who are supposed to be representing WA, are constantly missing in action. I cannot wait for the Liberal Party to get its crowdfunding together to get its own satellite to find its members!

I will get on to more important facts on the motion. One of my favourite places to go to in my electorate is Carnarvon. People who have driven up to Carnarvon before will have noticed a massive satellite dish.

**Hon Neil Thomson** interjected.

**Hon KYLE McGINN:** Here we go, some more drivel coming. Are you going to talk?

**The DEPUTY PRESIDENT:** Order, members! I am having difficulty hearing the honourable member, and that is coming from interference from both sides of the chamber.

**Hon KYLE McGINN:** Thank you, Deputy President, I appreciate the protection. It is very nice of you!

Coming into Carnarvon, we see a massive satellite dish. The history there of the role Australia played is huge, particularly during the Gemini, Apollo and *Skylab* missions. There was the Casshorn antenna, which was called in slang the “sugar scoop”. It was built in 1964. It was responsible for the first TV program sent to London, which was phenomenal. In 1969, it was used as a tracking station. In 2018, I was honoured to go to Carnarvon with Minister Dave Kelly for its fiftieth anniversary, and it was unbelievable to see all the old workers from the tracking station there. The stories they had to tell were phenomenal. We saw over 220 jobs created over that tracking station project, which did multiple things. It also helped with televising Armstrong’s first step onto the moon. There was a critical point in the transit of the rocket to the moon that nowhere else in the world could track. At one point, Australia was the only place in the world that could hold that tracking. It was critical to ensure where and how far from the moon they were. It was quite funny at the event. They really put it on in Carnarvon, I tell you! Kids from the local school dressed up in blow-up astronaut suits and were getting around. As I said, workers who had worked at the station were telling stories about how all the Americans who were there at the time stimulated the economy of Carnarvon. I think they sold Dr Pepper in the shops there at the time. They really grabbed hold of that project.

It has now become a real part of the fabric of Carnarvon. For anyone going up that way, maybe heading to Exmouth, particularly with young children, there is now the Carnarvon Space and Technology Museum. If the honourable member has not been there, I strongly suggest going. It is a really good experience. There is a full-sized Apollo capsule that people can get strapped into. There are all the sounds and everything going, and it feels like you are about to take off. It is really good for the kids. They enjoy that. There is a planetarium, space theatre, museum displays and interactive displays with which people can get involved. There is a lot of old memorabilia from the tracking station. I delved into the history of when it moved away. The tracking station was 10 kilometres out of town. Instead of leaving the facilities here for Australia to utilise—there must have been some conversation with some government at some time—they were bulldozed and buried. We can imagine what kind of materials were being used in the era, so there is a bit of an issue with that old site. People cannot look at the area where the tracking station was, but the museum is four kilometres away heading back into Carnarvon. On the smell of an oily rag, staff try their very best to operate this thing. The museum gets a lot of in-kind donations. I believe it is working with Canada at the moment on how it can use the satellite dish, with an upgrade, for future space projects. It really is a tribute to the area that the museum continues to operate and sell the history, and also lots of goodies in the shop! They do not miss you! You walk out of there with a NASA shirt, a NASA hat and everything else.

**Hon Alannah MacTiernan:** And a photograph of yourself with a spacesuit!

**Hon KYLE McGINN:** That is right, the minister had a photo in a spacesuit; I remember that. You feel like a spaceman for a day and it is pretty cool.

**Hon Neil Thomson:** A space cadet!

**Hon KYLE McGINN:** Not a space cadet, honourable member, a spaceman! All Aussie adventures! It is time to hit the road!

I also want to touch on Kalgoorlie and Lake Ballard, which are phenomenal areas for looking into the space sector. I know Hon Peter Foster will have a few things to say about Mt Magnet. I am a huge supporter of the Astro Rocks Fest up there, which gives people opportunities, as I believe the honourable member will say in his speech. If anyone has been to Lake Ballard, they will know it is unbelievable at night-time. We can see open skies. I know that the City of Kalgoorlie–Boulder was working on a tourism plan for an astrotourism zone. It is the best place for people with their thousands of dollars’ worth of equipment to look up into the sky at certain times of the year. It is probably one of the best set areas. I remember writing a letter to Minister Kelly in 2018 begging for Kalgoorlie to get the space headquarters, which he acknowledged. Unfortunately, as I said earlier, South Australia seemed to scoop that up, which is really disappointing, because not only is there the Murchison with these beautiful clear skies, with Carnarvon, Kalgoorlie and Lake Ballard all out in that area, but also there is so much opportunity. South Australia has really taken the cookie off us in this respect, and it is disappointing. I hope in the future we have better representatives in the federal government who actually care about their regions. That will give us a better outcome from federal funding.

Once again, I thank Hon Sophia Moermond. This is a very admirable motion, and I look forward to the space race in WA in the future.

**HON DR BRIAN WALKER (East Metropolitan)** [11.08 am]: I feel a little bit extra here, because standing here in support of my colleague's excellent motion, I see so much support from all sides of the house, and I am delighted. First of all, I need to give congratulations to places like Curtin University and the University of Western Australia. Curtin, of course, has a satellite, *Binar-1*, which has been sent into space. It was the very first time, actually. Did we appreciate that "Binar" is a Noongar word that means fireball? We have an Indigenous Australian word now circulating in space, I believe for the very first time, and that is wonderful. Yes, it is a symbol, but it is a symbol of what is to come.

Before we start with what is to come, let us go back to where we actually started because my memories go back a little further than the memories of some members here. When Armstrong landed on the moon, the communications of which came from Carnarvon, I was skipping school with my little brother and sister. We watched the landing and the first step on the moon live in Floreat, here in Perth, thanks to the wonderful work of those who were fortunate and brave enough to create the start of a space industry here in WA. I cannot tell members how heartened I was to hear from Hon Alannah MacTiernan of the developments that have already been made and that will exponentially increase. I have to pick her up on one point she made about using hemp as a material for space vehicles. Although it is not possible now, if we can make cars, boats and planes from hemp, I do not doubt that there will possibly be a role for it to play in the future. I wonder if innovative science could maybe help develop yet another role for that miraculous plant. I have teased members enough.

Several members interjected.

**The DEPUTY PRESIDENT:** Order! Members, Hon Dr Brian Walker has the call.

**Hon Dr BRIAN WALKER:** I welcome members on this side of the house to partake in a little of that so they are less high than they are currently!

**Hon Alannah MacTiernan:** Could you repeat that.

**Hon Dr BRIAN WALKER:** Not in public.

We are actually in a privileged position. I was delighted to hear about the information that is obvious to all who look at this about how well placed we are in Western Australia in particular. This leads to the question of how we develop this industry further. Of course, it starts with education. Members should bear in mind my early experiences of watching man walk on the moon. Hopefully in a couple of years, I trust that women will walk on the moon. It is an exponential development. We are now thinking about going to Mars. Where does it start? It starts with little children in school who look up at the sky, as I have done and still do. I have a telescope on my balcony, not for peering at the neighbours but for looking at the sky. I vividly recall standing in Mukinbudin, which is famous for a number of things—wheat and sheep being among them—including the dark sky. An astronomy group came out to demonstrate to people how to set up telescopes and observe the heavens. I was assisting with my telescope, showing people how to look up at the sky that we take for granted. Along came a beautiful Indigenous family. I knew them well; they were patients of mine. Little kids were there—just ordinary kids rambling around, as children do. I said, "Do you want to see something special?" They looked at my telescope and said yes. I had to lift the youngest up to the eyepiece of my telescope and focus them on Saturn. For the first time, they could see the rings around Saturn. We heard gasps of joy from children who had never seen that before. They might now be encouraged to get engaged in STEM in school. The older ones came along and looked at the Galilean moons—the four moons around Jupiter—which are stunning to see, especially when we see them hanging in space.

We might see a little dot every now and then if we look at the sky and know where to look. All of a sudden, when we see a planet with beautiful moons around it, we realise how gorgeous this world of ours is and how much we have to learn about space. Even now we see the research about the magnetic tubes that seem to connect us through the universe. Is there some reason they are there and what does it mean? Who are we? What are we? All of this investigation, innovation, discovery and asking questions does not just start at the age of four but before that. That encourages education. We could be at the leading edge of space exploration. I think the *Binar-1* satellite is just the start. We have joined that. We might even join our partners in Asia. I spoke yesterday about how we might work with our Asian neighbours to develop friendly relations, mutually supporting each other. The space race is something we could look at, not this idea of putting weapons into space and fighting other nations on earth, something I think all of us would roundly condemn. We have no place for that in this world. We need to look at the peaceful use of expanding into space, looking back to see us as one blue world, small in this great universe of ours.

This motion allows us to continue looking beyond our boundaries and our cells to a better future. I heartily recommend this motion. I feel that it will find acceptance within our group here today. One of the things we are also looking at is who we are as Western Australians. Are we not pioneers to some degree? Sipping a latte in Perth does not qualify us as pioneers, but we are in a fairly remote part of the world. If people have never travelled beyond the boundaries of Perth, they have not lived. I encourage everyone to expand into the beautiful reaches of our great state and discover the many areas that Hon Kyle McGinn and Hon Sandra Carr have mentioned. How are we going

to explain to people that we have within our backyard the very makings of an innovative, scientific future that could work in cooperation with the world to develop space into a peaceful area where we as humans can expand and develop? Western Australia can and should be part of that and, who knows, maybe even lead the way. That would be ideal. Space should not be allowed to become a plaything for the wealthy. It is nice to see people going into space as tourists. It is beautiful. It is a starting point. It is a sign that this will happen.

I recall also that when I was four months old, I was taken on a flight from Malaysia to the United Kingdom to have an eye operation. It failed, but it was at a time when almost no-one could fly because it was too expensive. Within the lifetime of my parents, who were born in the 1920s, an aeroplane flight was unusual unless people were in the Air Force and fighting enemies. For my grandparents, flight was something new. When I was small, we were looking at pictures of Dick Tracy talking to a wrist phone, *Flash Gordon*, and all these ideas. Then we had the first Sputnik in space. Before that, it was just World War II and V-2 rockets. That was the start of a technology that has increased exponentially and which will continue to increase exponentially, into which we in Western Australia have not yet taken our rightful place. I ask that we consider this from government, from all sides, and we stand together to work to encourage not just the glorious space, but also the education of our youngest, who are the future space explorers and space scientists.

My youngest son was at Curtin University looking at options and hearing about the microarray, a fantastic organism, and the science behind that. He was talking about someone who had gone through that and was now at NASA. A Western Australian citizen was at NASA working on artificial intelligence for calculating the mathematics of trajectories in space for satellites, rockets and future exploration. He was conducting incredibly difficult, comprehensive scientific analysis of how to work in space. That is where we are heading. I commend the motion, as it has been commended on all sides. I welcome the motion. I thank the member for bringing it to our attention. I hope it will bring us one step forward into the future.

**HON PETER FOSTER (Mining and Pastoral)** [11.18 am]: I also would like to thank Hon Sophia Moermond for moving this very interesting motion today. It has been great to listen to the contributions of the speakers so far. My gosh, we are getting quite an education today. Thank you to all the speakers who have spoken thus far.

I would like to speak to two parts of the motion—innovation and STEM. I would also like to expand that to astrotourism, which I think a few members have already touched on today. The honourable member is correct: new and emerging technologies and industries present us with fantastic opportunities, and we must not be afraid to grasp those opportunities. In regional WA, we can make the most of those opportunities that are presented to us.

In September this year, I travelled to Mt Magnet with my family and the honourable Minister for Regional Development to attend the Mt Magnet Astro Rocks Festival. This annual event is hosted and co-funded by the Shire of Mt Magnet.

**Hon Alannah MacTiernan:** I think we contributed to the funding, too.

**Hon PETER FOSTER:** I am getting to that, honourable member. The shire is building tourism by capitalising on its unique geology and the fact that it is perfectly placed to see the stars. The McGowan government supports this festival through the regional events scheme and a Lotterywest grant, which I had the pleasure of presenting to the council earlier this year. It goes to show what can be done with some ingenuity and a willingness to invest. Since its beginning in 2012, the Astro Rocks Festival has become a roaring success. By 2019 it was attracting more than 1 000 visitors to a town that has a regular population of under 500. It was exciting to see the event back on the calendar this year. As we all know, a lot of events were cancelled last year due to the pandemic.

Festival attendees got to discover and experience the area's natural features through two very different complimentary lenses: by participating in a program of activities by leading scientific thinkers in the fields of astronomy and geology, and by enjoying stories of the traditional owners of the land, the Badimia people. Visitors were welcomed by elders of the Badimia people and Shire President Jensen Jorgen. On the Friday night, we were treated to an evening of astro-fun on the town oval. There was night sky telescope viewing, displays on the Murchison Widefield Array, and the 2021 Astro Fest astro-photography exhibition. From the oval, we were able to look through the telescopes to see the moon, Saturn and also Jupiter, which Hon Dr Brian Walker might be interested in. It was great seeing the rings of Saturn on that evening, and a few of us tried to get photos on our phones to capture those images. The line-up on the evening included the International Centre for Radio Astronomy, CSIRO; the Space, Science and Technology Centre; Scitech; and the Gravity Discovery Centre. What a line-up. It was great to see so many tourists gazing at the stars on the main oval. This year the festival also featured a series of workshops and outdoor field visits. If anyone is interested, I brought the program with me today. It was a great opportunity for community members to come together and learn and gain practical astronomy and photography experience.

On the Saturday, we were treated to lectures, including, “Guardians of the Dark: The Creation of the Gin Gin Dark Sky Reserve”, “Amazing Cosmos” and “The Murchison GeoRegion and Aspiring UNESCO Global Geopark” by Professor Ross Dowling and Wendy Dowling, whom I believe some members here know. The Murchison geo-region is Australia's first major geo-tourism development. It highlights the abiotic, biotic and cultural features of significant sites to encourage a deeper understanding of, and connection with, the land and the sky. Mt Magnet has literally become a magnet, a tourist magnet, especially for astrotourism. For that reason, Mt Magnet is able to make itself an

attractive destination for astronomers with its unique dark sky. I encourage members of the Council to travel to next year's Mt Magnet Astro Rocks Festival. My family had a fantastic time. There were also a lot of other events on that weekend, including the outdoor cinema. We got to enjoy a movie and we had a flutter at the Mt Magnet races; that was quite a lot of fun.

Light pollution has increasingly become a problem for studying the stars from the earth. We light up advertising signs, streetlights, our businesses and our homes, and it ends up lighting a lot more than that. That is why it is so important to have that very dark sky to do astronomy. This is why the Western Australia Planning Commission has been putting a position paper on the provision and designation of dark sky locations, ensuring that we can all preserve our ability to look beyond our own world. After all, wherever we are travelling, it is best to make sure that we can see where we are going. WA's celestial landscape is an extraordinary natural asset. Our night skies offer exceptional viewing opportunities for scientific and recreational stargazers that could unlock new tourism opportunities around the state. A "Draft Dark Sky and Astrotourism Position Statement" will be released by the Western Australian Planning Commission that sets out a list of principles and flexible cost-neutral land use planning measures. It is a shame that Hon Neil Thomson is out of the chamber on urgent parliamentary business. He would have been interested in that. The policy will enable planning decision-makers to consider pollution sources and the impact of the amount, direction, time and type of artificial lighting in an area or proposed development that would affect the dark sky.

As the longest surviving goldmining settlement in Australia, Mt Magnet already has a place in our history, but its renewal and reinvention comes from smart investment and smart local thinking. Mt Magnet is changing and it is looking at ways to diversify and to remain sustainable. The town has only 500 people, so it is looking at ways to get new jobs and opportunities. It is also looking at ways to engage the Badimia people in that journey as well. It is no small feat to find ways to thrive in the unique dry landscape at Mt Magnet, but as the future approaches and the challenges become clearer, it is a skill that we all need to learn. Both the Badimia people and Mt Magnet are ahead of the curve in that respect. Noting the time, I will hurry up.

I want to touch on STEM. As everyone knows, the budget came out earlier this year and there was a commitment of \$449 million to build and upgrade schools. A significant proportion of that is for STEM resources and facilities. My local primary school, Tom Price Primary School, has a new science lab, which is already in place. As part of this year's budget, \$1 million was committed to Carnarvon Community College for STEM; \$600 000 to Tom Price Senior High School for STEM; \$1 million to Kalbarri District High School for STEM; and \$8 000 to Exmouth District High School for STEM. Our government is investing in opportunities like the Astro Rocks Festival and STEM. We are making sure that we do not lose those opportunities. We are ensuring we retain more dark sky through the WA Planning Commission. We are putting our kids first and in the best possible position to take advantage of opportunities by giving them the best education that we can. That is thinking big.

**HON SHELLEY PAYNE (Agricultural)** [11.26 am]: Noting we have only a few minutes left, I will talk briefly. Firstly, I want to thank Hon Sophie Moermond for bringing this motion that I fully support. I want to talk a bit about the exciting work that Curtin University is doing in this space. Just following on from Hon Dr Brian Walker, the *Binar-1* satellite was launched just recently. Curtin University has a Space, Science and Technology Centre and it has actually developed the *Binar-1* CubeSat, which is the first integrated satellite to be fully designed and manufactured here in Western Australia, which is really fantastic. Using cost-effective manufacturing, it provides an accessible sovereign platform, enabling easy access to space for students, researchers and the industry. This satellite can be used for a range of applications, such as remote sensing, imaging, communications and defence, and it represents a lower barrier of entry for Western Australian start-up companies to develop and test their technology in space.

The pocket-sized satellite is a nanosatellite and really will revolutionise Australia's access to space. As Hon Dr Brian Walker mentioned, it was named after the Noongar word for fireball and it was designed and built by 30 undergraduate students and engineers right here at Perth's Curtin University Space, Science and Technology Centre. My research officer, Justin Sudmeyer, who works for me in Esperance, was fortunate enough to be an intern with the Space, Science and Technology Centre during the last year of his degree at Curtin University. He worked on communication projects with the Binar team while they were designing the platform and he even got to hold the CubeSat that is orbiting the earth. Like so many students in WA, he has been inspired by the team at Curtin University and the amazing projects it is doing there. This satellite has been designed to locate and produce high-resolution digital mapping of the moon. It is tiny. It weighs only about 1.5 kilograms and it is made up of 10 centimetres by 10 centimetre alumina modules. These small satellites usually weigh between one and three kilos, compared with a traditional satellite that can weigh up to seven tonnes. This translates into really huge billions of dollars in cost savings launching these satellites, and they can even hitch a ride on one of the larger satellites on the rocket.

The mission will really help contribute to the Australian government's larger mission to boost the nation's space industry, which includes the goal of sending Australian astronauts to the Moon. It will also help further the development of mini-sat technology and our ability to explore deep space.

The little satellite that has been sent up has two cameras. It has two objectives. First, it will photograph Western Australia from space, testing the performance of the on-board instruments and helping to get students interested in the project;

and, second, it will image stars. The first launch, which happened recently, is being used to test the technology, but by 2025 it is hoped the *Binar* satellites will pass within 20 kilometres of the lunar surface to map the geology of the moon.

Earlier this year, the McGowan government provided \$500 000 in funding for Curtin University's Binar Space Program. The money will be used to employ two senior engineers to fully support and de-risk the launch of seven satellites this year and next year. Over the past 18 months, the WA government has committed over \$5.75 million to enhance the capability and the capacity of WA's space sector. The Binar Space Program will support the activities and the WA government's investment in the Australian Remote Operations for Space and Earth and the Australian Space Automation, Artificial Intelligence and Robotics Control Complex, which is headquartered in WA. I thank Hon Sophia Moermond for bring this motion to the house.

Motion lapsed, pursuant to standing orders.

## ESTIMATES OF REVENUE AND EXPENDITURE

### *Consideration of Tabled Papers*

Resumed from 27 October on the following motion moved by Hon Stephen Dawson (Minister for Mental Health) —

That pursuant to standing order 69(1), the Legislative Council take note of tabled papers 534A–D (2021–22 budget papers) laid upon the table of the house on Thursday, 9 September 2021

**HON DR BRAD PETTITT (South Metropolitan)** [11.31 am]: It is nice to finally get to do my budget reply speech. Although it feels like the budget was quite a long time ago, it has given me some time to reflect on the budget. When I think about budgets, I am reminded of this quote by former Vancouver city planner and planning expert Brent Toderian —

The truth about a city's aspirations isn't found in its vision. It's found in its budget.

I think the same could be said about a state or a nation. The truth about a state's aspirations is also found in its budget. It was a really interesting process going through this budget to try to understand where the state is going and what we are doing. As I am one of the last to make a speech on the budget, I do not want to go over what has been covered very well by other members—the \$5.6 billion surplus, the cost of iron ore and the big ticket items like new hospitals and health spending. I want to take a different tack and look at this budget through the lens of what it means for this state as we face some of the big challenges on the horizon. Of course, we have the COP26 summit coming up in Glasgow, but I not only want to look at the budget through a climate change lens, but also transport and city planning lenses, and around mental health, homelessness and housing as well.

As I have said before in this chamber, there is no bigger challenge for the planet right now than climate change. I think we are seeing some very encouraging signs around the Glasgow COP26 summit about the changes that need to be made this decade. Probably one of the most exciting things we are seeing now is that the idea of net zero by 2050 is no longer where the debate is at; it is around the huge transition and transformation that needs to be made this decade. This decade we will need to get our energy grid running on predominantly renewable energy. It is a decade in which we will have to stop investing in new fossil fuel projects. The International Energy Agency, the United Nations and others are saying that there is no need for new fossil fuel projects and we need to be investing more in clean energy jobs—that is, green hydrogen and lithium, which are things this state is well-placed to do. In our transport sector—I will come back to this—we need to move to more public transport, electric vehicles and other modes of low-emission transport that are going to be very much part of the necessary transition.

When I look at this budget through a climate change lens, I can see some good things, but I also make the point that the budget does not take us far enough down the necessary path of transition. The \$750 million climate fund is a good chunk of money, but drilling down into that, we see it is predominantly for softwood plantations—which is important, and I support that—and transition for workers in that space. Drilling down a bit more, we see a lot of very small amounts. I will give some examples. The \$15 million carbon innovation grants program will be topped up to \$26 million in this budget. The \$15 million renewable hydrogen fund will be topped up with a further \$50 million in this budget. They are both good initiatives. Then there is the \$16 million clean energy future fund. Drilling down on the clean energy future fund was quite interesting; it makes a lot of sense to support the implementation of innovation in clean energy projects in WA, and I am certainly really keen to see that. We drilled down into this fund and, interestingly, it was launched in 2020. There were two successful recipients of this grant in round 1. They got \$2.6 million combined, which will save 53 000 tons of emissions, which is good. Round 2 opened in January, but there have been no announcements around those grants. What is interesting is that the \$16 million fund has given away less than \$3 million to date, and despite round 2 opening at the start of this year, here we are almost in November —

**Hon Alannah MacTiernan:** Which fund are you talking about? Sorry; member.

**Hon Dr BRAD PETTITT:** It is the \$16 million clean energy future fund. The fund has expended \$2.6 million so far and the last round does not seem to have progressed to awarding any grants to new applicants. One of the things I want to highlight in this debate is that there are some good initiatives in this budget but we have to make sure

that we spend the money; there is no point putting money in a budget if the government is not going to spend it. There was some good discussion in the previous non-government business motion about Mike Cannon-Brookes that led me to reflect that the government is giving away relatively small amounts around climate transition, but an individual like Mike Cannon-Brookes is giving away \$1.5 billion for 1.5 degrees—it has quite a nice ring to it; it would be nice to be wealthy enough to round up that figure—in addition to the \$20 billion Sun Cable project in the Northern Territory.

I raise that on the back of Hon Wilson Tucker's comments about Mike Cannon-Brookes, because that is the level of commitment we need. Giving away small grants of \$2 million here and there will not get us there. We need serious ambition this decade. I will say it again: WA, like every other state, needs to get to net zero by 2050, preferably long before, but the bulk of that work has to be done this decade. We have the sun, the wind, the land and the smart people. We just need the ambition from government, along with the very good individuals we have in the state, to back this and get that transition well underway. I get worried when I look at this budget because I see—for those who want to follow this, it is on page 680 of budget paper No 2, volume—the Department of Water and Environmental Regulation has an allocation of \$5.5 million to oversee and implement the Western Australian climate change policy and the electric vehicle strategy from now until 2025. Looking at how the money will be spent, it ramps up from \$274 000 last financial year to \$1.8 million this financial year, which is good. It is slightly down to \$1.7 million in the following year and down again to \$1.1 million the year after that. By 2024–25, it is down to \$300 000. I struggle to understand that. If the government is serious about climate ambition and overseeing a climate change policy and strategy for this decade, why are those amounts ramping down? It will be at its highest this year and then it is ramping down.

It is even stranger when looking at the line below. The government is spending over five times that amount on the very excitingly titled “whole-of-government regulatory approvals process” instead of spending it on climate change. Again, that sounds like a good thing to do, but I think we have a problem when the government is spending many times more on regulatory approvals processes than it is on implementing a climate policy, which is the biggest challenge of this decade. The government is ramping down, not up. I go back to Brent Toderian's statement that it is not in government announcements or vision statements where we see the true intent of a government, but in the budget. In this budget we can see some measures that will allow emissions in this state to increase during this term of government.

I am happy to be told differently, but I cannot see in this budget or in the forward estimates any new investment into large-scale renewable energy by this government. None. That is extraordinary. How can we be in the most important decade yet have no new investment in large-scale renewable energy? There is almost no investment in energy efficiency—the lowest hanging fruit that is a win-win. The government's climate policy has some good things, which I support, although I am not sure why some of them are in the climate policy. I refer to the ban on e-waste landfill. The policy also has a lot of stuff about space exploration. I am not sure how that made it into the climate fund under investment and attraction for new industries. The policy also refers to the Peel–Harvey Estuary and plastic pollution in our oceans. Again, that is a very worthy initiative and has my full support, but it is not a climate initiative. Why are these things sitting in here? It is not as though there are not plenty of other things that we should be spending our money on. These are not climate action initiatives. They are good things, but let us be clear that we need a climate policy, a climate fund and a climate budget that is focused on the climate.

What we need to do is not complicated, in some ways. This decade is about electrifying everything and making sure that the electricity grid is run on 100 per cent renewable energy. It is not hard or complicated, and this state is well placed to do it, but we must invest up-front.

**Hon Alannah MacTiernan:** You talk about electrifying everything. Some people, for example, are arguing that in relation to vehicles, whereas the alternative would be hydrogen. There is also the capacity to utilise the existing gas distribution networks by putting renewable hydrogen into those networks, which might in fact use more of the existing resources rather than throwing out all the existing infrastructure. Have you moved beyond the mantra of electrify everything and actually looked at some of the detail?

**Hon Dr BRAD PETTITT:** There are some things that are hard to electrify. The minister makes a good point. I read a very good paper this week by Professor Peter Newman and his colleagues at Curtin University. They looked at WA and the sectors that are hard to electrify, and there are some. That paper concludes that we will need to electrify at least two-thirds of the economy. Probably the final third will be hard to electrify.

**Hon Alannah MacTiernan:** It might not even be the best way to go about it.

**Hon Dr BRAD PETTITT:** What we have seen globally is a shift in the technology. Taking vehicles as an example, there is no doubt that electric vehicles, certainly short-trip passenger vehicles, have won the race. Hydrogen will not be competitive in that space. It may be competitive for heavy haulage over long distances and those kinds of things. That is some of the stuff that is to be determined. We need to be clear that hydrogen is just a battery anyway. It is another way of storing electricity.

**Hon Alannah MacTiernan:** That is right, but it is not electrifying everything. I just think that it is very easy to get a mantra and not actually look at the detail. You say we will get rid of our gas distribution network and replace it all with batteries, but should we be trying to use the existing infrastructure we have?

**Hon Dr BRAD PETTITT:** I do believe that. Competitively, I do not think we will see gas replaced with hydrogen in the residential sector. A lot of work is needed to replace the gas network with one that is hydrogen compatible. Solar is cheap now and batteries are coming down in price. Ultimately, our homes will be electric in the future.

**Hon Alannah MacTiernan:** I agree that future homes will, but I am saying that we have a lot of existing infrastructure and you would really have to strengthen the capacity of the poles and wires to move all those electrons around to replace what is currently being done with gas at the moment. That comes at a price.

**Hon Dr BRAD PETTITT:** It comes at a price, but it is also an investment. It is a good conversation we are having, because it is about investment. We need to invest in things that decarbonise our households and the way we live in the city. It is an interesting bit of work that needs to be done, but from my reading of the best evidence globally, moving towards electricity-based renewables is, in most circumstances, the cheapest and quickest way of doing that. I am yet to see—I will happily be told otherwise—examples of using 100 per cent renewable hydrogen to do that in a cost-effective way. I do not think it is competitive. If the WA government thinks that it can do that, it will have my full support, but it needs to be demonstrated. We are very quickly seeing a move away from this. I think that it is exciting. Either way, it needs investment. Whether we invest in clean hydrogen into our households—green hydrogen—or renewable energy for our household and transport sectors, both of those matter, but we must invest. That is my frustration with the budget. We are not seeing the level of investment and ramping up that is consistent with the science. I keep coming back to that. That is where the budget should be consistent with the science.

I will move on from climate change and energy to talk about transport. Putting a similar lens over transport in this budget is worth doing. The transport budget is ambitious. It is a good budget in lots of ways, but I would say that it is still very heavily weighted towards a twentieth century road and car-based kind of city rather than where we need to go with our city. Over two-thirds of the budget—\$11.7 billion over the next four years—is about roads. I will read some of the metropolitan projects: Tonkin corridor upgrades, \$1.39 billion; Great Eastern Highway, \$320 million; Mitchell Highway extension, \$230 million; and Mitchell Highway widening, \$76 million. I could go on and on, but it would take a while and members get the point. No city has ever solved congestion by widening and extending major roads. Perth keeps throwing billions at it without actually investing in proper inner-city transit that could get people out of their cars and move them around differently. That is so frustrating and it goes against all the best evidence.

There is some really good investment in Metronet—do not get me wrong. The government is investing \$5.7 billion over the next four years, which is about 32 per cent of the budget, on those really worthwhile projects. I put the Forrestfield–Airport Link into that mix. However, if we drill down into the Metronet budget, we can see that huge chunks of it are about roads. I used to go to Kelmscott Senior High School, but the Denny Avenue level crossing removal in Kelmscott is not a Metronet project; it is a project for cars to get across the railway line. Let us not pretend that it is a public transport project any more than the Victoria Park–Canning level crossing removal project. They are about moving cars. We put these projects in a public transport pool, but they are not about public transport; they are about spending more on getting people moving around more in cars. We need to fundamentally shift that thinking. I also have concerns about the way we design our public transport system, which is very much a spoke-and-hub model. That is not how to design public transport. The spoke-and-hub model is stretching further out rather than connecting people, and we need to stop doing that.

It has been said many times before and I will repeat it in this chamber: the idea that we can widen roads to deal with congestion makes about as much sense as saying that we can deal with obesity by loosening our belts. It does not work. It is about a fundamental mode shift. This is where I come to the bit that has been allocated to cycling and pedestrian initiatives over the next four years. That allocation is \$265 million. It sounds like a lot. It is 1.5 per cent of the transport budget. It is a small percentage, yet we wonder why we are not getting people out of cars and into other options. It is also frustrating that so much of that allocation is spent on building very wide bike paths with lovely lighting. They are beautiful, and, again, I have no argument against them, but they are up and down the freeway, where nobody actually wants to ride unless they are going for a recreational ride. Further funding should be put into making sure we get a cycling network that enables people to get around their neighbourhoods safely and properly. When we look at the best cities in the world, we see that that is what they have done. It is not about funding very wide freeway-style bike paths on the urban fringe; it is about making sure we connect schools, shops, swimming pools and other key places in the middle of the cities. There is a huge opportunity here. It is not just about carbon and the transport mix; it is also about health, more liveable cities, and actually dealing with the next thing that I want to talk about, which is urban sprawl.

Perth recently became the longest city in the world. This budget largely facilitates Perth to become an even longer city; it contains nothing to slow that down. This is a budget question, because, again, some really good work has been done, and I highlight the work of Professor Peter Newman and others in this space. They showed that every block that we build on the urban fringe costs the state \$90 000. Some more recent work done by the City of Ottawa



came out just this week. It showed that every person living in the urban fringe in a low-density home costs that city \$465 a year more than the city receives from property taxes and other bills. When people live in the city, they pay more than they cost. We are creating a budget legacy of unsustainability, let alone that we are bulldozing our way through a biodiversity hotspot, and we are making it so that people have to live far from their jobs and spend hours commuting every week. As well as those things, we are actually creating a budget problem for ourselves by not dealing with it and getting on top of it. That is what our budget should be doing.

A good initiative in the budget is cutting public transport fares for those on the urban fringe. There is now a two-zone cap. Of course, that has a budget implication. That is not a bad thing. The problem is that when it costs the same amount for someone to travel from Cannington to Perth as it does from Mandurah to Perth, again, the government is incentivising urban sprawl. This initiative should have been introduced alongside reducing public transport fares for those living in the urban centre. If the government is serious about getting people onto public transport, it should not just cut fares for those on the fringe; it should cut them for everybody. All we are doing in this place is providing a further subsidy for people to move further out, and creating a more unsustainable city. That is not what our budget should be doing.

What would a budget that would do some of these things look like? I am going to take some lead here from some of the best peak bodies in our great state. I will start with the Western Australian Local Government Association. It identified some really good priorities for this state government budget and I think it is disappointing that they were not funded. One of its priorities was a state urban greening program, which would facilitate the planting of 60 000 trees. It required \$20 million. That project would have dealt with what I think is another really depressing part of the bad urban planning that is happening in this state. The majority of local governments across this state are seeing a severe loss of urban tree canopy. Our suburbs are losing trees, predominantly—over 80 per cent—from private land. There are no controls to prevent people from cutting down trees on private land in this state, and we are losing them. WALGA had a really good plan to address that tree canopy loss. I will read its response to the budget, according to my notes —

It is also disappointing that the Government did not see fit to make a broader investment in enhancing tree canopy in across Perth and Peel and regional urban centres ... more needs to be done to support Local Governments to expand and accelerate their tree planting efforts to increase communities' resilience to climate change as well as increase amenity, air quality and biodiversity.

I could not have said it better myself. Again, these are the things that we should be doing if we are going to deal with climate and biodiversity and make better, more liveable cities.

I refer to another WALGA priority, and that is LED streetlights. I like this one, because it is what I call a win-win-win. It is a win for the budget, because, ultimately, they will save the budget in the longer term; it is a win for households and their budgets; and it is also a win in terms of amenity.

LED streetlights is a really good initiative. It will require up-front investment, but there will be an almost immediate 50 per cent reduction in costs. It will give huge reductions in carbon emissions—about 47 per cent was suggested here. There are 158 000 old streetlights in this state that could and should be upgraded. It would be an amazing collaboration with local governments. I know from my experience in the City of Fremantle that it is very frustrating to try to get that done in this state. There are disincentives to do that. Western Power said, “You can do it, but you have to pay for it, and even though you invest in something that will use only 20 per cent of the electricity of a normal streetlight, you won't get any reductions in the tariff you pay.” There is an appalling lack of incentive to make that change, and I think that is a real lost opportunity. It would cost \$95 million to switch across to LED lights, but it would save this state and local governments money; ultimately, it would save ratepayers money; and, of course, it would make for safer, better lit streets and create over 280 jobs in the process.

Another thing that I think is a huge opportunity comes back to the conversation that Hon Alannah MacTiernan and I were having about the electrification of everything. This is what we are seeing. I think South Australia has provided a really good example of this whereby it has incentivised the uptake of household batteries. South Australia has the home battery scheme. That is why South Australia is on track to be 100 per cent renewable energy by the end of this decade and we are not. Solar works, but we need some way of storing that energy so that it can be used at the appropriate time of day. The scheme that South Australia has implemented will get batteries into its households and speed up that process, in the same way that this government did with solar photovoltaic. In fact, I remember the very conversation about the feed-in tariff that occurred, I suggest, in 2007 or 2008 in the lead-up to that election. The Carpenter government made that announcement and then the Barnett government matched it. It actually saw a really impressive uptake. We need to do something similar with batteries in this state at a household level. That could transform our energy system. It is really a great opportunity.

The other issue I mentioned before—I am coming back to it—is planning for light rail, trackless trams and a fixed second-tier transit in the central subregion. Back in 2017, this government promised that planning would start for that. It still has not; in fact, it seems to have stalled. It is not a big budget commitment to do the planning for this. I am not saying that that should be built in this term of government—that was not the commitment—but we should start

planning for this, and, through that, stimulate some of the inner-city urban density and better planning that would come with it. We are going to need to do this, and the longer we take to plan it, the harder it will be to implement it. This is a key thing if we are serious about mode shift.

The mental health sector is another sector that I agree with and would like to have seen more of in this budget. The sector said very clearly that it wanted to see a stronger investment in primary prevention. The optimum target is around five per cent. This has been outlined in the *Better choices. Better lives. Western Australian mental health, alcohol and other drug services plan 2015–2025* and the sustainable health review, but we are not there yet. We are not even close to five per cent and that is extremely frustrating. Some of the numbers indicate that we are around the one per cent mark. It also recommends better investment in community supports. The Office of the Auditor General suggests that that target should be 22 per cent—again, we are well short of that. Too much of our mental health budget is going into clinical and hospital services, and not enough is going into prevention and community services. This would address the mental health crisis in our community in a more sustainable way and ultimately keep people out of hospital. We do not want to get to the point at which people need to go to hospital to get better. Prevention and the community side of this strategy are so essential and so important. I stress that there should have been further funding of those services.

Finally, I turn to housing. One of the pleasing budget announcements was about the major jump in funding for housing. The government deserves credit for that, but it has to spend that money. It is one thing to have the money in the budget, but if the government does not spend it, that is of serious concern. The money should be spent now. This is not a crisis in the making; it is a crisis that we are living with today in terms of people living and dying on the streets. We need that housing right now. It is good to see some of the long-term plans and increased budget in this space, but it has to be ramped up and the spending has to be prioritised. The Housing First Homelessness initiative that this government has committed to is good, but now we need to see it happen.

In conclusion, going through my first budget process in detail has been a real eye-opener. I came away thinking that, in many ways, this is a solid budget, but it is a budget that has too much of a short-term focus and not enough of a long-term view to the things that we need to invest in. In some ways it is disappointing because we all know that this government is going to be here for not only this term, but also the next term. It would be pretty extraordinary if it were not here, given the electoral landscape. That means that it can invest. Short-termism is not a political necessity for this government; it can invest in what needs to happen in this decade, given that it is very likely that it will still be in government in 2029.

I would say that this is a solid budget, if it were not for the climate emergency, the mental health crisis, the urban sprawl crisis, which is creating the longest city in the world, or the housing crisis right in front of us. There are lots of good things in this budget, but it needs have a long-term focus on the big things and to make big changes. This budget needed to recognise the transformation that this state needs to go through over coming years, and the opportunities that come with that. It has been a real pleasure to be able to share my thoughts with members on that and I thank you.

Debate adjourned, on motion by **Hon Colin de Grussa**.

## CONSTITUTIONAL AND ELECTORAL LEGISLATION AMENDMENT (ELECTORAL EQUALITY) BILL 2021

### *Second Reading*

Resumed from 27 October.

**HON NEIL THOMSON (Mining and Pastoral)** [12.03 pm]: In summing up, I want to point to the intent of the Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021. I want to speak directly to the people of the regions. Page 50 of the report of the Ministerial Expert Committee on Electoral Reform sums this up as a simple mathematical equation. Figure 2 on the page is titled “Legislative Council Enrolment Weights 1989–2021”. This is all about returning the concentration of power to the city. In 1989, the weighting for the Mining and Pastoral Region was about three to one. In 2021, it is six to one. What has changed over that time? It is a demographic change. This is simply about demographics and it has nothing to do with representation of our regions. That is the intent of this legislation. That is all very well, but let us look at the heart of this.

I go back to the statement made by Hon Don Punch. I reiterate this because it sums up beautifully the heart of the Labor Party in presenting this bill. Hon Don Punch states —

There is very little to compel upper house members to give special consideration to their districts in decision-making —

That came from the mouth of a minister of the Crown who represents this Labor government —

In fact, most members tend to prioritise their own party issues.

Hon Don Punch is clearly referring to both the intent and the heart of the Labor Party; yet, we face crises in the bush. The electoral system currently in place is a check and a balance for the regions. It provides people such as me

with the opportunity to speak on behalf of the people of the regions about the crises that we face in the bush. The heart of the Labor Party is centred on the metropolitan region and that has led to three crises.

**Hon Alannah MacTiernan** interjected.

*Point of Order*

**Hon COLIN de GRUSSA:** I am sitting in front of Hon Neil Thomson and I am struggling to hear his very valuable contribution. Could you ensure that members speak through the chair?

**The ACTING PRESIDENT (Hon James Hayward):** Hon Neil Thomson, could you make your comments through the chair. I ask other members to be patient. It is only one minute and 51 seconds until the honourable member's contribution finishes. If we could allow him to finish, that would be appreciated.

*Debate Resumed*

**Hon NEIL THOMSON:** The heart of the Labor Party has led to three crises: the housing services crisis, the law and order crisis in the bush—the headlines read “Police have been hunted”—and the housing crisis in the bush. People are living under trees and in tents in regional towns because they cannot find a home. This bill sums up both the intent and the comments made in the other chamber. I am sure that the comments of members opposite, when they finally get around to making them, will be about the heart of the Labor Party concerning the bush. This legislation is a fail in terms of the government's integrity—the Premier denied his intention seven times. The government has failed to deliver—I mentioned the three crises—and it has failed in its representation of electoral reform, which it is about to implement as it brings down the guillotine on this particular legislation.

Finally, the COVID-19 pandemic is the greatest crisis that we have faced since the Second World War, and this government has failed in that regard also. Let us look at the statistics for regional vaccination rates—what a fail! In the East Pilbara, 25.8 per cent of people are fully vaccinated. Who represents those people? I speak for those people. We need higher vaccination rates in the East Pilbara. In the Gascoyne, 43.3 per cent are fully vaccinated and in the goldfields, 42.7 per cent are fully vaccinated. This is a failing on the part of the Labor Party.

**HON STEVE MARTIN (Agricultural)** [12.09 pm]: I rise this afternoon to make my second reading contribution on the Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021. I begin by stating that I will not support the bill for a number of reasons, and I will get to them shortly. I thought I might start by suggesting how pleased I am to be here representing the Agricultural Region. I have been at this for five or six months now, and some members will be aware that it took me a while to get here to the WA Parliament—several elections—but I can honestly say that it is a great privilege and a thrill to be here doing this job and to have been elected by the people of the Agricultural Region. I will not make the claim that I speak for everyone in the region—it is a large area—but I feel a strong connection to the people of the Agricultural Region. It is where I live, it is where I was born, it is where my children went to school and it is where our family business is. I have to say that my colleagues in the Agricultural Region—Hon Darren West, Hon Shelley Payne, Hon Sandra Carr, Hon Colin de Grussa and Hon Martin Aldridge—also share that connection. As I have worked with them over the past six months, that is obvious. When we are out and about in the electorate and we bump into each other at country shows and community events, there is a strong connection between all of us and the patch we represent. I think that connection to where we are from gives us a strength in our purpose in this chamber. My fear is that this bill will diminish that connection in this place. Obviously, once we get in this chamber, we act on behalf of all the citizens of Western Australia, and that is entirely appropriate, but we bring various backgrounds to it. One of the risks of this bill is that that will be diminished if it goes through. For example, when I attend the Trayning Primary School assembly, I share that experience. I have sent my kids to a small country school, I have put them on school buses that travel on gravel roads —

**Hon Jackie Jarvis:** So have all of us.

**Hon STEVE MARTIN:** — as have most of the members in the Agricultural Region. I think that is a useful experience to share. As I said, I am thoroughly enjoying my time in this place representing the Agricultural Region. I thought that would be a useful start.

Getting to the bill itself, there are a couple of obvious reasons that I will not support it. One is the process of how it has got to this place and its intent. I want to talk a little bit about the process, before I go on. Making this speech after a number of colleagues have, I will be repeating some of the items they have raised, and I do not apologise for that. They are worth stating. Let us talk about the process. There was the now infamous ABC interview with the Premier, which I think was in Albany, by Dan Mercer, who I think most members would probably know. Dan asked seven times whether electoral reform was on the agenda and seven consecutive times the Premier dutifully replied no, it was not. It was a surprise that the Premier replied as he did, because it was not a surprise to anybody that it was on the Labor Party agenda. That was well known. Members opposite did not hide that. It has been obvious. I believe that Hon Kate Doust has published some things in the last couple of years. Most members opposite would have discussed this and it is clearly an intent of the Labor Party to bring it about. As we heard from the Attorney General, it has been for 120 years. Then, I think, he backed over that and said it was 127 years. So that is not the surprise. Probably after the first or second attempt, Dan Mercer rightfully picked up that the surprise was the Premier saying it was not on the agenda. That was the surprise. By the time Dan Mercer got to his fifth or sixth attempt, he knew

something was going on. After several attempts, he gave up, but quite clearly the Premier was making a point of wilfully ignoring what everybody knew; that is, this was on the Labor Party agenda. But in the lead-up to the March election, the Premier declined to be honest about what the Labor Party intended to do. Simply put, that does not pass the pub test. The government can bring legislation it has talked about in the lead-up to an election to this place and, if it wins, it absolutely has a mandate, we understand that, but to wilfully ignore an issue and hide it from Western Australian voters is very disappointing. That talks about the trust between us and the people who put us here. I think Hon Martin Aldridge talked about where we rank with members of the community and we are down there with used car and insurance salesmen. Some members might be old enough to remember a television show called *Minder* with the lovely Arthur Daley, who was a very, very dodgy used-car salesman.

**Hon Neil Thomson:** Sounds like the Premier!

**Hon STEVE MARTIN:** He was a very dodgy used-car salesman. Sadly, our level of trust —

*Withdrawal of Remark*

**Hon LORNA HARPER:** I do not believe it is appropriate or parliamentary to refer to the Premier as a used-car salesman. I talk about Hon Neil Thomson.

**The ACTING PRESIDENT (Hon James Hayward):** I will take some advice, but offer Hon Neil Thomson the opportunity to withdraw the comment.

**Hon NEIL THOMSON:** It was an interjection.

**Hon Dr STEVE THOMAS:** Further to the point of order, the member is advised that his comment was “Sounds like the Premier.” Similes and analogies in this place are commonplace. I would say that it is entirely in order to reflect in a way that suggests a member has similarities to something; it has never been unparliamentary, and I suggest that there is no point of order.

**The ACTING PRESIDENT:** I was battling to hear, to be honest, exactly what was said. On that basis, I will say that there is no point of order. However, I mention that over the last couple of days there probably have been some interjections that have been a little bit out there. It would be good if all members could maintain the respect of the house in the debate.

*Debate Resumed*

**Hon STEVE MARTIN:** I will continue. I was talking about used-car salesmen and Arthur Daley. I was a great fan of Arthur in the show *Minder*. I was referring to the level of trust we need from the public for this place to operate. Our democracy is a very powerful thing and it is also very fragile, and we will rely on that level of trust. If, for example, I am buying a used car and I inquire of the used-car salesman whether he thinks there is any rust and the salesman replies, “Not as far as I am aware”, that is fine. If I ask again, that is fine. If I ask seven times and the salesman says, “Not as far as I am aware”, and I get the car home, open the bonnet and find it full of rust, there is absolutely no trust left in that relationship. I think what the Premier did by declining over and over again to admit before March that electoral reform was on the agenda has diminished the level of trust between the public and us. As we heard from Hon Martin Aldridge, we are not coming off a very high base. Clearly, this is not the straw that breaks the camel’s back, but it is another straw on the camel about the level of trust between the people who put us here and the role we play. That is the point I want to make on that.

Further to the process, I would like to talk about the review committee. As I am learning in this place, things normally move very slowly, but this process was rushed through in a couple of months. A hand-picked committee was formed, which is appropriate, with some interesting backgrounds. The views of the experts on the Ministerial Expert Committee on Electoral Reform were well known before they published their account. What was in the report was not an enormous surprise. There were certainly no panel members from regional WA. Some members might not think that is an issue, but I certainly do. I attended the briefing in the Parliament prior to the release of the bill. I asked the chair of the committee, Malcolm McCusker, whether the committee visited regional Western Australia in the process of taking submissions before it put its findings into a document. The response was, “No, we did not.” Again, some members might not think that is a problem or an issue. I do. I think regional Western Australians and regional Western Australia is routinely left out of the discussion when it comes to things like this and other issues. I thought it was informative that no member of the committee was from regional WA, not one. It could not find anyone in regional WA who could make a reasonable contribution to that committee and it did not think it was appropriate to visit regional Western Australia.

There has been a bit of discussion about the terms of reference that evidently limited the response. Malcolm McCusker made that point when the TV cameras were on the front steps of this place. There was almost nowhere that the committee could go because the terms of reference were quite narrow. I would like to read them into *Hansard*, if that has not already been done. They are very brief. They state —

**The Government now asks the Committee to review the electoral system for the Legislative Council and provide:**

Recommendations as to how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council;

AND

Recommendations for the distribution of preferences in the Legislative Council's proportional representation system.

They are quite brief. This was a powerful committee. I am not giving it the slack that others have that it was tied to the task, and neither is former Senator Andrew Murray. I am sure members have read every submission. If they have not and they want to make a start, I highly recommend the contribution from Andrew Murray. It is a very reasoned and sensible submission. He made a number of contributions. I will read into *Hansard* some of the work from the former senator, especially about the terms of reference. I quote —

The terms of reference require the Committee to recommend 'how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council'.

The Government has not asked the Committee to consider *whether* electoral equality *should* be achieved. It obviously thinks it should, because the Government has jumped that step and asked the Committee *how* to achieve it.

By requiring the Committee to make recommendations as to how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council, on a plain reading the Government wants the issue of Legislative Council malapportionment addressed to ensure electoral equality.

The Committee is not a cypher. It is not constrained from examining the '*should* question', and in my view cannot consider the '*how* question' without first dealing with the '*should* question'.

I agree entirely. Once that "should" question is asked, we can look at outcomes in regional Western Australia, for example, and whether the system is fit for purpose. Once we limit it to the "how", that really cuts the debate in half. I agree with Andrew Murray that the "should" question was important and it was not taken up by the committee. The committee claimed it was tied. However, it made other recommendations that were not as strictly tied to those recommendations. For example, it referred to the fee for registration for individuals and parties. That is not a strict interpretation of the terms of reference. It felt that it could make other useful contributions, and it did. The government has acted on some of them, but not on others. It certainly felt that in some areas, it could go outside those strict terms, but not in the important area of equality or fairness in regional Western Australia. That was disappointing.

I would like to turn to the second reading speech delivered by Hon Matthew Swinbourn. He included quotes from some eminent pundits, including Antony Green, *The West Australian's* Paul Murray and veteran political scribe Peter Kennedy, which I thought were unusual at best. Hon Matthew Swinbourn referred to Antony Green, Australia's leading electoral analyst, and what he said in his blog —

"The WA Legislative Council's electoral system is the worst in the country."

That was based around the weighting of votes for regional Western Australia as opposed to metropolitan Perth, which is interesting. In the Australian Senate, for example, the Tasmanian population is roughly 550 000 compared with the population of New South Wales, which is 8.2 million. That is 14.9 times greater. As we all know, it gets the same number of senators. I was intrigued by Antony Green's comments when he said our electoral system is the worst in Australia.

Hon Matthew Swinbourn continued —

Paul Murray wrote in 2017 that the Council "has a long and inglorious history as the most undemocratically elected parliamentary chamber in Australia".

He should have known about the Senate but he either did not do the maths —

**Hon Dan Caddy:** He understands the difference, member; that's the thing.

**Hon STEVE MARTIN:** I will get to the difference shortly.

Just on the numbers, that is clearly not right. He continued —

Veteran political scribe Peter Kennedy earlier this year described the Legislative Council as "the last blatant gerrymander in Australian politics".

I scrambled through my dictionary to find the meaning of "gerrymander". I had a fair idea what it meant. It was usually linked to a notorious Queensland Premier. According to my dictionary, "gerrymander" is the act of drawing of congressional state legislative or other political boundaries to favour a political party or one particular candidate for elected office. On the result of 2021, who put the gerrymander in place? Again, I have to disagree with Peter Kennedy. If it was an obvious gerrymander, what happened in 2021 simply could not have happened.

Hon Dan Caddy raised the Senate. I will come to that. I am also intrigued by some of the logic around the Senate decision. The final report of the expert committee states —

The analogy between the Senate and the Legislative Council regions is misleading. The Senate's creation and structure was an initial requirement for federation to take place ...

It was—120 years ago. So nothing has changed. Nothing has changed in 120 years of the Labor Party, or others do not see a problem with the make-up of the Australian Senate 120 years later. Because of those initial reasons, we are stuck with that forever. There were reasons the Legislative Council was set up the way it was, whenever it was—a hundred and something years ago. It was a long time ago. Those reasons have clearly changed. We could quite comfortably make an argument that the reasons behind the Australian Senate, the Tasmanian situation, the Northern Territory situation and ours compared with New South Wales have changed. According to the experts in this document, that is not to be considered.

The numbers I quoted about Tasmania dwarf the Agricultural Region versus the North Metropolitan Region, where there are 4.2 times the number of voters in the north metro compared with the ag region. As I said, Tasmania has 14.9 times the vote that New South Wales has. It has the same number of senators. I will move on quickly. Time is racing.

I want to look at some of the individual changes. I hope to have an opportunity during Committee of the Whole to get some more detail around the changes to section 16. I am hearing different sides of this argument. The bill will get rid of the term “region” in the future legislation. From the briefing I received from the Western Australian Electoral Commission it was difficult to clarify this, but from my reading of it, the Agricultural Region has four lower house regional seats contained in its boundaries. Under these changes, it appears that the seats of Roe, Moore or Central Wheatbelt can creep into the suburbs. We have heard about the large electorate allowance, the vote weighting, and the ghost votes. I do not think that precludes those seats heading to suburbia. There is an argument about that, and I hope to tease this out in the Committee of the Whole process. Assuming a member has an allowance now, I do not think the member would have to have it under a future redistribution. For example, Moore could be Ellenbrook and Roe could be Byford, to make up the numbers. We have seen how that works in the federal system. The seat of Durack, at the federal election sometime next year, will include Bullsbrook, 50 kilometres from here, just up the road. It will also include Kununurra, which is 3 207 kilometres from here. I looked it up on Google Maps to find out how far away it is. It takes one day and 10 hours to drive from West Perth to Kununurra. That is in the same seat. Under the federal system, to get the 95 000 to 100 000 votes needed, there is a small variance —

**Hon Dan Caddy:** West Perth and Kununurra are not the same.

**Hon STEVE MARTIN:** Bullsbrook and Kununurra. To get the 95 000 to 100 000 votes needed, the electoral areas keep growing. Why is that done? I will give members another example. The seat of Pearce, which used to have a reasonably strong regional base, came out as far as the Avon Valley and Narrogin and now is almost entirely suburban. It got gobbled up. It used to be a regional seat. It is now in the suburbs. I think that could happen under this bill.

**Hon Alannah MacTiernan:** Do you know, member, that we have the phantom voters in the larger —

**Hon STEVE MARTIN:** I just dealt with that matter; I do not think the minister was paying attention. I do not think that precludes, at future redistributions—we will get more detail in committee—the boundaries being changed by the Electoral Commission to make up the numbers. I do not think that is the same argument. I will give members some examples of why that population distribution is doing what it is doing.

In 1954, for example, in the census details, the metropolitan population of Perth was approximately 54 per cent of the state—a bit more than half. The year 1954 is a long time ago; even I was not born then. In 2009, it had shrunk; the regional percentage of the population was 23.38; in 2020, the regional population was 23.2 per cent. There is an obvious trend. The numbers in the regions are decreasing as a percentage of the WA population. If we follow the federal example—I am not sure whether this bill will stop that from happening—we will end up with two or three enormous regional seats that may even then need phantom votes, unless we have more than 59 lower house seats. If Perth keeps growing, that is the inevitable conclusion to this process. Maybe not in four years or eight years, but certainly in 16 or 20 years, we will have a Durack-scale something out there. That is obviously a concern.

I will move on to another part of the bill. I find the extension to 37 members unusual. It was not mentioned by the review committee in its deliberations, so I am not sure where that has come from. Obviously, there is a small resourcing issue. I do not think that is a concern. If we take a cynical view—I know one or two other speakers do—it may be about preventing dropping it back at a future time. I do not know about that. I am concerned—I think it was raised by Hon Martin Aldridge—about the impartiality of the chair in this place. I hope to find out some more details in the committee stage. From my reading of it, I think this will probably remove some level of impartiality from the chair's position. Having sat as an Acting President in this place, it is an awkward role to jump from the combative nature of sitting in my seat to the chair's seat and back again. If we were to remove any level of impartiality from the chair's role, it would be disappointing. I hope to get more detail during the committee process about whether that would be the effect.

I refer to the drop in the quota down to 2.63 per cent of the vote, which is approximately 38 000 votes. It is an odd document. Some of the language from the government is about wanting to prevent Hon Wilson Tucker or people

like him. By the way, he has had a fairly hard run of it in the last five months, so I do sympathise. He has been a pretty good member of Parliament so far. But the drop in the quota obviously makes it more likely that small single-issue parties will get elected. The evidence we have seen from New South Wales, apparently, is that although the full quota is 2.63 in our state, or will be, if it gets down to slightly over one per cent, someone has the chance to fill one of those last four or five spots, evidently. What is that? Is that 18 000 or 19 000 votes?

**Hon Alannah MacTiernan:** It's a bit more than 98.

**Hon STEVE MARTIN:** Still, it is 19 000 votes, approximately. I am sure Hon Wilson Tucker is working on his 19 000. Give him another three and a half years and he will probably get his 19 000. The Glenn Druerys of this world are looking at this and working out how they can get people in Parliament. It is more difficult, but other single-issue parties or people also will be looking at this. Anti-vaxxers will be looking at this. Anti-bauxite miners and anti-live trade people will look at this and think: where can I round up 19 000 to 20 000 votes so that I will be in with a chance? My thought is: if I am desperately trying to find 20 000 or 25 000 votes around a single issue, the best place is obviously here in the city. We have heard from Hon Wilson Tucker about the cost and the difficulties of doing that, for example, in the Mining and Pastoral Region. Not many regional towns or cities have 38 000 votes in them.

**Hon Darren West:** So, we want the right people in Parliament then. Is that what you're saying?

**Hon STEVE MARTIN:** What we want is a fair representation. I am just highlighting that one of the consequences of this bill is that independent single-issue parties will have a say in the make-up of Parliament and, probably, the balance of power. That will be a combination of various people. Pauline Hanson's One Nation will absolutely run hard again. Clive Palmer—Clive does not seem to get many votes no matter how much he spends, so Clive is unlikely.

**Hon Darren West:** They will come here on the will of the people.

**Hon STEVE MARTIN:** I am talking about the process.

Several members interjected.

**The ACTING PRESIDENT:** Members, order, please! Thank you. Hon Steve Martin has the call and if we could limit the amount of chatter between members whilst he is speaking, that would be appreciated. Thank you.

**Hon STEVE MARTIN:** Thank you, Acting President. I was engaging with Hon Darren West. I am talking about the number of votes that are required to get here, Hon Darren West. I am not talking about who the number of votes are for. It is an interesting change in this bill. As I said, I have a fair idea of where those micro-parties will concentrate their efforts and where they can get access more easily to 30 000 votes, or less, yet we are raising the fee. Nowhere in the terms of reference does it talk about anything like that. I think the review committee and the bill have it up at \$2 000. That is an interesting way to make the Western Australian Legislative Council more democratic! The onus on smaller parties to pay registration was also canvassed by Hon Wilson Tucker, but, again, I am not sure that that will make it more democratic. To borrow a line from Hon Darren West, "That seems to be about making sure we get the right people in." I am not entirely in favour of those changes.

Briefly on the method of voting, we will have three methods of voting, which is unusual. In 2025, the federal and state elections will be possibly scheduled to be held within months of each other, so people will be lurching from one very large ballot paper that they fill out in one manner to another very large ballot paper that they fill out in a similar but different way. I do not know why the ballot paper has to be different from the one used for the Senate. It is a bit like the old rail line gauges—people like to do things differently even if its cumbersome. Of course, people vote in a different way again in local government elections. There are three voting systems used in our democracy; I think two might be plenty.

**Hon Alannah MacTiernan:** What do you see as the fundamental difference between this and the Senate?

**Hon STEVE MARTIN:** Well, 20 boxes for a start.

**Hon Alannah MacTiernan:** That is below the line, and 98 per cent of people vote above the line.

**Hon STEVE MARTIN:** I would anticipate some concerns. The Western Australian Electoral Commission raised it as a potential issue, but it will do as it is told.

**Hon Matthew Swinbourn:** That's not true, member. The Electoral Commissioner is an independent statutory office holder, so you cannot say, "He'll do as he's told."

**Hon STEVE MARTIN:** Correct, honourable member. What I was referring to was that the Electoral Commission will deal with the legislation that is presented to it.

**Hon Matthew Swinbourn:** That's the will of the Parliament, whatever that might be.

**Hon STEVE MARTIN:** That is a better use of language, indeed. I thank the member.

I will also talk about the government's priorities and why the bill is arriving now. We have dealt with some odd things in my five or six months in this place. We have talked about standing orders. We spent a bit of time on that. We will now spend at least two weeks on this legislation, I believe. Members on this side of the chamber have mentioned

various bills that they would have thought might have been a higher priority than this one. I have one I would like to share with members—that is, the Animal Welfare and Trespass Legislation Amendment Bill. I believe that was an issue in 2019. In fact, I have some quotes on that and legislation was prepared. In fact, the Attorney General was very keen on the idea. I quote an article in, of all places, *The Guardian* in which he is reported as saying —

“I don’t know what the mushy-headed vegans think, or why they think, but they better get this through their mushy heads: that we’re changing the law in a substantial way that spells trouble, big trouble, for anyone who goes trespassing on agricultural land with the intention of disrupting agricultural production ...

That article is from 23 May 2019; we are now at the end of October 2021, and apparently that legislation is not an enormous priority. I believe it has been through the lower house, but is not on our orders of the day.

**Hon Darren West:** The opposition wouldn’t support it.

**Hon STEVE MARTIN:** Hon Darren West absolutely knows that this has nothing to do with the opposition getting in the way. We could be dealing with this legislation today, but we have no say at all in the process of what comes before us. We are dealing with electoral reform in the upper house and getting rid of regional representation instead of dealing with this urgent issue that the Attorney General raised in 2019 and about which he said —

... we’re changing the law in a substantial way that spells trouble, big trouble, for anyone who goes trespassing on agricultural land ...

That has not happened, and unless we get a hurry on, it will not happen this year. I certainly hope it does. The government’s priorities are interesting.

I will conclude by wrapping up some of my comments. Quite clearly the process has been ordinary. The Premier decided to tell Western Australian voters that the Labor Party would not undertake electoral reform, but almost the first order of business shortly after the election was to introduce this bill into Parliament. That is disappointing. That is a betrayal, especially of regional voters. I look forward to the Committee of the Whole House process; this is a large bill with a lot of clauses and it will take some time to get through it. Some of the impacts I have talked about, particularly around lower house seats, will need some investigation. The obvious point to make is that this issue should have been taken to the people at an election. It did not have to be, but it should have been. I am not a big fan of referendums, to be honest, but the Labor Party should have made it part of its platform and taken it to the people at an election. If it were to be successful in getting the support of Western Australian voters, it would be well within its rights to do this, but to repeatedly deny it over and again just before March 2021 and then turn around and say, “Hang on; I’ve changed my mind. I don’t think that’s appropriate”, is a very disappointing effort from the government. I conclude my remarks, Acting President, and look forward to the Committee of the Whole process on this important legislation.

**HON COLIN de GRUSSA (Agricultural — Deputy Leader of the Opposition)** [12.46 pm]: I rise to make some remarks on the Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021—I repeat that word “equality”. The members who have spoken before me have made several observations about the way in which this bill was introduced and that it was not the intention of government—certainly that is what was indicated before the election. Personally I have the view that the bill was well and truly drafted before the election. Nonetheless, we have this bill before us now that purports to deliver electoral equality. The legislation will make a number of changes to both the Electoral Act and the Constitution Act and will change the construct of the Legislative Council.

The first point on the explanatory memorandum for the bill refers, of course, to electoral equality. The number one objective of this bill is to deliver what the government has called electoral equality. Secondly, the bill will change the number of members in this place from 36 to 37 members. Members have made various observations about the relative merits of that and what impact that may have on the impartiality of the President. I guess that remains to be seen; I am not quite sure why that needs to change. It certainly was not a recommendation. The other changes that will be made are around the operation of the Council if an election fails. Importantly, the group voting ticket system and full preferential voting will be abolished. I think that is a good outcome and certainly something that I support.

As members have said before, Hon Wilson Tucker, unfortunately, is the poster boy for this change, ending the harvesting of preferences by those who seek to make a little bit of money out of getting people elected. In my view that is not democratic. It is unfortunate that Hon Wilson Tucker, who is a good member of Parliament, has been made the poster boy for that issue. The changes that the government proposes in this respect are actually quite good and should see an end to group ticket voting. It will not be the same as the system used in the Senate, for example, but, nonetheless, it is a welcome change on group voting tickets. There are other changes around that, including changes to party registration requirements. Much will be explored about the merits of those changes during the committee stage of the bill, should we go to the committee stage; one assumes that we will. Those relative merits will be explored in that process and we will gain a better understanding of why those changes have been proposed. We would have had more of an opportunity to explore these changes to understand the implications and rationale behind them if the bill had been referred to the very busy Standing Committee on Legislation for review.



**Hon Tjorn Sibma:** Is it busy?

**Hon COLIN de GRUSSA:** I am not sure whether it is busy, honourable member, but it was a hardworking committee. It is a very good committee. I spent the last four years on it, but I will talk about that later.

Other provisions are alluded to in the explanatory memorandum such as the filling of seats after a candidate dies and other consequential amendments and so on. All in all, there are a number of significant changes. It is quite a complex piece of legislation that will make many changes. It beggars belief that such a bill could be constructed and magically turn up in Parliament a couple of days after the committee delivered its report. That was a very limited time. As I said before, this is a 120-year-old piece of legislation, so it has had plenty of time in gestation.

The Ministerial Expert Committee on Electoral Reform delivered its final report in June this year and made a number of recommendations. It did not have any choice about what those recommendations would be because the terms of reference were very specific. The first term of reference was to provide recommendations on how electoral equality might be achieved for all citizens who are entitled to vote for the Legislative Council. The second term of reference was to make a recommendation on the distribution of preferences in the Legislative Council's proportional representation system. That is around the group voting tickets. Again, that is a welcome review of that system. More and more complex preference flows have been used and abused, essentially, to game the system over many years. People have got very clever at doing that, which I do not think is democratic. What happens then, of course, is that we get a less than democratic result. The committee also made recommendations about the registration of political parties and so on.

The committee was established in April this year after the election during which the Premier said that this was not on the agenda, as others before me have said. After the election during which this was not on the agenda, this committee was established almost immediately and began its work. Again, the establishment of the committee was around the words "electoral equality". That was the primary concern of the committee's work.

"Other Electoral Models" in annexure 5 at the back of the final report relates to the discussion paper that magically appeared partway through the inquiry. The committee says —

In our Discussion Paper, we asked for submissions on "whether any other electoral model, not covered in this Discussion Paper, is better suited to achieve electoral equality".

That was done midway through the process, not as a formal part of the process. Essentially, the committee was very hamstrung by what it could look into because of the decree of the Minister for Electoral Affairs and the government that the committee would look at electoral equality. One can only take a couple of meanings from that; that is, electoral equality means that every vote is the same numerically.

A number of submissions were made to the committee. Other members have talked at some length about the content of some of those submissions. I will reflect on a couple of particularly good submissions that made a range of points for and against or otherwise around the various proposals or mechanisms and models that could be used. One of those was from former Australian Democrats Senator Andrew Murray, who made a submission in May. On page 8 of his submission, he says the following —

In theory the Legislative Council regions could be abolished and members elected on a state-wide basis, as for the federal Senate, but this idea should be discarded. Inevitably this would result in the Legislative Council members being predominantly Perth metropolitan residents,

For reasons long and well-argued elsewhere, the regional model for the Legislative Council should remain. There is no call for its abolition by politicians or the public.

There is no political or public demand of note for the numbers of Legislative Council members to be increased or decreased.

They are some very important points, among many others, that Andrew Murray made in his submission. It is a very good submission that I highly recommend members take the time to read. It sets out a number of different aspects of the various implications for some of the changes that could be made to the Legislative Council.

Another submission was from eminent Adjunct Professor Antony Green, whom we all know as the infamous cycling election analyst on the ABC. I am sure that we would all agree we very much value his views on elections and the various political outcomes across the country as they happen. It is certainly something that I enjoy tuning into most of the time, although I did not enjoy it in March this year!

**Hon Darren West:** Some of us did.

**Hon COLIN de GRUSSA:** I am sure that a few members opposite probably did enjoy his coverage. I did not even get time to get a beer down before I knew what was happening, but I digress.

Antony Green's submission says —

If 'electoral equality' is measured by where votes are cast, then clearly a state-wide electorate will provide greater electoral equality.

However, it is my view that there are serious problems with electing 36 Legislative Councillors from a state-wide electorate. Even if the Council is reverted to staggered terms with 18 members elected every four years, my experience observing the election of 21 members for the NSW Legislative Council raises major concerns over ballot paper structure, counting method and nomination that need to be carefully considered.

He further goes on to say —

It is my view that geographic equality can be approached with a well-designed region based electoral system. The question is, how to align these regions with lower house districts by formula without tying the state into the rigid districts in regions model that Victoria has adopted.

Rather than make a recommendation, I will simply state the opinion that electoral equality can be approached with a regional voting system, while avoiding the design issues that could plague election from a single state-wide electorate.

In my view, five regions electing seven-members, or seven regions electing five members, is an approach that could provide a stronger link between elected members and their region. I am aware this would require a referendum to implement, and for that reason know it is outside the scope of models the Committee can recommend.

That is an important point. It goes back to what members before me have said, which is that this government did not take this to the people. In fact, the government said that it was not on its agenda a number of times yet it has sought to implement what would be major change to the way representatives are elected.

Importantly, this is not the first time we have dealt with electoral reform legislation in this house or under this government. The hardworking Standing Committee on Legislation in the fortieth Parliament was chaired by Hon Dr Sally Talbot, who is an excellent chair of that committee. Hon Nick Goiran was the deputy chair at the time, and the other members who enjoyed being on that committee were Hon Simon O'Brien, Hon Pierre Yang and me. We inquired into the Electoral Amendment Bill 2020, which this government brought in. That bill proposed many changes, including caps on electoral expenditure and changes to the way gifts, foreign donations and other disclosures were made—all those sorts of changes. However, I cannot seem to find those in the current legislation that we are dealing with. They were a priority then but obviously the government has now decided that it does not want to put a cap on electoral expenditure and is not worried about where donations come from. Instead of that, it has decided to silence regional voices. It beggars belief that those changes were proposed, the legislation was drafted and the report was handed down by the committee yet the bill was not brought on for debate. We on this side are constantly accused of stymying legislation. The fact is that there was much legislation on the agenda in the last term of government that was never brought on for debate.

**Hon Dr Steve Thomas:** It was not on the list.

**Hon COLIN de GRUSSA:** It was not on the list or on the government's agenda; it was not a priority. That legislation was reviewed by the very capable legislation committee, which produced an excellent report, but the bill never saw the light of day and was never brought on again, yet we now see a totally different electoral bill in the current Parliament. The bill we are debating today has not had the opportunity to be reviewed by the legislation committee because, as far as the government is concerned, it is perfect legislation. We have seen plenty of examples of so-called perfect legislation that this government has brought before us. Certainly in the last Parliament, many issues were identified. The legislation committee delivered 14 reports, by my count, in the last Parliament, over four years into various legislation, identifying a number of significant issues.

*Sitting suspended from 1.00 to 2.00 pm*

**Hon COLIN de GRUSSA:** Before the interruption of debate for the adjournment, I was in the middle of discussing some of the various aspects of the process by which the government created this legislation and the outcome of the consultation. In the debate that we have had thus far, members in this place have raised that of course the outcome of the so-called expert panel was always going to be one outcome—that is, electoral equality, because that is what it was asked to provide. There was no consideration of which mechanism, method or system would be best for the state of Western Australia. It was just simply: the committee will find a way of achieving electoral equality and come back with a report that says how that will be achieved. It is well known that Mr McCusker, the chair of the Ministerial Expert Committee on Electoral Reform, a very reputable gentleman for whom I have the greatest respect, outed the government in that respect in the comments that he made to *The West Australian* when he said that the whole-of-state model recommended by the committee was almost inevitable given the terms of reference devised by the McGowan government, which sought options for electoral equality in the upper house. Therefore, that was always going to be the outcome because that is exactly what the Labor Party wanted to achieve and what it is calling “electoral equality”.

Chapter 2 of the *Ministerial Expert Committee on Electoral Reform: Final report*, is titled “Achieving Electoral Equality”. I read from the chapter —

This Chapter of the Report addresses the Committee’s first Term of Reference—how to achieve electoral equality for all citizens entitled to vote for the Legislative Council. This requires all electors’ votes to be of equal value.

Importantly, further on in the report, there is a paragraph on page 20 about electoral equality. It says —

Unlike the Whole of State option, it is impossible in a system with more than one Legislative Council region to achieve *exact* equality of electors per member, and even if it were possible to get ‘close’ to equality (as in Victoria), the electoral roll is not static. It *may* be argued that if a regions-based system were used, allowing a 10% plus or minus variance from the Average District Enrolment ... would (approximately, not absolutely) achieve ‘electoral equality’.

This is the important final sentence of that paragraph; it continues —

However, the Committee’s brief is not to recommend a system that ‘nearly’ achieves electoral equality.

Indeed, its brief was to achieve exactly that: electoral equality.

I take particular issue with the notion of equality itself—the meaning given to the word “equality”. In this case, the equality being talked about is simply mathematical. It is simply that a vote anywhere in the state is the same as a vote anywhere else in the state. That does not mean that the people in those different areas of the state are equal or have access to the same services, and it does not in any way reflect the geographic diversity of the state and the fact that one-quarter of one per cent of the land area of the state occupies 79 per cent of the population. That is not an equitable distribution of population. The issues that face various communities, be they in the south west, the northern parts of the state or the city for that matter, are not the same. Equality, in this case, is only about the value of a vote. What that translates to, of course, is the make-up of this chamber. Therefore, it really is about the people in this room, unfortunately.

From my point of view, this bill will do nothing for the people outside of this chamber. Outside of this chamber, the bill does not recognise the different challenges they face no matter where they live. It does not recognise that what actually matters is not sameness or equality, but equity. Equity is a word that is not used anywhere in anything that I have seen in this electoral legislation. In fact, the report of the ministerial expert panel’s report mentions the word “equality” some 70 times, the explanatory memorandum mentions it eight times and the second reading speech mentions it eight times. The grand total of the mention and discussion of the word “equity” is exactly nothing. As I said before, this legislation is not predicated on providing anything but electoral equality—in other words, your vote is the same no matter where you are. That is exactly what the government wanted to achieve. Is that the best outcome for Western Australians? Is that going to achieve fairness and equity for Western Australians who live in various geographic regions in this state? I think the jury is very much out on that, and we will not have the opportunity to understand whether that may be the case; in fact, that was discussed in Andrew Murray’s submission. That is the point. As he said in his submission —

I support a degree of malapportionment favouring rural and regional non-metropolitan regions over the metropolitan regions in the case of Western Australia, because of Western Australia’s geographical, economic and political characteristics and culture.

That is the point. As I said before, one-quarter of one per cent of the area of this state is occupied by 79 per cent of the population. A huge proportion of the population of this state lives in a tiny part of the state. For those people scattered around the rest of the state, it is important that they have equitable access, but that is not equal access. It is very important to make that distinction, because people in regional areas of Western Australia certainly know that they are not going to have equal access to, for example, tertiary hospitals, an ambulance service or schools for that matter. Whatever it is, they do not expect equal access; they expect equitable access. The way that they push and lobby to ensure that they have that opportunity is largely through the democratic process, and that is why there is a degree of, as some would call it, malapportionment in the votes under our current system. However, is that wrong? I do not think we will ever get the chance to explore whether that system is as bad as has been made out, because, unfortunately, the terms of reference of the Ministerial Expert Committee on Electoral Reform did not allow it to do anything but recommend what the government no doubt had already written into the legislation—it was probably drafted before the report was even considered. There was no opportunity for consideration of the best electoral model for the Western Australian Legislative Council. There was no consideration of what that would mean for the distribution of Legislative Assembly seats. As we know, a redistribution occurs every two years after an election. There was a fairly minor one after the 2017 election. Who knows what will happen next time? It will be up to the commissioners to do that work. Without the current boundaries that are in place under the Legislative Council system, all sorts of different permutations and combinations could be arrived at, which will no doubt mean that another regional seat will be lost to metropolitan Perth, the regional seats will become larger again and it will be more difficult for the people living in those seats to access their local members of Parliament.

That brings me to another point about the reforms proposed by the government. We do not have any clarity about how this whole-of-state model will service the whole of the state. We have zero clarity about whether appropriate resources to service the entire state will be provided. For a member representing the whole state, one office and two staff members located in one part of the state may not serve that purpose very well. Who knows? We have not

considered that. We do not know what the government's thinking is. Those issues were never canvassed because they were never able to be considered by the so-called expert panel. Will all MPs be afforded the same resources to do their job across the entire state? We do not know. One hopes that every MP will be treated equally under the government's electoral equality proposal so that they will have the opportunity to visit every part of the state and serve it properly and that the people in those areas will have the opportunity to meet their local member, regardless of the member's political persuasion. As a member of this place for the last five years nearly, I have certainly had my fair share of different people come through my door. As all members in this place will know, we do not ask those people who they vote for when they come through the door. They are all equal in our eyes; they are all treated in exactly the same way and they all deserve equitable access to their member of Parliament. I think it is absolutely critical that the government provides some clarity about how it intends to service a whole-of-state electorate and how it intends to allow those people to have equitable access to all the members of that region.

Earlier in the week, there was debate about referring the bill to a committee. That would have provided us with an opportunity to have a good look at the proposal by the government. The hardworking Standing Committee on Legislation would have had the opportunity to call expert witnesses to provide testimony on the various merits of the proposed system, and also the legislation itself, because there are aspects of this legislation that were not recommended by the expert panel. However, the opportunity for the bill to be scrutinised by that committee has been missed. In fact, that committee could also have taken the opportunity to do what the expert panel failed to do—that is, to visit regional Western Australia and have a talk to the punters out there, get a feel for the geographic vastness of the state and weigh up the various aspects proposed in the legislation. That will not happen, because the government has decreed that this bill will not be referred to the legislation committee. It will simply attempt to ram this bill through, because the ministerial expert panel has come up with the recommendations that the government requested it to come up with, as it simply had no choice whatsoever but to come up with those recommendations.

I will continue on the important aspects of this bill that was I talking about before, and that is equality and equity. We all recognise that various parts of this state have different issues and that all things are not equal, no matter where people live. Equity is what is important here. It is important that people are treated equitably under the law and that they have equitable access to health and education services, and that means, by virtue of the current system for electing members of Parliament, more equitable services for regional areas, because the people in those areas do not have the numbers in an electoral sense to voice their opinion. The current system, under which they have a weighted vote, if we want to call it that, gives them some ability to have a greater influence than they otherwise would. That ability will be removed under the electoral equality system proposed by this government, because it is not about equity; it is about electoral equality. It is about turning people into numbers. It is about making everybody the same as far as a ballot paper is concerned, but it fails to recognise the vast differences across this state.

Of course, much debate was had in the other place, and I want to reflect on some of the commentary of the Leader of the Opposition there. She made very clear points about this legislation. She talked about some of the submissions. Hon Mia Davies, the member for Central Wheatbelt and a former member of this place, knows well how the Legislative Council works and what its duty is: to scrutinise legislation. That is why, in part, it has a different electoral system and, in general, a different make-up from that of the Legislative Assembly. That is right and proper in a bicameral system. I have no doubt that sometime down the track—it may be years—members of the Labor Party will seek to remove the Legislative Council. They would love not to have that problematic place up the hill and to get rid of the extra scrutiny that it provides. We saw this so many times in the fortieth Parliament: legislation would come before this place, it would be sent to a committee for review and it would come back with a bunch of recommendations, most of them eminently sensible and adopted in large part by the government because it realised the error of its legislative ways. The member for Central Wheatbelt, now Leader of the Opposition, said in her address in the other place —

It is with great regret that we must debate this legislation at all. The legislation, far from what the title of the bill suggests, is not about equality. It is about Labor making a power grab. The Attorney General and the Premier have dressed up the bill to justify their abuse of power by using the word “equality”, but it is far from it. It is a bill that will disenfranchise people in this state. It is a bill that will undermine a system of Parliament that is designed to be robust and houses of Parliament that are meant to be elected differently to serve different purposes.

I again reflect on the fact that the use of the word “equality” and the romanticised meaning in common language and the way that word is used across society is not exactly what it is about in this legislation. By definition, it is simply “equal”. It is simply making every vote the same, no matter where people live. It does not recognise the challenges people face in some regions and it is certainly not about providing equity to those regions. I know there are members opposite who are absolutely champing at the bit to speak and I am sure they will address the second reading of the legislation at some point, but I will not take up any time further with my second reading contribution to this bill. It is clear that what this legislation seeks to do is simply make people the same. It does not recognise differences and, therefore, does not provide any sort of equity. I certainly will not be supporting the legislation. I agree that group voting tickets need reform. I am absolutely supportive of that one aspect, but I certainly will not be supporting the legislation itself. As my colleagues on this side of the house have said before, we will not support any diminution

of regional representation or value of regional voices or misunderstanding of the inequities faced by people right across this state. This government has failed to provide any sort of equity in this proposition and has simply sought to turn people into a number on paper and make them equal in the eyes of a ballot instead of trying to address the inequity that plagues them.

**HON DONNA FARAGHER (East Metropolitan)** [2.22 pm]: I appreciate that members opposite are looking at me. I was hoping we might see someone on the other side of the house rise and speak, but we will wait with bated breath. Like my colleagues on this side of the house, I rise to speak against the Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021. I would like to align myself with a number of contributions that have been made by members of the Liberal Party and the Nationals WA on the impact that this so-called reform of our electoral system will have on this house, the Legislative Council and the community at large, but most particularly on those members of the community who live in regional and remote parts of our state. In speaking to this bill we know that the Labor Party has long advocated for one vote, one value legislation. That is its position and, indeed, the Labor Party is entitled to that position. I do not have an issue with that: that is its position and that is fine. But what is absolutely outrageous is that the Labor Party was not open and transparent with the people of Western Australia prior to the March state election. It was not open and transparent that it intended to push ahead with such a reform. Members on this side of the house have said this, and I will say it as well. Prior to the election the Premier said repeatedly, “It is not on our agenda.” Question after question was asked at press conference after press conference and the response from the Premier was always the same: it is not on the agenda. Well, that turned out to be a furphy because just six or seven weeks after the election—I do not think it was even two months—the government announced with much fanfare the establishment of the Ministerial Expert Committee on Electoral Reform. That committee reported on 15 September, and one day later, bingo, we had a piece of legislation in the other place. So much for it not being on the agenda. Fewer than six months after being elected, it absolutely was on the legislative agenda for this government. That was just six months after the Premier repeatedly denied that it was not on the agenda. It is an absolute disgrace.

The government has also tried to be very cute in relation to this legislation. It has been cute in the way it has tried to put to the people of Western Australia why there is a need for reform. The Minister for Electoral Affairs and the Premier—and no doubt those opposite if we get to hear something from them—have sought to distract people’s attention away from the big issue in the room; namely, regional representation that we are particularly focused on now, but with regard to the election of Hon Wilson Tucker to the Mining and Pastoral Region. That is the primary catalyst in much of the commentary from the government, particularly the Premier and the Minister for Electoral Affairs, and that is why we have the legislation before us. Of course, we know that the legislation is much more than that and, to be frank, it is a distraction. To use the words of the Premier when he said that the Liberal and National Parties were creating a smokescreen, this is a smokescreen. That is what it is, pure and simple.

With respect to the issue of group ticket voting, the Liberal and National Parties actually agree with the government on this point. Legislation could have been introduced in this Parliament, even in the government’s last term—it has been in since 2017—to deal with this aspect if it was such a concern to the government. I recall that back in 2019, Hon Alison Xamon, who sat opposite, introduced a private member’s bill titled Electoral Amendment (Ticket Voting and Associated Reforms) Bill 2019. I caught up with Hon Alison Xamon in the building last week when she was at the launch of our parliamentary friends group and it was fantastic to see her. We chatted about this bill. It was a good reminder. According to the second reading speech of Hon Alison Xamon’s bill, it was —

... designed to return control of preferences to Western Australian voters by abolishing ticket voting and implementing optional preferential voting both above and below the line.

That bill was debated on at least one or two occasions. I recall, and I will reflect on it, that Hon Simon O’Brien, who was our spokesperson for electoral affairs at the time, indicated the Liberal Party’s support for the bill. On 6 June 2019 he said this —

The situation we have in this bill is simple, and I am delighted to see it come forward. I have advocated strongly in support of this bill in the party forums available to me, and the Liberal Party supports this bill. We will support its second reading, and more than that, we want to see it progressed. The bill proposes in essence to do away with what has become known as the “registered ticket voting system”

He then went on to say —

The member has put up a very good bill. I think it is probably about right, without going into the real fine detail and workability of the legislation. Before now, this government should have said, “Right, we have a bill being second read into the house; what is our response?” It is up to government to do this. It is up to government to say that Hon Alison Xamon and others of like mind are absolutely right and that it is working, or will start to work, with the resources of government to provide the correct statutory mechanics to deal with the issue. What is more, acting in concert with Hon Alison Xamon, we will sponsor a bill through the house and will engage with the government. Members can come and ask me about it. I have told the minister and his predecessor that this is what we want action on, so the government knows it has us on board. There is an absolute majority here. The government itself can take the bill through another place, where it clearly has an absolute majority, as I observed in my opening remarks. That will deal with the

matter. That would then stand to the credit of the government. Even if it takes Hon Alison Xamon's private member's bill to prod the government into action, at least we will get the action we need. However, that will not happen, because the government does not propose to do any such thing. It has no agenda to proceed along these lines—none whatever. We know that from a number of firsthand responses we have received.

Hon Simon O'Brien was right. Members might ask why I reference to that. I referenced it because there is some commentary around the Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021 that somehow the opposition does not support any form of electoral reform. That is simply not the case. In fact, if the government did not like Hon Alison Xamon's bill in 2019—most governments do not like private members' bills—it could have introduced a bill of its own. The McGowan Labor government had the opportunity to do that last time round, and based on what Hon Simon O'Brien said, it would have got support, but it chose not to do that. That may be an inconvenient truth for the government to consider, but it is the truth.

Notwithstanding that, it does not really matter anymore because the government now has much bigger plans. The part of the bill that deals with group ticket voting is just a smokescreen to a much bigger pie that the government now wants: the removal of regional representation in this place. This bill will abolish the six existing regions and replace them with a whole-of-state electorate for the Legislative Council. Of course, a range of other matters will be dealt with by the legislation, including an increase in the number of MLCs from 36 to 37—something that the Ministerial Expert Committee on Electoral Reform did not recommend, but is nonetheless in the bill. There are also matters surrounding the process for party registration; I could go on.

The simple fact is that regional representation is something that should continue to be supported. To use the words of the Premier, when he continued to say that it was not on the agenda, enhanced regional representation matters. It is important. The problem is that we will not see it anymore as a result of the passage of this bill. The reality is that the focus will shift away from the regions to the city, because that is where the votes are. I say, as a metropolitan member of Parliament, that the removal of metropolitan-based regions like the East Metropolitan Region, which I am very proud to represent in this house, is deeply disappointing. When I talk to people in East Metropolitan Region, community groups and organisations, and let them know what the outcome of this legislation will be—that there will no longer be an East Metropolitan Region—they are not happy.

**Hon Alannah MacTiernan** interjected.

**Hon DONNA FARAGHER:** I am talking; the minister can listen.

I appreciate that regions are not a big issue for the Labor Party. In fact, they are an inconvenience for the Labor Party. The simple fact is that the unions determine who sits in this place; that is the reality, and it happens now. Labor Party members would crisscross electorates every second Sunday, if they could. I appreciate that Hon Pierre Yang is out of the chamber on urgent parliamentary business, but he was formerly a member for South Metropolitan Region. All of a sudden, he is a member for North Metropolitan Region. During the election he was handing out how-to-vote cards in Bayswater in the East Metropolitan Region. I asked, "Are you lost?" Hon Alannah MacTiernan was formerly a member for North Metropolitan Region who is now a member for South West Region. This is not something novel; it has been going on for a long time.

**Hon Alannah MacTiernan:** Do you know how Western Australians live their lives? Have you done any analysis?

**Hon DONNA FARAGHER:** I just said I was talking and that the member can listen. She can talk all she likes; I am talking.

**The ACTING PRESIDENT (Hon Peter Foster):** Order, members.

**Hon DONNA FARAGHER:** Hon Ljiljana Ravlich was a member for East Metropolitan Region for a number of years; all of a sudden, she was a member for North Metropolitan Region. Members opposite are like pieces on a chess board; they move around at will.

I return to the central question as to whether this government has a mandate for this reform and the removal of regional representation. No, it does not. I want to now reflect on a submission by Andrew Murray to the Ministerial Expert Committee on Electoral Reform, which other members have also referred to. Andrew Murray is a former senator for Western Australia and although we belonged to different parties, I have always found him to bring thoughtfulness, objectivity and fairness to the analysis of issues of major public policy. He has always sought to achieve balanced outcomes in critical areas. In his submission to the expert committee, Mr Murray said —

The terms of reference require the Committee to recommend 'how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council'.

The Government has not asked the Committee to consider *whether* electoral equality *should* be achieved. It obviously thinks it should, because the Government has jumped that step and asked the Committee *how* to achieve it.

He goes on to say —

The application of one vote one value to the Legislative Council would proportionally reduce country (rural/regional) representation

I have not detected recent or ongoing noticeable or meaningful public pressure or political activism for introducing the one vote one value principle to the Legislative Council, to apply across the board regardless of the region.

If there is no significant and persuasive public or cross-party agitation for one vote one value how could the Committee justify radically reducing rural and regional representation in the Legislative Council? On principle alone?

On the other hand is there strong public support to retain the present malapportionment? Would introducing one vote one value to the Legislative Council matter to voters?

The great majority of Western Australian voters are metropolitan. There is no way to confirm this suspicion, but it is possible that the metropolitan public in particular will not be engaged or activated much by imposing electoral equality (one vote one value) on the Legislative Council.

He goes on to say —

Nevertheless, public concern does make itself felt when an issue stirs the Australian sense of fairness. There is no evidence of that happening in Western Australia with respect to regional vote weighting in the Legislative Council.

So, absent ‘a public clamour’ for change, the question for the Committee is whether there are sound grounds for not retaining the present practice of favouring rural and regional vote-weighting in the Legislative Council, given apparently broad public acceptance of that voting system.

Malapportionment itself is not the issue. Malapportionment or inequality is already justified in the Legislative Assembly by a percentage of variance in the number of voters per single-member constituency. That is a practical and understandable variance of the principle.

It is the scale of malapportionment that matters, and whether there is any real concern in the community. On both counts the Committee will need to make an informed judgement.

He goes on to write —

The practice of enhanced regional representation in democratic parliaments, particularly in legislatures that have an upper house, is well established.

In its application to Western Australia that practice of enhanced regional representation is reinforced by geography and demographics, requiring regions in this vast state to be created to allow for good administration and communication.

...

On any measure there is no electoral equality between local government cities, councils and shires, but there is no political or community concern about that.

He further states —

In theory the Legislative Council regions could be abolished and members elected on a statewide basis, as for the federal Senate, but this idea should be discarded. Inevitably this would result in the Legislative Council members being predominately Perth metropolitan residents,

For reasons long and well-argued elsewhere, the regional model for the Legislative Council should remain. There is no call for its abolition by politicians or the public.

There is no political or public demand of note for the numbers of Legislative Council members to be increased or decreased.

If one vote one value were introduced in the Legislative Council regions, and the same number of members retained, then the number of metropolitan members v non-metropolitan members would have to rise, and the latter would have to fall.

Why that is desirable is not clear, apart from simply honouring the principle of one vote one value.

I also note the comments made in Antony Green’s submission. Members on my side of the house have referenced his comments and, with that in mind, I will bring my comments to a close by reiterating a couple of my earlier points.

The government has no mandate for this sweeping reform—it has no mandate for this reform. I am disappointed. I will not reflect on the decision of the house but in a general sense, this bill would have been best served if it had been referred to the Standing Committee on Legislation. I understand that that was not the will of the house because, of course, members on the other side have the numbers to ensure that that did not occur.

I am going to end my comments by reflecting on a comment that was made by the Minister for Electoral Affairs on 3 May 2021 in an opinion piece in *The West Australian* in which he personally attacked Hon Wilson Tucker, which was unnecessary but, to be honest, we have become used to the Minister for Electoral Affairs' behaviour.

Several members interjected.

**Hon DONNA FARAGHER:** All I will say is that Hon John Quigley —

**Hon Dan Caddy** interjected.

**Hon DONNA FARAGHER:** At least I am not a rewriter of history like members opposite. Goodness me, every day there is a rewrite of history with you guys! That is maybe a debate for another day.

Several members interjected.

**The ACTING PRESIDENT (Hon Peter Foster):** Order, members! Hon Donna Faragher has the call.

**Hon DONNA FARAGHER:** Hon John Quigley stated this —

The Parliament does not belong to politicians like me. It belongs to you, the people.

If the minister were true to his word, why did he not put the idea of electoral reform to the people of Western Australia before the March state election? Why did the government and the Premier repeatedly say that electoral reform was not on the agenda? Why does the Minister for Electoral Affairs not have the courage to refer the bill to the Standing Committee on Legislation for consideration? The simple fact is that in everything that this government has done so far, particularly in this new term, it has treated the conventions of this Parliament and this house with absolute disdain and disrespect. Through the guise of an executive government appointed committee, this government is now seeking to ram through legislation about which the Labor Party was not prepared to confess was on the agenda before the election. It has curtailed in this house the standing orders to limit debate. It is changing the electoral system to suit itself and most importantly it is not recognising the unique circumstances of this state, as large as it is, and the need for greater enhanced representation. That is what this government is all about. This bill and this government's disdain for this Parliament and this house is a disgrace. I oppose the bill.

**HON ALANNAH MacTIERNAN (South West — Minister for Regional Development)** [2.45 pm]: It is with great pride that I support the Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021, which will finally entrench democracy in this place! Members opposite talk about shame but we are unashamed that for more than 100 years since the Labor Party was formed under a tree in Barcaldine in Queensland, we have supported the equality of every Australian person. That has been the key and fundamental insight of this party. I contrast that with the conservatives on the other side of the house. Since the Liberal Party was formed in the Sydney Town Hall, it has, with its Country Party mates, always continued to entrench its electoral advantage by rigging the upper house. That has been its game plan since day one. In the early days, we could not have equality of voting power. It was only men who voted because men were the only ones who could do things seriously. We moved on from that and we got women. But then people had to have property here because only those people who had property were truly invested. The lower orders could not be trusted to deliver sound government. Today it was interesting to hear some echoes of that coming through. Gradually, the conservatives have fought on every front and now, of course, they say that we need to protect the regions. I think there are issues in the regions on which all parties need to be very much focused, but why would you select that metropolitan–regional divide to focus on inequality? Hon Colin de Grussa said that it is not just about every vote being equal. He said it is not equality, it is about inequity. I agree that the Nationals' paradigm and business model is based on creating a city–regional divide. But let us look at the reality. If that is the way that we were going to vote weight, why would we say that a wheat farmer in Esperance, who lives on a property that is conservatively worth between \$4 million and \$5 million —

**Hon Darren West** interjected.

**Hon ALANNAH MacTIERNAN:** Sorry, it is much higher than that; it is more like \$10 million. Why would we say that that person is more disadvantaged than an Aboriginal person living in Armadale? Why would we argue that? Why would we not look at a pastoralist, for example, in the Kimberley—a cattle baron? Why would we suggest that that person is more disadvantaged than someone in Mirrabooka who comes from an African refugee background? If this were truly about needing to distort the votes to create some idea of equity, the votes of the people of Lockridge would be worth 10 times the votes of the people of Peppermint Grove! But the opposition is not proposing that. All it is doing is trying to hold on; it is trying to find another device to attempt to hold on to power.

Let us look at the election results, because I think this is really very interesting. I am using figures from after the Second World War, because the Liberal Party was formed after that time, but I think if I had gone over the whole century or so, we would have seen far more. Since the Second World War, the Liberal and National Parties have held a majority in the Legislative Assembly 13 times. The Labor Party has held it 10 times. But in this place, until this election, Labor had never held a majority in this chamber, notwithstanding that it had won government 10 times. The Liberal and National Parties won 13 times in the lower house, but they held the power in this chamber for 21 of those terms of Parliament. We can see that this is a great little number that they want to cling on to. Notwithstanding



all the other disadvantages—the disadvantages of people all over this state, which are far more profoundly rooted in class, race and access to education than in simply their geographic place of residence—the Liberal and National Parties want to hold on to this because it has given them that privilege. They have fought against true democratisation of these institutions because it quite clearly, utterly and irrefutably has advantaged them every time up until this election. This time, when we won, we decided that we wanted to finally make this place democratic. We are proud of that. We are proud of doing that. The opposition’s resistance is based on a concept of how it will lose the ability to control this place even when the majority of the community does not support it.

Hon Colin de Grussa made some interesting observations. He referred to people who have said that the houses of Parliament are elected differently to serve different purposes. I profoundly agree with that. I think we need to reflect on this. The vote in the Legislative Assembly is based on single person geographic constituencies. There is an important reason for that, because that actually gives rise to large stable parties and allows government to be formed. It makes democracy governable. As I have said before, the role of this house is not to be a mini-me of the Legislative Assembly; this is supposed to be the place that can put a little bit of a fetter on government, review legislation, and have a greater complexity and array of views represented. That is precisely what we are delivering here today. I think this will absolutely be the last time that the Labor Party will control this place. We do not demur from that. We are not trying to entrench a privilege; we are trying to make this place what it should be—a democratic institution. We know that there will be parties on the left and parties on the right. We know that our friends in the Greens will no doubt do better, because in terms of their percentage of the vote, they are very under-represented in this place. As we see in the Parliaments in New South Wales and South Australia, small parties will form to give voice to views and issues that people have concerns about. I have no doubt that if we had had this sort of system in place, we would have had a voluntary euthanasia party form here some years ago, but we obviously solved that problem. There will be parties like One Nation. I am not a supporter of One Nation, but it does actually represent the views of some people, and in a democracy, we have to take the good with the bad and allow all those voices to be given substance. I think this will be a great bonus. Here is my prediction for free: this bill will potentially provide the ultimate solution for the Liberal Party. Hon Nick Goiran could be looking at these figures and he might see that he could jump back to the Australian Christian lobby, where his true heart is, and form his own party and expect to see two or three members in this chamber. That might liberate the rest of “The Clan” to get on with representing a more mainstream view within the Parliament. We will see this happen.

We had a great contribution—a very emotional pitch—from Hon Neil Thomson. He said it is a crisis! He said that there is a crisis in regional Western Australia. It is all in crisis. This system has been in place now for over a hundred years. If it has not dealt with the crisis, I think it is time for a change! It is time to see whether actually having a democratic upper house will provide a more complex response. I go back to that point. No-one in Labor thinks that this is going to see us get majorities in this place. We fully accept that this is a recipe for more complexity in this place, but it will be complexity based on fairness. There is the idea that people from the Kimberley all the way down to Esperance might share views on particular issues, such as climate change and animal justice. It might be the sex party; I am sure a lot of Liberals or former members would have found themselves happily in that party! There will be these groups. People will have different views. There is the whole notion that everything that one believes is valuable is fundamentally determined by whether one lives in the regions or the city. I put to members opposite that that is their business model. That has been their business model for trying to retain control of this chamber, even when they do not have the majority of the vote. I love regional Western Australia—everyone on this side of the chamber does and feels strongly about it—but that is not a reason to compromise our democratic principles. That is not a reason to entrench a small group of people in a position of privilege and deny ourselves the opportunity to have true democracy and a Parliament that sings with all the voices of the community. I commend this bill to the house.

**HON DR STEVE THOMAS (South West — Leader of the Opposition) [2.59 pm]:** Thank you for giving me the call, Mr Acting President (Hon Peter Foster). It is a joy to see the enthusiasm with which you throw yourself into the job!

It is always a pleasure to follow the Minister for Regional Development in a speech, because she normally is very forthright, and I appreciate that. She has made it perfectly clear today that the Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021 that we are currently debating is entirely about party politics. I appreciate the honesty with which the minister has come forward. She spent almost her entire contribution talking about the benefits of party politics—about her party, about our party, and about the impacts of the party. I thought that was fantastic. I am very pleased. The Minister for Regional Development is very forthright, and also on occasions, perhaps unfortunately for her colleagues, honest. I think that was an excellent contribution.

It is a little hard to assess everything that the Minister for Regional said, so I will start with the last bit. I did not quite finish writing it down. The minister said that she is absolutely against the entrenchment of power in a small group of people. She said that this house should not represent a small group of people. She wanted that spread out to a far wider region, because we do not want to entrench a small group of people. We do not want to entrench a small group of people like unions and union representatives, perhaps, minister? We do not want to entrench union representation in the Legislative Council, do we? That would be representative of a very small bunch of people. The Minister for

Regional Development is, I think, one of those people who is described as independent from the factional system. That is great. I commend that. The minister is one of the few. That is fantastic. We do not want to entrench power in a small perhaps unrepresentative group of people.

When we did this experiment the other day, we were talking about the United Workers Union. I was surprised to see how many members of the government put their hand up and waved. Was that a reflection upon the diversity of the community of Labor Party members in this chamber? How many members of the United Workers Union are there?

Several members interjected.

**Hon Dr STEVE THOMAS:** How many members of the United Workers Union are there? How many? How much control do they have?

**Hon Kyle McGinn:** How about the powerbrokers in the Liberal Party?

**Hon Dr STEVE THOMAS:** A very good question, Hon Kyle McGinn. How about the powerbrokers in the United Workers Union?

Several members interjected.

**Hon Dr STEVE THOMAS:** You are a powerbroker in the United Workers Union?

**Hon Sue Ellery:** I am.

**Hon Dr STEVE THOMAS:** It is great to see. I love an honest debate, I really do. I am very pleased to see the Leader of the House put her hand up for that; that is fine. We should have a far more honest discourse than we sometimes do. It was incredibly pleasing, because I am also very concerned that an unrepresentative group has far too much control. That group we call the left—the left. What group has the most control?

Several members interjected.

**The ACTING PRESIDENT:** Order, members! The Leader of the Opposition does have the call.

**Hon Dr STEVE THOMAS:** Thank you, Acting President,

How much control does the left genuinely have, because this is what we are talking about? It was great to have the Minister for Regional Development tell us that this is about the factional party politics that will end up controlling the Legislative Council. That was very good and very clear. I will come back to a few more quotes in a minute, because I thought that a consistent theme was running through the minister's comments. That was fantastic.

It was obviously the case that the minister is opposed to a small group of people dominating—a clique, if you will, or a faction. I am intrigued to see how much control there is in the factions of the Labor Party. The Labor Party had a very good minister in the previous government, who as far as I could tell was one of the stars but who was dumped for lack of factional allegiance. That is the sort of thing that we are thinking about discussing and entrenching in Western Australia. The reforms of the Legislative Council are entirely about this sort of factional politics. I find it generally true, when these things are presented, that when we dig down to the spin, self-interest underlies all of this stuff; I really do.

I thought the second reading speech that I received with this bill was slightly slanted. It was well delivered by the parliament secretary to the Minister for Electoral Affairs, and written by somebody in the office of the Minister for Electoral Affairs. It is interesting that towards the bottom of the first page, the parliamentary secretary said this —

The South Australian and New South Wales upper houses have been elected using the state as a single electorate for many years. In South Australia, the change to become a single statewide upper house electorate was introduced in 1973 by the Dunstan government and contested for the first time in 1975. In 1977, the Wran government introduced reforms to provide for members of its Legislative Council to be elected by voters across the whole state of New South Wales.

Let us look a bit deeper into that. That sounds very good. I am sure there are a lot of educated members in the chamber. Can anybody remember what political party the Dunstan government represented?

**Hon Matthew Swinbourn:** The Labor Party.

**Hon Dr STEVE THOMAS:** It was the Labor Party. And the Wran government?

**Hon Matthew Swinbourn:** The Labor Party.

**Hon Alannah MacTiernan:** That just proves that we're a party of democracy.

**Hon Dr STEVE THOMAS:** It proves what the Minister for Electoral Affairs said on the day that the ministerial expert committee report was dropped—that the 120-year agenda of the Labor Party to push through this reform is finally being achieved. All that this says in the second reading speech is, “Guess what! Other sections of the Labor Party managed it earlier than Western Australia.” It is in the DNA of the Labor Party. That is what we are talking about. Thanks to the contribution of the Minister for Regional Development, we know that this is what we are dealing with. In fact, it goes to the point, for those members who attended the function on Tuesday night for animal welfare groups,

the minister raised even there. The minister stood up and said, “Yes, we’re achieving 120 years of Labor Party ambition.” It is absolutely the case that this is a long-term ambition.

Before I get to the substance of my comments in this debate, I have a few other notes that I took during the contribution of the Minister for Regional Development—the only sort of off-the-cuff contribution of the government today. I appreciate that the Minister for Regional Development is often perhaps far too honest. The minister said that all parties should be focused on the regions. I agree with that. She then launched into what can only be described as the traditional Labor attack—the politics of envy—by deriding wheat farmers in the wheatbelt.

**Hon Alannah MacTiernan:** I am not deriding them! I am saying that if you are talking about equity —

**Hon Dr STEVE THOMAS:** I am sorry. What about the cattle barons?

**Hon Alannah MacTiernan:** It is not deriding them. It is just saying that if your basis is that we have got to have unequal votes because people have unequal circumstances, why just base it on the regions?

**Hon Dr STEVE THOMAS:** Cattle barons!

**Hon Alannah MacTiernan:** There are people who are cattle barons.

**Hon Dr STEVE THOMAS:** It is classic. The minister fell into doing the thing that she regularly does. I appreciate it. The minister is forcibly honest. I encourage her to remain so. She does not seem hampered by the Labor Party, which is great. I think this is brilliant. The minister should stay exactly in that position. Cattle barons!

**Hon Alannah MacTiernan:** Talk about inequality! Do you really think that someone like Gina Rinehart is more disadvantaged than a person who lives in Lockridge and works at Hungry Jack’s?

**Hon Dr STEVE THOMAS:** I do not know. Does Mrs Rinehart vote in the north? I suspect she does not vote in the north. Again, the minister is just proving my point. This is great.

**Hon Alannah MacTiernan:** Address the point of why you choose just one area of inequality. Why don’t you look at all of these other areas of inequality in order to provide different vote weighting? That’s my proposition. You can’t do that, so you’ve just got to give everyone one vote.

**Hon Dr STEVE THOMAS:** It is funny, minister. We will actually be getting to regions of inequality in a little while and be seeking to table a document to demonstrate precisely that. I appreciate the input.

Again, it is interesting that the minister jumps up when cattle barons are challenged and she has to raise a billionaire. Therefore, I presume a billionaire is a rise on a cattle baron.

**Hon Alannah MacTiernan:** No! It is to show the difference. It is to characterise the difference.

**Hon Dr STEVE THOMAS:** It shows the politics of envy—that is what it shows. It shows where the Labor Party is coming from in its agenda. We heard about the cattle barons. It was quite an extraordinary contribution. The minister then talked about which one of the major political parties had controlled the chamber and how long they had controlled it for. The Liberal-led coalition had control of the lower house 13 times and the Labor Party 10 times, but the Labor Party had not managed to get control of the Legislative Council. What were we talking about? We were talking about the party political outcomes.

**Hon Alannah MacTiernan:** We were explaining why you are trying to hold on for grim death.

**Hon Dr STEVE THOMAS:** This was a discussion about the victories, or not, of the Australian Labor Party. This was entirely about the fortunes of the Labor Party and that is the problem with the bill before the house. The bill is far too focused on the fortunes of the Labor Party. I hope I wrote this down correctly because obviously we do not have the *Hansard* yet, but I think the minister said that this will absolutely be the last time the Labor Party will control this place. Whether that is true, I suspect, to be honest with you, that we would not be looking at the legislation if there were not some chance that the Labor Party thought that it might improve the potential. It is not in the Labor Party’s nature to benefit all the other parties of Western Australia. It was a great contribution.

**Hon Alannah MacTiernan:** Antony Green, who you have been quoting all the time over there—that’s exactly what Antony Green agreed to.

**Hon Dr STEVE THOMAS:** Antony Green did not support the current model presented by the government. But, as a separate position, what was missing from the Minister for Regional Development’s address was almost anything about how this benefited the regions. She spoke for—what—15 minutes? I do not remember the exact time. I was listening very carefully. If she spoke for 15 minutes, I think she spoke for 13 minutes about party political politics, and for the last little bit, who knows? But there was no contribution about the welfare of regional Western Australia. There was no contribution to discuss whether people in Western Australia would be worse or better off when, not if, the bill before the house passes. The bill before the house, in my view, and effectively acknowledged by the government, has nothing to do with the welfare, services, capacity or disadvantages of the people of Western Australia. This bill is entirely about the welfare, capacity and employment of the members of the Australian Labor Party. How does that come about? Once again, we do not want to have an unrepresentative group

in Parliament—apparently—occupying the benches and I agree with that. Therefore, we need to know: How does the Labor Party’s preselection work? How important is a union membership these days? Does a union get 50 per cent of the preselection delegates?

Several members interjected.

**Hon Dr STEVE THOMAS:** What sort of percentage is it?

A government member: How’s “The Clan” going?

**Hon Dr STEVE THOMAS:** Do you mean with the left? I do not know. How is the left going?

Several members interjected.

**Hon Dr STEVE THOMAS:** How is the left going? How is the left going as ministers and sitting members are dumped out to control preselection. How is the left going?

Several members interjected.

**Hon Dr STEVE THOMAS:** How is the left?

That is what we need to know because, obviously, the bill before the house has far more to do with the election potential of the Australian Labor Party than it is about regional members.

Having worked out what the genuine purpose of the bill is, which is to look after the membership of the ALP, once we move past that bit, let us have a look at the actual functions of the bill and see how we go. As a part of this process I would have thought that what we in the Legislative Council are here for and what is an appropriate measure for getting us here would be a useful thing to discuss. Answering why we are here might define the purpose of why people would be appointed here. I love this saying: the Legislative Council is a house of review; that is really its only purpose. If that were genuinely the case, and it held no representative capacity, why would we not put in a group of eminent lawyers instead of an elected upper house?

**Hon Alannah MacTiernan:** No. We did go into this issue, member. We went into this issue, and this actually allows a greater diversity of voices that you can’t have in the Legislative Assembly because the need for stability in the LA—the need to have major parties so you can form government. So you have this house where you can have a more disparate array of voice represent it.

**Hon Dr STEVE THOMAS:** We have sidetracked a bit.

**Hon Alannah MacTiernan:** No, that is —

**Hon Dr STEVE THOMAS:** No; we have sidetracked a bit. If we are simply a house of review, we do not need an elected body if we are simply reviewing legislation. Surely the mere fact that there is an election as a part of the process suggests that we are representatives as well as reviewers.

**Hon Alannah MacTiernan:** Exactly; I am not denying that. But you are elected on a different basis because you’ve got a different purpose and it gives an opportunity for a greater array of voices to be heard.

**Hon Dr STEVE THOMAS:** Yes; we are elected on a different basis. I absolutely agree with that. It is even in the second reading speech, and it was not a terrible second reading speech. The parliamentary secretary read this part out —

It is important to understand the role of the Legislative Council. The primary role of the Legislative Council is to be a house of review. It is not the role of the Legislative Council to mirror the Assembly in terms of its form and function.

It is a house of review, but that is far from its only role and if it were its only role and it had a very small representative role, why would we elect people? The point is that the Legislative Council is also supposed to be representative.

**Hon Alannah MacTiernan:** Well, we agree with that. We are not arguing that.

**Hon Dr STEVE THOMAS:** Yes, but we disagree on the definition of “representative”. It is interesting that the Labor Party has complete anathema towards geographical representation but complete embracement of other forms of representation—funnily enough, I suspect, forms of representation that would benefit the Labor Party. Self-interest is always the greatest interest and that is fine, but we should at least be having an honest debate about it because to suggest anything else is an absolute nonsense. As acknowledged by the Labor Party, including the minister, the Labor Party has for 127-something years been violently opposed to geographical representation as a priority imposed to other things.

**Hon Alannah MacTiernan:** No. We have been opposed to inequality. That is all I said.

**Hon Dr STEVE THOMAS:** We will get to that in a little bit, too, minister—inequality.

It is a suggestion of the minister that all regions in terms of health measures, or let us call it disadvantage, are equal. If you are opposed to inequality, surely that would be an anathema.

**Hon Alannah MacTiernan:** Member, my point was saying if you took your view to its logical conclusion, you would be giving a person in Lockridge or Armadale 10 times the vote of a person in Peppermint Grove or Cottesloe. So what you are talking about is disadvantage, then if you want to start allocating votes on the basis of disadvantage, you can't just pick the one point that suits you.

**Hon Dr STEVE THOMAS:** Why not? The minister is picking the one point that suits her.

**Hon Alannah MacTiernan:** There are many other parameters of disadvantage. Should Aboriginal people have more votes than non-Aboriginal people because they are more disadvantaged? You get into this game and there is no end to it.

**Hon Dr STEVE THOMAS:** Here is a bit. As put forward by Hon Neil Thomson, where do we see the greatest level of disadvantage amongst Aboriginal people? I am glad the minister has raised this. I have a feeling that Hon Neil Thomson raised it in his contribution to the second reading debate. Guess what? It is not in the Perth metropolitan area. I am not suggesting that there is no disadvantage here.

**Hon Alannah MacTiernan** interjected.

**Hon Dr STEVE THOMAS:** I have not said that there is no disadvantage. I said: where is the majority of disadvantage? If the government was focused on disadvantage, irrespective of ethnicity, it would apply anyway. Across the board, the level of disadvantage is much higher in regional areas, so if the government was so focused on disadvantage and was opposed to giving people in regional areas a hard time, we would have a completely different outcome. Here is a critical point that the Labor Party misses frequently. Again, we have to remember that this is a party political position; it will advantage a political party. If the argument is that regional areas do not need additional representation, surely over the years we would have seen regional areas receive significant advantage because they have a higher proportional representation of Legislative Council members than other areas. Because the Labor Party is so violently opposed to having a geographical spread of representation rather than a numerical spread, surely the current system has created massive advantage for those vast areas that have small populations because those votes are worth more. Is that what we find, honourable members? How many honourable members really think that regional areas have had it easy by comparison?

**Hon Alannah MacTiernan:** You're really messing up this argument.

**Hon Dr STEVE THOMAS:** No, I am not messing it up at all.

**Hon Alannah MacTiernan:** We accept that all people are equal. That is the basic democratic proposition—that all people are equal. You're saying, "But if you live in a regional area, you've got disadvantage." Our argument is that there are all sorts of disadvantage and we're not going in to unpick those and try to do that weighting. We're saying that everyone's vote is equal. Although there are disadvantages, there are disadvantages on so many different fronts: racial, gender, class, income. So the poorer you are, the more votes you should get?

**Hon Dr STEVE THOMAS:** I have heard this furphy forever. It is the argument that says that there is disadvantage everywhere, so that justifies what we are doing. Funnily enough, disadvantage does have a geographical spread. If disadvantage were uniformly spread over the entire state, we would have some semblance of an argument—the philosophical position might have a fraction of credibility. But it is a nonsense, because there is a geographical spread of disadvantage across the state, and that means two things. I am happy to share this map of the geographical spread of disadvantage. Members might be interested in this. I have one of the entire country and I have one of the entire state. Perhaps it is not the easiest of documents to read. There are a couple of ways disadvantage can be measured. The Australian Bureau of Statistics keeps records of disadvantage. It is an excellent service. I will seek to table this document in a bit. On this map of the state of Western Australia, the lighter the colour, the less the disadvantage and the darker red the colour, the greater the disadvantage. I also have a map of the metropolitan area just for comparison. Hon Neil Thomson probably has this up on his wall at home and in his office.

**Hon Matthew Swinbourn:** What was the source, member?

**Hon Dr STEVE THOMAS:** It is the Australian Bureau of Statistics. It is not always perfect, any more than any other government department, but it is not bad.

**Hon Matthew Swinbourn:** Did you use the Parliamentary Library's access to the social and economic disadvantage tool that's on there to look at that?

**Hon Dr STEVE THOMAS:** It is connected, so it is part of the same website.

There is a geographical spread to disadvantage. What does that mean? It means that having a numerically disproportionate number of representatives in the Legislative Council has not improved the life and welfare of the people beyond that of those in the far more numerical areas of the metropolitan area. This is the problem. It does not matter where the representatives are.

**Hon Alannah MacTiernan:** But you've just said that it didn't improve it.

**Hon Dr STEVE THOMAS:** That is right; it has not improved it.

**Hon Alannah MacTiernan:** So why shouldn't we try another system, then?

**Hon Dr STEVE THOMAS:** Because it is still terrible. The disadvantage is still far worse in regional and remote Western Australia. It is not impacted by the representation. The number of votes per elected member is not the determining factor in disadvantage. It is not the case that, because they have had an advantage electorally over many years in regional Western Australia, they receive better services.

**Hon Alannah MacTiernan:** We didn't argue that.

**Hon Dr STEVE THOMAS:** The minister is absolutely arguing that. She is arguing that it does not matter, but it does matter.

**Hon Alannah MacTiernan:** No; you're arguing that you've had this system and it hasn't worked.

**Hon Dr STEVE THOMAS:** The minister is arguing that it does not matter. By the way, as a number of members have pointed out, it is a system that we inherited from the previous Labor government.

**Hon Peter Collier:** Of which the minister was a member.

**Hon Dr STEVE THOMAS:** I was just about to come to that, Hon Peter Collier. Both the Minister for Regional Development and I were in the other place—the place that shall not be named—in 2005 when this legislation came through in the equivalent form for the Legislative Assembly. The member talked about those who voted. I voted on numerous occasions. Hon Peter Collier was here and I think Hon Donna Faragher was around at that time as well. I was there in 2005 when the Labor Party took eight seats out of regional Western Australia and moved them into the city. Gee, that has had a big impact on regional disadvantage, hasn't it? That has really helped! What difference did that make? Has it improved the situation? No, it did not make any difference in the slightest.

The Labor Party thought that it would win more seats on the basis of that process. It was adamant that this would be to its political advantage. The argument might come back that it was not to its political advantage because it lost the next election, but it lost the next election because the then Premier, Alan Carpenter, panicked and called an election at least six months early and the people of Western Australia reacted to that. It was a September election instead of a February or March election. He panicked because the Liberal Party, which had struggled with some internal turmoil—funnily enough, I have been around for plenty of it and I am still here; we still survive—changed leadership. The day after the leadership changed, Alan Carpenter called an election and people panicked. Instead of the Liberal and National Parties being annihilated, the people said, “Hang on a minute; we don't like this.” It was a bold plan for the Labor Party to decimate the conservatives, again based purely on party politics. The Minister for Regional Development happily participated in removing the eight seats from the regions and moving them into the metropolitan area. Sadly, for me, my seat was one of them, so I have a fair bit of history here and a fair bit of knowledge. Unfortunately, we do not have unlimited speaking times anymore, because I could go into a fair bit of detail about that process, but let us not tempt fate.

**Hon Alannah MacTiernan:** You were beaten by a country Labor member.

**Hon Dr STEVE THOMAS:** It is interesting; my seat disappeared. I was going to bring this up privately, but I will do it now. We were talking to the parliamentary secretary about—I was not; somebody was making a speech—the absolute impartiality of the Electoral Commission. That was in earlier debate, parliamentary secretary. I do not remember his exact words, but I can look at *Hansard*.

**Hon Matthew Swinbourn:** I said it was an independent statutory body.

**Hon Dr STEVE THOMAS:** Yes, it is an independent statutory body.

It was interesting in the 2008 election following the 2005 lower house one vote, one value changes. When my seat of Capel disappeared it was merged into three different seats. It went partly to Vasse, Bunbury and Collie–Preston. At that point, the Liberal Party held Vasse and Bunbury, so there was, effectively, one seat less for me. The interesting part of that was that the seat of Collie and the seat of Capel merged and they called it Collie–Preston. Federally, there has always been a long-term practice that when two seats are merged, the new seat takes the names of the two seats or it is given an independent name. By calling the seat Collie–Preston, the Labor Party was able to run the line that the people of Collie had retained their seat. By removing Capel, they managed to give an electoral advantage to the Labor Party and an electoral disadvantage to the Liberal Party.

**Hon Dr Sally Talbot** interjected.

**Hon Dr STEVE THOMAS:** The Electoral Commission did. I wrote in protest, but the protest was ignored. Whether it was deliberate or accidental, the naming of that seat gave an electoral advantage to the Labor Party, which I thought was either accidentally or deliberately corrupt. I made a complaint.

**Hon Alannah MacTiernan:** Don't you think that Mick Murray was a stronger candidate because he went on to win many times.

**Hon Dr STEVE THOMAS:** If the name of the seat was determined on the basis of who the member was, it was absolutely corrupt. I thank you for raising that, minister. That is what she just said. I am talking about the name of the seat.

**Hon Alannah MacTiernan:** You may have lost the election, not because of the name of the seat but because he was a stronger candidate.

**Hon Dr STEVE THOMAS:** We were discussing the name of the seat. It gave a definitive view.

It is not the case that the Electoral Commission always gets it right. As I say, in this case, in my view, it was either accidentally or deliberately bordering on corruption. I do not know the outcome of that. We can only take it so many places. It is absolutely the case that eight seats moved from the country to the city. It is interesting that the Labor Party at the time was very keen to protect the north west. The north west got a special deal because I think at that time the Labor Party held four of the five seats in the Mining and Pastoral Region. The only one it did not hold was Kalgoorlie, where Matt Birney held the seat. I think that at that point the Labor Party was universally across the board. If there was ever an example of the Labor Party being willing to use electoral reform to its party political advantage, it was the way it operated in the lower house in 2005 to give a special deal to the areas in which it held seats.

**Hon Alannah MacTiernan:** We were trying to negotiate an outcome because we did not have control of the upper house. This was a negotiated outcome.

**Hon Dr STEVE THOMAS:** We will get to the negotiation and the outcome. I am talking about the lower house at this point.

**Hon Alannah MacTiernan:** I know. You know the legislation had to go through here. In order to get Liberal support, then the Greens —

**Hon Dr STEVE THOMAS:** The Labor Party did not get everything it wanted but it got plenty; it got enough.

**Hon Alannah MacTiernan:** We got progress.

**Hon Dr STEVE THOMAS:** The member's party shifted eight seats from the country into the city. Under the current proposal, if we look at the sheer numbers, we have to assume that eight to nine seats would be shifted.

**Hon Alannah MacTiernan:** If you thought it was wrong, why didn't you change it back?

**Hon Dr STEVE THOMAS:** I was not here to change it back. We will see how we go.

**Hon Alannah MacTiernan:** Hon Donna Faragher was here; Hon Peter Collier was here. They could have changed it back if they thought it was wrong, because they had control of the upper house.

**Hon Dr STEVE THOMAS:** We should go back to where it was.

**The ACTING PRESIDENT (Hon Jackie Jarvis):** Members! Order! Leader of the Opposition, I note that you have been responding and accepting interjections, but I will call a halt to interjections if you wish to proceed with your speech.

**Hon Dr STEVE THOMAS:** Thank you, Acting President. To the best of my ability, I will attempt not to respond. I get a bit het up on occasions, particularly defending the welfare of regional Western Australia but not just that, a few other places as well. In the lower house reforms, the first step of 120 years of Labor Party ideology came through and shifted eight lower house seats into the country. Labor Party ideology coming through —

**Hon Alannah MacTiernan:** Democracy is an ideology!

**Hon Dr STEVE THOMAS:** We are now moving to step two of the Labor Party ideological platform and trying to do the same thing. If we look at the sheer numbers again—because it is pretty simple; it is numerical—we have to assume that the bill will shift eight or nine seats from regional parts of Western Australia to the city. It is interesting because there have been a few comparisons with the Senate. A few people have described this as a state Senate. I do not need to go into detail because most of it has been said. The United States Senate has two senators for every state. California with 100 million people —

**Hon Peter Collier:** Forty million.

**Hon Dr STEVE THOMAS:** — forty million or whatever it is and states with a few hundred thousand have the same number of senators. In Australia, Tasmania has the same number of senators as Western Australia. If that were not the case and it was numerical, if we had numerically equivalent senates, I wonder what the GST system might have looked like. That might be an interesting question to ask. What is the agenda for a statewide senator to get to as many people as possible? Where are all the people? There are 75 per cent in metropolitan Perth. What do we have at the moment? I think there are 12 senators for Western Australia. How many have an office outside Perth? I think it is one.

**Hon Alannah MacTiernan:** Who is that?

**Hon Dr STEVE THOMAS:** Labor Senator Patrick Dodson, is it? Is his office in Broome? The minister might know. I think he is the only one. Well done to him; he is a Labor senator.

[Interruption.]

**Hon Dr STEVE THOMAS:** That is a bottle of wine is it not, Acting President? I have never heard the rules—whether it is a bottle of wine for the chamber or one each. Anyway, we will come to that in a bit.

**Hon Dan Caddy** interjected.

**Hon Darren West:** The finest.

**Hon Dr STEVE THOMAS:** That must be a very good drop then. I am in danger here; I might get sat down if I make negative comment about the wine so I must be careful.

Senators are out there where the representation —

**Hon Alannah MacTiernan:** You'd be loyal to your region, wouldn't you?

**Hon Dr STEVE THOMAS:** I have plenty of wines from the south west, do not worry. I do not know that my cellar would be as big as yours, minister, but it is reasonable. Yours might be better. I am sure the Acting President's is a very good one as well.

Where are the senators? They are where the people are, but where are the people? They are in metropolitan Perth. What happens when a Senate-style system is instigated in a state Senate? The representatives are concentrated where the people are and that is in metropolitan Perth. That would be fine if we were uniform in our disadvantage, if we were uniform in our service and if we were uniform in our infrastructure. If we were uniform in all those things, it would not matter, would it? What are we here for, if we are not here to serve the people of Western Australia? I think that is the bit that has been missing both from the speech written for the parliamentary secretary—that is not his fault; I am sure he will do better in his reply than in the one he had to read in—and the speech from the minister —

**Hon Alannah MacTiernan** interjected.

**Hon Dr STEVE THOMAS:** Sorry; you do not think so; you think it will be worse?

**Hon Alannah MacTiernan:** You understand—you can't be that unaware—that the second reading speech has to be a formal document that records the views of the minister responsible for the legislation.

**Hon Dr STEVE THOMAS:** That is fine. If that is the excuse for why it was so bad, that is fine, I do not mind.

What is missing from all those things is the reason we are here, which, in theory, is to improve the welfare of the people of Western Australia. It is in the prayer we hear every morning, "... for the benefit and the welfare of the people of Western Australia". That is theoretically in my view why we are here.

**Hon Alannah MacTiernan:** It is.

**Hon Dr STEVE THOMAS:** That is why we are supposed to be here. It is very hard for people to be on the receiving end of that and have their welfare looked after if they have very limited or no access to any of the representatives, and that is the crux of the problem.

**Hon Alannah MacTiernan:** Do most of your constituents contact you digitally rather than in person?

**Hon Dr STEVE THOMAS:** No.

**Hon Alannah MacTiernan:** Most of the people you see, you see in person?

**Hon Dr STEVE THOMAS:** If we take out all the mass digital responses to everything, the repeats of "Put your name in here to get onto a website", most of my time is spent out and about interacting with people. Most years I do about 90 000 kilometres a year. Hon Kyle McGinn might do more than that. I am sure that is probably just a warm-up for Hon Neil Thomson. It is funny that in 2019–20, particularly in 2020, I dropped down to 70 000 kilometres due to COVID-19 restrictions. I keep a record of it. I have a rolling logbook just in case I am audited by the Australian Taxation Office, which would not be the first time. I get out and about and I interact with people. I go to meetings and I discuss things with people. Sometimes I just walk down the street and chat to people. I know that is old-fashioned politics, but, in my view, that is the way it is supposed to work. Right now the advantage I have is that I have to do that from Mandurah to Albany, as does the Minister for Regional Development, in theory, and a few other members who are lucky enough to be members for the South West Region. Members such as Hon Sophia Moermond get out and about. I was in Mandurah last weekend and I will be in Albany next week. That is what we do; we get out and interact. Under a statewide model, what am I supposed to do? I am supposed to look after the area from Esperance to Kununurra. What is north of Kununurra?

**Hon Neil Thomson:** Not much.

**Hon Dr STEVE THOMAS:** Not much—the ocean.

**Hon Alannah MacTiernan:** Wyndham.



**Hon Dr STEVE THOMAS:** Sorry, Wyndham. I know that. Is every member supposed to be out there looking after that entire group of people? Is every member then going to cover the entire state?

**Hon Darren West:** That is what the senators do.

**Hon Dr STEVE THOMAS:** Do they really? That raises a very good question: how many people throughout the region interact with a senator?

**Hon Dan Caddy:** There is one senator who spends a lot of her time in the regions.

**Hon Dr STEVE THOMAS:** Okay. That will be interesting to see because that is what we will be doing now. I will be interested to see how we resource that. I hope that going forward the government plans to resource every Legislative Council member's office to the extent that a senator is, because if our job is to cover the entire state—that is the premise of the government—surely we are expected to cover the entire state. Members cannot look after one region; they have to look after the entire state. It will be very interesting to see whether that happens because I suspect that we will find that members of one of the larger parties might end up divvying up the area, which will not be in the spirit of the law but a practical outcome. Members should remember that this is a party political process, not an electoral one. If the party is big enough to be able to divvy up these areas, it might have an advantage over everybody else. That is what this is about; it is about advantage. In my view, even then, members will struggle to provide the level of service that those communities and the people of Western Australia expect because it is about service, services and infrastructure.

For those who think the current model gives an incredible advantage to regional Western Australia, do they really think that the health services provided in regional Western Australia are as good as those in the metropolitan area? Do they really think that regional Western Australians have the same educational opportunities—they are not always bad—in their region because they have additional MLCs who they can elect and go to? Are the roads in regional Western Australia as good as, or better than, the roads in the metropolitan region because they get to elect a few extra MLCs? Do members really think there is an advantage to regional Western Australia by having a few extra MLCs? It is rubbish. We are always playing catch-up. One of the advantages of having additional MLCs is that it is easier to get that disadvantage recognised. I think that was the major point of Hon Neil Thomson. It is easier to get that disadvantage recognised if people are able to get to their member of Parliament. That is where the greater part of this bill falls down, because it is not about the people. It is not about the welfare of the people; it is about the welfare of the Labor Party's political machine and its members. If it wants to know how well it is doing, it probably should just go and ask the left how it is going. It is not about the welfare of the people of Western Australia.

This might come as a surprise to a number of members present. Regional people in particular like to be able to eyeball their member and turn up. I hope that some of the members opposite recognise this and are happy to accept that and go forward with it. People want to be able to see their member occasionally in their street.

**Hon Alannah MacTiernan:** You had so many country members who had their office in West Perth. It seems a bit disingenuous.

**Hon Dr STEVE THOMAS:** We are back in history, Acting President. My office has shifted from Bunbury to Margaret River as a good, friendly gesture to allow Hon Jackie Jarvis an office close to her home and then my office ended up close to home. We are both members in the region. It worked for everybody.

**Hon Darren West:** You're a good bloke.

**Hon Dr STEVE THOMAS:** I am a good bloke; that is right. I am here to help.

**Hon Alannah MacTiernan:** I don't think she liked your carpet, though!

**Hon Dr STEVE THOMAS:** If it helps Hon Jackie Jarvis any, the office I inherited was not a lot better than the office I left, to be honest. Hon Steve Martin has been waiting for months to get an office back in the region. Former members of the Liberal Party in regional areas have had their offices in Perth, but none of the current members does. If they do, they are trying to shift it back out. I think the minister's argument is spurious. The Labor Party likes to drag out this history, but it is a nonsense from where we sit today—an absolute nonsense.

Country people like to eyeball their members. They like to think we have some understanding of the people and the communities. There was a speech from one of the Labor members the other day. It might have been Hon Shelley Payne. Was she talking about Varley? That is a town I have gone through as well, not infrequently. Not that there is much of a main street in Varley—it is not very big—but I occasionally stop there.

**Hon Alannah MacTiernan:** Where are you talking about?

**Hon Shelley Payne:** Varley—one of the towns.

**Hon Dr STEVE THOMAS:** They will draw the minister a map a bit later. There is not very much there.

**Hon Shelley Payne:** There is a COVID clinic.

**Hon Dr STEVE THOMAS:** Yes, it is an interesting spot. But people in places like that, all across regional Western Australia, like to see their members turn up and engage with them and occasionally know something about their towns. That will just get harder. Whether members opposite think they have been doing a good job as a regional member of the Labor Party and going to these places, which is great —

**Hon Darren West:** I have been.

**Hon Dr STEVE THOMAS:** Yes, I am sure members do go there, but they are about to vote in a bill that will make that 10 times harder because in the case of Hon Darren West, he will not represent just the Agricultural Region, but also the South West Region and the Mining and Pastoral Region, and he will not get to all those places.

**Hon Darren West:** See you there.

**Hon Dr STEVE THOMAS:** No, I have done a reasonable amount of Western Australia, but there is no way I have been everywhere—and I am not going to sing the song! There are lots of places I have not been to and I have been trying to do this for a fair while. It is hard work to get everywhere. I have been to Kununurra, Derby, Broome and Esperance plenty—all those places—but there are lots of places I have not been to and lots of places I still want to get to that I have not visited. Regional members in particular, but also metropolitan members, are about to vote in this bill and they will no longer represent those small geographical areas of north, south and east metropolitan. They will suddenly be responsible for the entire state. They might argue that we will divide the area and leave Hon Darren West the midwest region and the great southern and south west to other members.

**Hon Darren West:** If you get invited to the midwest, I can go on your behalf.

**Hon Dr STEVE THOMAS:** Oh, okay. I have been up there a reasonable number of times. I do not know that I would send Hon Darren West.

Members opposite are about to vote in a bill that will make it 10 times harder. They are about to disenfranchise the very people they represent at this point. They are about to make their lives more difficult, not less difficult. My frustration is that this is a bill that will disenfranchise regional people. The Labor Party has a history on this. It saddens me to see what it has done to the royalties for regions budget, for example—the budget that was specifically aimed at regional enfranchisement. Whether we call it substitution or transubsidisation, it does not really matter. It is the shifting of funds into the budget so that the government can quietly flip them back to Perth. Interestingly, there was a bit less this year because the government wanted to fund a few more 2021 Labor election commitments. However, that fund is a plaything rather than being what it was designed for, which is the empowerment and enfranchisement of regional areas. The Labor Party of Western Australia has form in that regard. It is interested in disenfranchising regional Western Australia. It is interested in taking away that regional voice.

**Hon Alannah MacTiernan:** Why do you think we had such strong support in regional areas?

**Hon Dr STEVE THOMAS:** Oh, my goodness. The member is going to claim a mandate for this. The government has no mandate for this.

**Hon Alannah MacTiernan:** No, I am saying that if people thought we were taking resources away from the regions, why did they —

**Hon Dr STEVE THOMAS:** The government denied it seven times: “No, it’s not on our agenda.”

**The ACTING PRESIDENT (Hon Jackie Jarvis):** Members! The Leader of the Opposition has the call.

**Hon Dr STEVE THOMAS:** Thank you, Acting President.

There is no mandate for this. It was denied seven times during the COVID election. It was not going to happen, but suddenly there it was. I get it; there is an opportunity to fulfil the 120-year ideological dream of the Labor Party, run by the unions, the left, the United Workers Union and the Australian Manufacturing Workers’ Union. The ideological dream is within grasp. Members opposite can smell it. They can nearly touch it. It is nearly here. It is just over the next step, and they are about to deliver it. They are about to bite into that sweet taste of victory, and I understand that. But when they do it, they will be spitting in the face of regional Western Australia. They will be stripping it of its representation, and that representation is critical to its welfare. It is not the case that regional Western Australia currently has some form of advantage. The greatest shame of this bill is that it is not actually about the people of Western Australia. It is not about their welfare, saving the children, protecting the police, finding homes, looking after hospitals, services or facilities. All of that in regional Western Australia is going to get worse over time after this bill is passed. All of that will deteriorate. What is this bill about? It is about the political fortunes of the Australian Labor Party and the political masters and factions that control it, and it will be a sad day for this Parliament when the bill inevitably passes.

**HON DR BRAD PETTITT (South Metropolitan) [3.52 pm]:** I rise in support of the Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021. The Greens have long supported the principle of one vote, one value and the abolition of the undemocratic group ticket voting process. I will start with a quote from electoral analyst Antony Green, who has been well quoted in the chamber today. We agree with him when he says —

The malapportionment that applied to lower house boundaries was abolished with the introduction of one-vote one-value electoral boundaries at the 2008 election.

But malapportionment remains for the Legislative Council, and was in fact made worse by changes to region representation in 2008.

There is no doubt that the legislation before us will, in my view, correct a system that has not been fair for some time, in terms of weighting. It is said that weighting of the Mining and Pastoral Region compared with metropolitan regions is six to one, but it is probably closer to seven to one when voter turnout is considered. That is an extraordinary weighting. We think the principle of one vote, one value is important, and we also support the principle of proportional representation.

The Greens' submission to the Ministerial Expert Committee on Electoral Reform looked at two models: the first model proposed four regions with nine members in each region—three metropolitan regions and one large rural region combining the current regions of Mining and Pastoral, Agricultural and South West. Ultimately, however, the preferred model was very similar to the one the committee came up with, the difference being that we proposed 36 members elected every four years, and the committee came up with 37 members, which I actually think is quite rational and supportable. But certainly, the idea of one statewide region is one that we are very supportive of.

The second issue in this legislation is the group ticket voting system. I was especially keen to see this changed. There has been a lot of discussion around my parliamentary colleague Hon Wilson Tucker's 98 primary votes, or 0.2 per cent, on which he was elected, and the extreme gaming of that system. I think we are very fortunate to have got someone of his quality in this place; I think we all agree that he is a high-quality representative, but we may not be that lucky next time. The system currently can be gamed to the extent that someone can be elected on so few votes. To me the process felt increasingly like a lottery, and parliamentary voting systems should not feel like a lottery. It should feel more like people's votes are being clearly represented, but for those of us who were elected according to our regions, it literally felt like a lottery, and that we were waiting for the Electoral Commission to press the button to see who got elected. I feel very fortunate that I was elected, but of course many of my colleagues were not. However, our support for this legislation is not simply because we will likely see more Greens in this place after the next election; it is just a fairer, better and more principled way forward.

In summary, the Greens position is that we recommend the 37-member model for the Legislative Council, ensuring the ideal of one vote, one value, and we support the abolishment of group ticket voting, removing the gaming of our electoral processes. Thank you.

**HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary)** [3.57 pm] — in reply: I acknowledge all members who have made contributions to the second reading debate on the Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021, which I will refer to as simply the electoral equality bill from this point forward. This is obviously an issue of great importance for this chamber and all members, as was evidenced by the passionate debate we have had over the past week. I appreciate the genuine and deeply held views on this issue, particularly from regional members. For the government's part, the principle upholding this legislation is a similarly deeply held and genuine commitment to equality.

Much of my speech will focus on the whole-of-state electorate rather than the other key plank of this reform, the abolition of group ticket voting. That is because most of the chamber was in agreement that group ticket voting has had its day in WA, and that it is appropriate to call time on it. I appreciate the remarks made by Hon Tjorn Sibma, who said that the abolition of group voting tickets would go a substantial way towards putting profit-seeking preference whisperers out of business.

I think Hon Wilson Tucker surprised and impressed many of us by signalling his support for changes to group voting tickets. It speaks volumes about his character that he recognised the overarching public interest in overhauling that aspect of our voting system, despite group voting tickets being responsible for his election. I think most of us appreciate that Hon Wilson Tucker makes a valuable contribution to this chamber, notwithstanding the circumstances of his election. Hon Wilson Tucker, for whatever it is worth, it is not a personal attack against you; rather, it is about the structural circumstances that led to your election. I would like to think that I speak for all members when I say that.

I turn to a key theme of many of the second reading contributions; that is, the concept of voting equality versus equity. It is nice to hear the conservative parties talking so passionately about equity for a change; it is not typically part of their language. It would certainly be nice to see them advocating for equity in many other areas of policy and across the Western Australian community. Voting equality is a well-established principle in electoral systems. It is not new or radical in any sense. The government's second reading speech referred to the International Covenant on Civil and Political Rights, which, under article 25, holds that every citizen has the right to vote and that that vote shall be of equal value. Australia became a signatory to the covenant in 1980. I was only five years old in 1980, but I recall that that was the term of the Liberal and National government—maybe it was the Country Party back in those days. Malcolm Fraser was the Prime Minister and Doug Anthony was the Deputy Prime Minister. The Minister for Regional Development will correct me if I am wrong.

Federally, the Liberal and National Parties have made a commitment to those concepts of an equal value. I wish it was reflected in the state parties but, lamentably, it is not. I suspect that every member here knows in their heart of hearts that if one was going to fairly start an electoral system from scratch today, it would be from the operating presumption that everyone's vote is equal. It would be very hard to make the argument in this day and age that someone's vote should be worth more based on a particular set of circumstances. I suspect that if someone tried to implement regional vote weighting as a founding principle of a brand new electoral system, they would have to not only make the argument that regional or remote residential status is worthy of extra franchise, but that other forms of disadvantage are not. Remember, when members opposite make a choice, they pick one to the exclusion of all others. There would also need to be some logical consistency in the model that was proposed so that it does not produce the extreme anomalous results that occur under the current system. I invite members to think about how they would react if representatives from a disadvantaged group approached them and asked for extra voting rights on the basis that disadvantaged members of the Western Australian community deserve enhanced treatment in the eyes of this Parliament. Indigenous people; people with disabilities; people who are culturally and linguistically diverse, those with English as a second language; the mentally ill and veterans of armed conflicts are disadvantaged. We would have to look them in the eye and say, "No. Only regional and remote Western Australians deserve extra voting rights. You do not." I challenge any member to say that to someone who goes to them with that proposition: "You are a person of disadvantage but you do not deserve as much say as someone who lives remotely, regionally or outside the metropolitan region scheme."

Members might be pressed to explain the criteria upon which enhanced voting rights are applied. Is the distance from the Perth metropolitan area the relevant metric? No, it is not. Collie is twice the distance from Perth than York, but York, which is in the Agricultural Region, currently gets 2.3 times the voting value of Collie, which is in the South West Region. Mt Barker is significantly further away from Perth than Narrogin, yet Narrogin voters have enhanced voting rights compared with Mt Barker. Members opposite did not talk about those inconsistencies in any way, shape or form. Wundowie and Woorloo are practically next to each other—they are about eight or nine kilometres apart—but a vote in Wundowie is worth four times the vote of one in Woorloo. Honourable members opposite did not address those anomalous and ridiculous extremes. If distance is not the relevant metric to attract an enhanced vote, is it, perhaps, isolation and connectedness? No, it cannot be that either, because Esperance is further away from Perth than Kalgoorlie—Kalgoorlie has daily flights and trains connecting it to the metropolitan area—yet Kalgoorlie, in the Mining and Pastoral Region, has one and a half times the vote of Esperance residents in the Agricultural Region. We could pick any metric. We have heard about a variety of metrics during the course of the debate across both houses—the quality of roads, water, mobile phone and internet services, hospitals, schools and even the quality of the milk! In every instance we would be able to find examples of areas that fare better than others, yet despite those advantages they enjoy enhanced voting rights compared with the towns that fare worse.

I take us to the point that was raised by Hon Dr Steve Thomas and the map of disadvantage that he talked about but did not table. The Australian Bureau of Statistics publishes its Index of Relative Socio-economic Disadvantage after each census. Members may be interested to know that in the last index, the districts of Thornlie, Rockingham, Armadale and Mirrabooka featured in the bottom 10 districts of the state. Four of the 10 districts that are most disadvantaged are within the metropolitan area. The Premier's electorate of Rockingham rated beneath the Leader of the Opposition's electorate of Central Wheatbelt for socio-economic disadvantage. That is what members opposite are arguing for. Disadvantage is faced across WA; it is not just a regional problem. Members opposite refuse to accept that. They think that once they cross the metropolitan region scheme, they enter nirvana. This is why we say the philosophical argument put by the opposition, which I have loosely described as equality versus equity, does not stand up to serious scrutiny. It is beyond question that malapportionment that currently exists will get worse over time.

Several members interjected.

**Hon MATTHEW SWINBOURN:** Acting President, I am not taking interjections. I make that clear from the outset.

As Antony Green put it in his interview with ABC *Mornings* the day after the Ministerial Expert Committee on Electoral Reform released its report, "The problem is if you depart from one vote, one value, what is the correct weighting? Is it one to three, one to four, one to six—which is the different weightings the regions have—and those weightings keep getting bigger over time?" Those opposite would have the public believe that this reform will pit metropolitan Perth against regional WA, but the reality is that the current system already pits country region against country region; another point not acknowledged at any stage in the contributions of members opposite. There is no equity in the current system; we accept that and that is why we say that the only way to ensure fairness across Western Australia is to implement equality of votes.

Another central tenor of the argument against the bill is that regional communities need to be represented by a Legislative Councillor who lives in the regions because only a regionally based representative can understand the concerns of the regions. Under the current system, there is no requirement that a member who is elected to represent a particular region must live in that region. I am not being critical of members in this place who do not live in their electorate; I am simply making this point. The argument has been made by a lot of members that the current system

ensures that regional people are not represented by Legislative Councillors who live and work in the metropolitan area, but that is not true. Currently, there is nothing preventing regional members from having their offices in West Perth, and I make no value judgement about that. I believe these members made a genuine decision that they could best represent the people who elected them by having their electorate office close to Parliament. That is their valid choice and that will not change. Under the current system, members are able to put their electorate office—so long as they negotiate with the Department of the Premier and Cabinet—wherever they choose. Under the new system, members will still be able to have it where they choose. It is not mandated by electoral laws that Legislative Council members' offices must be in their region, and we are not proposing that.

Many members opposite have accused us of not understanding the regions. Labor is charged by some members as being city-centric. Hon Donna Faragher claimed that the regions are an inconvenience for Labor. I make the point that the last four Labor Premiers have come from regional or rural areas. Carmen Lawrence came from Northam; Geoff Gallop came from Geraldton.

**Hon Donna Faragher** interjected.

**The ACTING PRESIDENT (Hon Jackie Jarvis):** The member indicated that he is not taking interjections. Please continue.

**Hon MATTHEW SWINBOURN:** Thank you, Acting President.

Alan Carpenter came from Albany and the current Premier was born and raised in country New South Wales. We can contrast that—remember the allegation against us is that we do not understand the regions—with where the last three longest serving Liberal Party Premiers came from. Hon Colin Barnett, Hon Charles Court and Hon Richard Court all came from the golden triangle, around Nedlands and Claremont. They did not have to travel far. What was it? They had to travel two or three kilometres over the hill to get to Parliament, yet members opposite say that our party does not have connections to the regions. This government well understands the regions. This Labor Party understands the regions. It was established from the regions. This government has more regional members than any government in Western Australia's history, and it is a fallacy to suggest that these members do not understand these areas.

Some members raised the issue of a referendum and taking it to the people. This was dealt with by the Minister for Electoral Affairs in the Legislative Assembly. He rightly pointed out that the Liberal–National government set the template when introducing electoral reform legislation. In 1977, Sir Charles Court introduced the Acts Amendment (Constitution) Bill.

**Hon Tjorn Sibma:** In 1977! I was just born!

**Hon MATTHEW SWINBOURN:** The bill lapsed but was reintroduced in 1978.

Several members interjected.

**The ACTING PRESIDENT:** Order! Parliamentary secretary, please continue without interjections, thank you.

**Hon MATTHEW SWINBOURN:** Thank you, Acting President. The bill lapsed, but was reintroduced in 1978, with one amendment regarding the timing for a referendum. The amendments, which are still in place, entrenched the office of the Governor and the house of Parliament, and that members must be chosen directly by the people, that there can be no reduction in the number of members in either house, and certain other provisions in the Constitution Act 1889, including section 73 itself, the entrenching provision. A referendum is required to amend any of those entrenched provisions, including section 73 itself. That is the law as it currently stands in Western Australia. There must be a referendum to deal with any of those matters. Yes, it came from 1978, when some members of this place may not have been born, but it remains the law of the land. That is what a previous Liberal Premier put in place. He did not go to the people to check that out. That is not the only form of members opposite. Sir Charles Court basically went in and locked the door behind him. Western Australian electors were not consulted on any of these constitutional amendments and Parliament cannot change those entrenched rules introduced by the Court bill without first going to a referendum. You have form in this area. You have no legitimacy in this area. The Court government also did not hold a referendum when it introduced the Constitution Acts Amendment Bill to prevent a bill being called into question by any court by reason of noncompliance with section 46 of the Constitution Act, or on the Acts Amendment (Electoral Provinces and Districts) Bill to redistribute electoral boundaries and increase the number of members in Parliament. The Barnett government did not hold a referendum in 2011 when it introduced the Electoral and Constitution Amendment Bill to fix the date of general elections, a policy it did not take to the previous election in 2008 but rather was an outcome of a deal that was done to secure its government post-the election. It was part of the deal with the National Party. Nor did it do that in 2014 when it introduced another electoral amendment bill to change the powers of the electoral distribution commissioners and include additional matters for their consideration when fixing boundaries.

I pause to point out that in a referendum, each vote is counted equally. They are not subject to vote weighting. By invoking a referendum, members opposite are essentially embracing the concept of one vote, one value. Welcome to the party! I invite members opposite to reflect on the contradiction of cloaking themselves in one vote, one value

as a principle when it suits their argument for a referendum, yet they vote to deny electoral equality when it comes to this bill.

That was not the only confused argument that we heard in the second reading debate. We heard that the bill simultaneously is a Labor power grab and will lead to a proliferation of single issue micro-parties. Clearly, this is not a Labor power grab. Antony Green, in that same interview with ABC *Mornings* on 16 September 2021, following the release of the report of the Ministerial Expert Committee on Electoral Reform, predicted that the major parties would struggle to get control of the Legislative Council again under these reforms—a point that was made by Hon Alannah MacTiernan. Other commentators have made the same observation. Introducing a level playing field, which is what this bill will do, cannot be seen to advantage any side of politics. I was somewhat disappointed to hear Hon Wilson Tucker, as one of the chamber's newest members, pose a very cynical and jaded sounding question along the lines of: why would the government pursue one vote, one value if it does not benefit it? The answer, member, is that Labor is committed to equality. Labor was committed to the franchise of women and Aboriginal people before that was applied to this chamber. This is the next step on the path to equality. Members, including Hon Steve Martin and Hon Dr Steve Thomas, spoke about the fortunes of single issue and micro-parties under this bill. Yes, smaller parties may get elected, but it will be up to the voters on an equal playing field. With a quota of 2.63 per cent of the whole-state electorate, even a candidate on half a quota will have to garner 19 000 votes to be elected—19 000 votes. With the greatest respect, of course, to my friend Hon Wilson Tucker, this is a far cry from the Daylight Saving Party's lead candidate receiving a total of 3 400 votes to be elected to this Parliament today. That was with the 95 first preference votes for his party and the three votes for himself. This bill will well and truly achieve the government's intention of removing the possibility of members being elected to the Legislative Council on just a handful of votes.

Another contradiction embedded in the opposition's argument could be found in the approach to the ministerial expert committee process. On the one hand, members argued that it was a sham process and a waste of time, yet on the other hand they extensively quoted some submissions—of course, only those that supported their arguments—and highlighted parts of the final report. If members were reading from the submissions of people who contributed to the process, then it was certainly not a sham. That demonstrates that Western Australians were heard on this matter and had their views presented in this Parliament. This is a good thing. I accept that not everyone who submitted to the process would be happy with this outcome, but every submission was read and considered.

With respect to Hon Martin Aldridge, he misrepresented the breakdown of submissions for and against the government's model. He said he was advised in his briefing that 62 of the 184 submissions supported electoral equality and 79 did not. It is inaccurate to characterise what the advisers said in that way. The advisers made the point during the briefing that the remaining submissions were varied. The true position is that 62 submissions supported equality of votes. The remaining submissions were extremely varied in how they addressed the terms of reference. For example, only 29 specifically favoured keeping the existing system, five submissions called for the abolition of the Council, eight favoured a threshold to be returned at an election, eight favoured half terms, four favoured mixed member proportional representation similar to New Zealand, and eight submissions called for first-past-the-post voting. Of the remaining submissions that favoured a regions-based system, there was a variety of proposed models, such as four by nine or two by 18, or other adjusted weighting. It is important to note that disagreement increased over time, and there are reasonable grounds to believe that some submitters collaborated in their opposition. For example, there were 24 submissions from the Western Australian Local Government Association and local government shires. The submissions from WALGA, Great Eastern Country Zone and Regional Capitals Alliance Western Australia were virtually identical. Other shires appeared to have copied directly from the WALGA template, including the Shire of Trayning, the Kulin Shire Council, the Shire of Bruce Rock and the Shire of Mt Marshall. The Shires of Narrogin and Boyup Brook also apparently relied on a joint template. The Shire of Chapman Valley and the City of Karratha at least indicated that they had relied on the submission put forward by WALGA and did not simply copy the template and put it forward as their own work. They were perfectly entitled to do that, but there is a question about how much weight can be given individually to template submissions. Members, including Hon Tjorn Sibma and Hon Colin de Grussa, quoted Hon Andrew Murray's submission. His arguments were heard and considered.

Members asserted that there was no appetite from the public for this reform. Submissions opposing the whole-state model have been read onto the record, so it is appropriate that submissions from ordinary Western Australians supportive of one vote, one value are also put on *Hansard*. Anthony Negus, who is a country voter, submitted to the ministerial expert committee —

... the idea that in 2021 a voter in the Mining and Pastoral region in the Legislative Council of WA should have a vote worth more than six times the value of any vote cast by a citizen living in the Perth Metropolitan region is simply outrageous and scandalous. It represents a travesty of democracy and is inherently unjust.

Joe Boswell wrote —

... everyone who has a vote now will still have a vote if malapportionment is eliminated. Nobody will be disenfranchised.

Madelyn Ellison wrote —

Of course it is important for regional people to have their voices heard, but it is completely unfair that their voices should count for more than others, just because they live in a less populated area.

A south west voter said —

Each persons' vote should have equal value in determining the outcome of deliberations in the Legislative Council and malapportionment should be abolished.

There were submissions for and against one vote, one value. The point is that the arguments for and against have been weighed and considered by the ministerial expert committee and the government, and the government has made a policy decision.

A low point in the debate, I would contend, would have to be the besmirching of members of the ministerial expert committee. That was unbecoming of this chamber at times. Malcolm McCusker was an impeccable chair. He is an eminent Western Australian—the thirty-first Governor of Western Australia, appointed by Colin Barnett. The government also appointed three leading electoral constitutional academics to work with Mr McCusker to provide recommendations to government. As the government's second reading speech made clear, the government set the policy question: how to best achieve electoral equality in the Legislative Council. It then asked a panel of leading experts in electoral and constitutional law to turn their independent minds to providing the Minister for Electoral Affairs with the best way to achieve reform, drawing from their extensive knowledge in the complex fields. Professor John Phillimore is a Rhodes Scholar for Western Australia and for the past 30 years has worked as an academic or as a senior adviser to the Western Australian government. Professor Sarah Murray is an expert in constitutional law, electoral law and court innovation at the Law School of the University of Western Australia. She is a member of the Law Reform Commission of Western Australia. Associate Professor Martin Drum, known by many in Parliament, is an associate professor in politics and international relations and director of public policy at the University of Notre Dame, Fremantle. I take this moment to thank them again for their work and their contribution.

Hon Neil Thomson, I think during debate on the referral motion to committee, stooped into the gutter by saying that the academics would have a stain on their reputation by authoring this report. That was uncalled for, and I hope he takes the opportunity to reach out to those members to make it clear that he did not mean what he said; that is up to him, of course. Yes, the three professors have previously expressed support for electoral equality. This does not make them biased; it makes them inclined towards best practice in their field. It is hardly a surprise. The February 2019 letter cited by the opposition as evidence of their unsuitability was signed by not only Professors Phillimore, Drum and Murray but nine other academics, scholars and political scientists, who were moved to write calling for reform. There is no conspiracy to be had here. Electoral equality is the dominant view in this field.

The committee produced a discussion paper that was published on its website. The ministerial expert committee called for submissions, and apart from the small number who requested confidentiality, all of the other 184 submissions were published, as were the committee's terms of reference and the final report. The MEC process was transparent and fair. Members, including Hon Martin Aldridge, Hon Neil Thomson and Hon Steve Martin criticised the MEC for not going to the regions to take submissions. Hon Steve Martin went so far as to say that the committee could not find anyone from the regions "to make a reasonable contribution to the report". This completely ignores the large number of submissions to the committee emailed from all corners of Western Australia. More than 40 submissions were from the regions.

Several members argued that the ministerial expert committee process was flawed because it was "handcuffed" by its terms of reference. Yes, the terms of reference tasked the committee with recommending options for achieving electoral equality, but there was no certainty in how the committee would get there. The discussion paper published by the committee showed that the committee was exploring two main options: retention of regions, and one electorate. In its final report, the committee canvassed the regions option in considerable detail and argued why those options were challenging. That whole section of the report appears to have been overlooked. I suspect that some members actually have not read the report.

Other members in both this house and the other place argued for the retention of regions in Western Australia. The argument is basically that if we support Western Australia having an equal number of senators to the number in other states, we should be in favour of the WA regions each electing six members. We say the comparison between the Senate and the Western Australian Legislative Council regions is misleading. The Senate is known as the states' house, because it was a creation of the states. The states made it a condition of Federation that each of the colonies, which had pre-existed as a self-governing jurisdiction, should have equal numbers in the Senate. It was part of the compact that was made. It is written into the commonwealth Constitution. There is no comparison between the colonies and the Mining and Pastoral Region, the Agricultural Region or the South West Region. The regions did not pre-exist as autonomous entities that had collectively made a decision to be governed by the Legislative Council, so long as each had equal representation. The house is not a creation of the regions, like the Senate is the creation of the states. It is the other way around. The regions are a creation of this Parliament. We say that there are simply no

equivalent Federation considerations to be had that would enable the Senate argument to be properly applied to the Western Australian regions.

Interestingly, there was a divergence of views among the Liberal Party as to the acceptability of one vote, one value in the Western Australian upper house when compared with the United States context. Hon Tjorn Sibma said that if he lived in the United States, which has a more evenly distributed population, he would accept the argument of one vote, one value. However, Hon Peter Collier cited the widely different populations of the US states, with 39.5 million people in California and 579 000 people in Wyoming, each of which elects two senators, as though that was something to aspire to. I do not think many people would look to the choose your own adventure story that is the United States electoral system. I also note that most electoral officials in the US are not independent, as they are in Western Australia, and do not represent best practice.

Another familiar argument from speakers, such as Hon Tjorn Sibma and Hon Wilson Tucker, was that the government used the election of Hon Wilson Tucker as an excuse to usher in wider reforms. As the Premier has said repeatedly, no-one could have reasonably predicted that someone could be elected on fewer than 100 first preference votes. The person who orchestrated the result was quoted in *The Guardian* of 7 April 2021, just after the election, saying that the election of Hon Wilson Tucker with so few first preference votes was “his finest work yet”. Even the preference whisperer regarded that result in the Mining and Pastoral Region as something out of the box. There is no other region in which the required number of votes could be so low. The point is that the outcome was the result of the combined effect of group voting tickets and malapportionment. The two issues are intertwined because one compounds the other; we are addressing both.

I have explained during previous debates in this place that electoral reform of this nature could not have been on our agenda because the Labor Party has never before had the numbers in this chamber. The Liberal and National Parties have always had that status in government; although of course when that happens, it is called “a working majority” rather than “total control”. There was no confidence within Labor prior to the election that the election would deliver a working majority in both houses; ergo, it could not have been on our agenda at that time.

I would venture to suggest that some members got perhaps a little hysterical in their descriptions of this bill. Hon Peter Collier said that the government wanted to “napalm the Legislative Council”. During the debate on whether to send the bill to committee, Hon Martin Aldridge accused Labor of wanting to abolish regional Western Australia. I can assure members that regional Western Australia will continue to exist under this legislation. Several members, including Hon Peter Collier, accused the government of disenfranchising voters. This is simply wrong. Disenfranchisement means to deprive someone of the right to vote. The *Cambridge Dictionary* definition is a person not having the right to vote or a similar right or having that right taken away. It is simply wrong to say that this bill does anything to disenfranchise voters. It is quite the opposite; it attaches equal franchise to all voters.

Putting aside the hyperbole about this bill and its intent, let us acknowledge that there have been a variety of views expressed over a long period about what should happen with this place, and some of them have been extreme. We all know that Colin Barnett in the 1990s advocated abolishing the Legislative Council. That sentiment is alive and well in the Nationals WA today, with its leading candidate for the Mining and Pastoral Region, “Big Nick” Fardell, making the same call on ABC radio on 3 May this year. What is the Nationals WA hiding? It is well-known that Mr Barnett walked away from abolishing this chamber, but it is often overlooked that he later advocated abolishing electorate offices for Legislative Council members. I quote from ABC online of 7 June 2007 —

The former Opposition Leader, Colin Barnett, has called for a revamp of the Upper House of State Parliament. He has labelled it a “poor relation” of the Lower House.

...

Mr Barnett says its members would be more effective if they worked from Parliament and has called for their electorate offices to be scrapped.

“I don’t see a role for Upper House members in having electorate offices scattered throughout the community because the community doesn’t really identify with them,” he said.

I simply make the point that for all the opposition’s mudslinging at Labor, there have been far more extreme ideas for reform of the Legislative Council from within its side of politics that have not been pursued by this government. Conversely, a whole-of-state electorate has support within conservative ranks as well. Former Speaker Michael Sutherland made a submission to the Ministerial Expert Committee on Electoral Reform, which was published in the final report. I quote —

*There is no reason why the 6 regions should remain. Many MLCs elected for country regions have no real connection with the region they represent and have their offices in West Perth. Most electors have no idea who the MLCs for their region are let alone what work they do. The Upper House is supposed to be a house of review and members are generally not over concerned with constituents, many have minimal contact with the public.*



Although we agree that a whole-of-state electorate is the right step for the Legislative Council, Labor does not agree with the former Speaker that regional MLCs have little connection with the regions. We say members should live in and work out of the communities they feel an affinity with, and that is what this bill will allow. Members can actively campaign at an election on where they will have their electorate office should they get elected. It will be completely up to the successful candidates and their parties. This brings me to the crux of the opposition's arguments against this bill—that it somehow reduces regional representation. Labor has made it clear that our members will continue to provide regional representation, so there is no reduction there. Is the Nationals WA seriously saying that if elected, it will no longer represent the regions? Is the Liberal Party seriously saying that it will no longer have regional electorate offices among the Legislative Council members? Where is the reduction in regional representation?

Hon James Hayward raised the fact that he has taken a keen interest in Fitzroy Crossing and the issues in that community. He questions who would go to Fitzroy Crossing under a whole-of-state electorate. The member is currently a member for the South West Region and he travels to Fitzroy Crossing to represent its interests. That is a perfect demonstration that it does not matter what the footprint of his electorate is; as members of the Legislative Council, we can and do represent the interests of all Western Australians. Hon James Hayward's advocacy in the north of the state is to be commended and a single-state electorate will throw off the shackles for other members so they can develop a connection with, and advocate for, remote Western Australians.

The National Party in particular is taking a very pessimistic view of this legislation and it is the main opposition party. In the lower house, the National Party leader is the Leader of the Opposition, whose profile will be sky-high during an election, and who presumably the Liberal Party will permit to be the next Premier, if it is successful. For the first time, the National Party will be able to harness votes across the metropolitan area and pool them with those from its traditional regional base to secure multiple quotas. It could do very well out of this reform. Remember that the National Party has a history of crying wolf when it comes to electoral reform. Some said one vote, one value was its death knell in the other place during 2005. History shows that the National Party held its ground at the next election, in 2008, winning four lower house seats to take the balance of power in a minority government and implementing royalties for regions. Of course, that number rose to five seats when the member for North West Central ratted on his own party and switched sides in 2009! At the 2013 election, the Nationals won seven lower house seats—a high-water mark.

Several members interjected.

**The PRESIDENT:** Order, members! One more minute, member.

**Hon MATTHEW SWINBOURN:** It was a high-water mark that many said was impossible. This reform will open up new possibilities for all candidates and parties, and they should not be selling themselves short.

I have to pull Hon Martin Aldridge up on something he said about one of the major features of the bill: the provision for a thirty-seventh member of this chamber. He claimed that the explanatory memorandum stated that having 37 members would make it easier.

Debate interrupted, pursuant to standing orders.

[Continued on page 4997.]

## QUESTIONS WITHOUT NOTICE

### MYALUP–WELLINGTON WATER PROJECT

**871. Hon Dr STEVE THOMAS to the Minister for Regional Development:**

I refer to the federal and state funding provided in respective budgets for the Myalup–Wellington water project and the southern forests irrigation scheme.

- (1) Are both federal and state funding still in place for both of these projects?
- (2) If no to (1), what funding has been lost or redirected?
- (3) Is the Myalup–Wellington water project still proceeding or likely to proceed; and, if so, what is the current time frame for delivery?
- (4) Is the southern forest irrigation scheme still proceeding or likely to proceed; and, if so, what is the current time frame for delivery?

**Hon ALANNAH MacTIERNAN replied:**

I thank the member for the question.

- (1) Yes.
- (2) Not applicable.
- (3) Negotiations are underway on the future of this project.

- (4) The recommendations of the recent CSIRO review of water modelling are being implemented. The project proposal and business case are being revised to incorporate updated modelling. We are also looking at what alternative projects could deliver similar water security for growers.

CORONAVIRUS — SMALL BUSINESS — ELECTRICITY TARIFF CREDIT

**872. Hon Dr STEVE THOMAS to the minister representing the Minister for Finance:**

I refer to the Western Australian government's \$500 small business and charity electricity credit for small businesses not directly billed by Synergy or Horizon Power in the Perth, Peel and south west regions.

- (1) At the close of applications, how many small businesses and charities had applied for the \$500 electricity credit in —
- (a) Perth;
  - (b) Peel; and
  - (c) the south west?
- (2) As at 12 October 2021, how many small businesses and charities have been deemed eligible for the \$500 electricity credit in —
- (a) Perth;
  - (b) Peel; and
  - (c) the south west?
- (3) As at 12 October 2021, how many small businesses and charities have been deemed ineligible for the \$500 electricity credit in —
- (a) Perth;
  - (b) Peel; and
  - (c) the south west?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question.

- (1) (a)–(c) Data is not currently available for the regions specified. In total, 1 311 applications were received by 30 September 2021.
- (2) (a)–(c) Data is not currently available for the regions specified. In total, 1 090 applications were deemed eligible as at 12 October 2021.
- (3) (a)–(c) Data is not currently available for the regions specified. In total, 172 applications were deemed ineligible as at 12 October 2021.

HYDROGEN AND AMMONIA PRODUCTION FACILITY

**873. Hon COLIN de GRUSSA to the minister representing the Minister for Lands:**

I refer to question without notice 850 asked yesterday regarding Woodside's hydrogen and ammonia facility.

- (1) Were any monetary concessions or other concessions offered to Woodside other than an option to lease land?
- (2) Did the government have a preferred location for the facility; and, if yes, what was this preferred location?
- (3) Which regional sites were proposed to Woodside for the location of this facility, what is the land area of each site and what incentives were offered for those sites?
- (4) Why were those regional sites rejected by Woodside in favour of land within the boundaries of the metropolitan regional scheme?

**Hon ALANNAH MacTIERNAN replied:**

I thank the member for the question. The Minister for Lands has provided the following information.

- (1)–(2) No.
- (3) All strategic industrial areas that met Woodside's criteria were discussed as possible locations. Land areas of approximately 100 hectares were discussed. No incentives were offered.
- (4) This question needs to be answered by Woodside.

CORONAVIRUS — VACCINE COMMANDER

**874. Hon TJORN SIBMA to the Leader of the House representing the Premier:**

I refer to the appointment of the State Emergency Coordinator, Commissioner Chris Dawson, to the role of WA COVID-19 Vaccine Commander for an initial term ending on 31 December 2021, as advised in a joint media statement on 24 August.

- (1) What measurable uplift in the state's COVID-19 vaccination performance has been accomplished in the two months since the commissioner's appointment to the role?
- (2) What performance targets remain to be achieved by the Vaccine Commander in the next two months?
- (3) Is it the government's intention to extend Commissioner Dawson's Vaccine Commander role beyond 31 December?
- (4) If yes to (3), under what circumstances will his appointment be extended, and until when?

**Hon SUE ELLERY replied:**

I thank the honourable member for some notice of the question.

- (1) The Vaccine Commander has overseen the administration of over two million vaccine doses, including over one million first doses, since his appointment. On 24 August 2021, 43.8 per cent of Western Australians aged over 12 years had received one dose and 26.1 per cent had received two doses. As of 27 October 2021, 76.8 per cent had received one dose and 59.4 per cent had received two doses.
- (2) Eighty per cent vaccination by the end of 2021.
- (3)–(4) A decision on the future of the position will be made in due course.

## CHILD PROTECTION — MANDATORY REPORTING

**875. Hon NICK GOIRAN to the parliamentary secretary representing the Minister for Child Protection:**

I refer to the minister's answers to questions prior to the 2021–22 budget estimates hearing, which state that all 4 272 mandatory reports received in 2020–21 were referred to the WA Police Force but that only 656 investigations were completed.

- (1) Does the minister or the department receive updates from the WA Police Force about the status and outcomes of these mandatory reports?
- (2) If yes to (1), what is the frequency of these updates?
- (3) For the backlog of 3 616 incomplete investigations of mandatory reports for 2020–21, are the people yet to be investigated permitted to continue working with children?

**Hon KYLE McGINN replied:**

I thank the member for some notice of the question. The following answer has been provided to me by the Minister for Child Protection.

It is not possible to provide the information required within the time frame, but I will endeavour to have a response for the honourable member on the next sitting day.

## CARERS RECOGNITION ACT — REVIEW

**876. Hon DONNA FARAGHER to the parliamentary secretary representing the Minister for Community Services:**

I refer to the answer to question without notice 866, asked on 27 October 2021, regarding the review of the Carers Recognition Act 2004. On what date did the Department of Communities provide the final review report to the minister for her further consideration?

**Hon KYLE McGINN replied:**

I thank the member for some notice of the question. The following answer has been provided to me by the Minister for Community Services.

The date was 8 October 2021.

## POLICE — SOURCE MANAGEMENT UNIT

**877. Hon PETER COLLIER to the minister representing the Minister for Police:**

- (1) Does a dedicated human source management unit exist within Western Australia Police Force?
- (2) If no to (1), did such a unit exist and when was it abolished?
- (3) If yes to (1), what is the current staffing profile of the unit and what is its role?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. The following information has been provided to me by the Minister for Police. The Western Australia Police Force advises the following.

- (1)–(3) The Western Australia Police Force had a dedicated source unit that transitioned to the human source management unit. For operational reasons, information relating to staffing levels at individual police stations and business units is not publicly released.

HYDROGEN INDUSTRY — H2PERTH — KWINANA

**878. Hon Dr BRAD PETTITT to the Minister for Hydrogen Industry:**

I refer to the minister's response to my question without notice on Tuesday, 26 October, in which she said that the H2Perth project will "build up over the next five to six years to around three gigawatts of renewable energy that it will take off the grid".

- (1) When H2Perth reaches three gigawatts of renewable energy, what percentage of hydrogen produced by this facility will be green energy?  
 (2) Will the three gigawatts of renewable energy be mandated by the government?  
 (3) If yes to (2), what date must this mandated target be reached by?

**Hon ALANNAH MacTIERNAN replied:**

I thank the member for the question.

- (1)–(3) Woodside anticipates that as the project scales up to 3.25 gigawatts, it is expected to produce 1 500 tonnes of hydrogen, of which 1 300 tonnes, or 87 per cent, will be produced from electrolysis powered by renewable energy. Woodside's option to lease is subject to all necessary approvals, including environmental approvals. This is the mechanism to hold Woodside accountable for its plans for managing and reducing emissions.

CORONAVIRUS — MANDATORY QUARANTINE

**879. Hon WILSON TUCKER to the minister representing the Minister for Health:**

I refer to the *COVID-19 public hospital visitor guidelines*, particularly those for visitors who are in mandatory quarantine.

- (1) Is it true that family members visiting an inpatient on compassionate grounds are afforded only 30 minutes?  
 (2) Can families apply for subsequent visits of 30 minutes and under what grounds?  
 (3) What right of appeal is available for administrative decisions made under these guidelines?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. The following answer is provided on behalf of the Minister for Health.

- (1) No. Baseline visit times are 30 minutes; however, this is negotiable based on the circumstances of the request, the requirements of the health service and a completed risk assessment.  
 (2)–(3) Yes. Each request is assessed on a case-by-case basis by the state health incident controller and the relevant health service. Families can ask for additional visits and time extensions.

ALBANY RING-ROAD

**880. Hon JAMES HAYWARD to the Leader of the House representing the Minister for Transport:**

I refer to the Albany ring-road.

- (1) Is the minister aware of issues raised relating to wildlife management, vibration damage and sediment run-off caused by the ring-road development?  
 (2) If yes to (1), what actions has the minister taken to address those concerns raised?  
 (3) Can the minister confirm that the Albany ring-road has been built within the proposal area as publicly advertised in December 2019?  
 (4) If no to (3), will the minister commit to meet with any landholders who are affected by the project being built outside the advertised proposal area?

**Hon SUE ELLERY replied:**

I thank the honourable member for some notice of the question.

- (1)–(2) Main Roads and Decmil are working proactively with the landowner to explore and resolve the issues raised.  
 (3) Yes.  
 (4) Not applicable.

WYNDHAM HOSPITAL — STAFF

**881. Hon NEIL THOMSON to the minister representing the Minister for Health:**

I refer to the ABC news article from 20 October titled “WA Country Health Service cuts operating hours at Wyndham Hospital amid nurse shortage”.

- (1) Why was a decision made to reduce operating hours at Wyndham Hospital?
- (2) What is the appropriate operational FTE level at Wyndham Hospital?
- (3) What is the current FTE level at Wyndham Hospital?
- (4) Is the minister aware of any other public health facilities in the Kimberley that are not appropriately staffed; and, if so, please identify these facilities?
- (5) Noting the state government’s \$5.8 billion surplus, what specific measures is the minister taking to increase staffing levels at Wyndham Hospital?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. The following answer is provided on behalf of the Minister for Health.

- (1) It was because of workforce shortages and personnel security concerns, and to reflect staffing availability, which has been exacerbated during the COVID-19 pandemic. This challenge is being experienced across the entire country.
- (2)–(3) It is 20.5 FTEs for a 24/7 service and 13 FTEs for the current operating hours, with two FTE Aboriginal employees to commence shortly, increasing staffing to 15 FTEs.
- (4) Rosters are reviewed daily to determine safe coverage. Workforce gaps are being experienced across many WA Country Health Service locations.
- (5) The region is continuing recruitment efforts and progressing new strategies to attract staff to the East and West Kimberley. Staff accommodation upgrades are being progressed.

## HOMELESSNESS — BOORLOO BIDEE MIA SERVICE

**882. Hon STEVE MARTIN to the parliamentary secretary representing the Minister for Community Services:**

My question is to the parliamentary secretary representing the Minister for Community Services, who I notice is away on urgent parliamentary business.

I refer to question without notice 772 asked on 12 October 2021 regarding homeless accommodation on Wellington Street in the Perth CBD.

- (1) Does Boorloo Bidee Mia keep a record of how many people reside at the facility each night?
- (2) If yes to (1), how many people reside at the facility according to the latest data available?
- (3) If no to (1), why is this data not collected?

**Hon KYLE McGINN replied:**

On behalf of the parliamentary secretary representing the Minister for Community Services, I thank the member for some notice of the question. The following answer has been provided to me by the Minister for Community Services.

- (1)–(3) Boorloo Bidee Mia is open and the service provider is prioritising the safety and wellbeing of residents and the community as the service scales up in coming months. Although currently operational and servicing clients, the facility is still undergoing building works to enable full service capacity, but the total number of residents accommodated is also determined by the support and safety needs of residents. It is important to note that the number of people in Boorloo Bidee Mia is not static. Significantly, in the first few weeks of operation, two clients were transitioned into longer term public housing accommodation. As part of the estimates process, the minister committed to provide an update to the Standing Committee on Estimates and Financial Operations.

## NATIVE FOREST — LOGGING — CARBON SEQUESTRATION

**883. Hon Dr STEVE THOMAS to the minister representing the Minister for Environment:**

It is Thursday, minister. I refer to the answer to question without notice 848, asked yesterday, in which the government advised the house that carbon in trees that have been cut down and processed for uses such as construction retain the sequestered carbon.

- (1) If structural timber sequesters carbon, as acknowledged yesterday, why is the government not supporting a timber industry that will sequester carbon?
- (2) How much carbon is sequestered per kilogram in the average jarrah tree?

- (3) What is the average weight of a harvested jarrah tree?
- (4) Does a jarrah tree sequester carbon equally throughout its life span; and, if not, what is the variance?
- (5) How much additional carbon would be sequestered if a jarrah tree was harvested for structural timber and another was cultivated and grown in its place?

**Hon STEPHEN DAWSON replied:**

I thank the Leader of the Opposition for some notice of the question. The following answer is provided on behalf of the Minister for Environment.

- (1)–(5) The McGowan government is proud to support industries that sequester carbon, including WA’s timber industry. As the honourable member is aware, this government is investing \$350 million in the softwood timber industry to continue to provide important materials to our state’s construction industry. This government is ensuring that the carbon already stored in our south west native forests is protected while also investing in the plantation estate.

CORONAVIRUS — VACCINATION PLAN — REGIONS

**884. Hon COLIN de GRUSSA to the minister representing the Minister for Health:**

I ask this question on behalf of Hon Martin Aldridge who is away on urgent parliamentary business.

I refer to the media statement dated 24 October titled “More COVID-19 vaccination clinics popping up across WA”, the commonwealth’s local government area and SA4 geographic area data released on 25 October, and question without notice 817 asked in this place on 14 October by Hon Colin de Grussa.

- (1) Given that the most recent commonwealth data has identified communities in the goldfields, the Pilbara and the Kimberley as having some of the lowest vaccination rates in Australia, when will the state government establish permanent community vaccination clinics in these regions?
- (2) Noting the state government’s \$5.8 billion budget surplus, what additional measures or incentives is the state government considering to ensure that regional communities have access to vaccination in a timely manner?
- (3) Has the commonwealth responded to WA Health’s request for increased access to information about vaccination rates in remote communities, particularly those that are not identified in the SA4 data; and, if so, please table the response?

**Hon STEPHEN DAWSON replied:**

I thank Hon Martin Aldridge for some notice of the question. The following answer is provided on behalf of the Minister for Health.

It is not possible to provide the requested information in the time required. I, therefore, ask the honourable member to place this question on notice.

CORONAVIRUS — VACCINATIONS —  
CULTURALLY AND LINGUISTICALLY DIVERSE COMMUNITIES

**885. Hon TJORN SIBMA to the minister representing the Minister for Health:**

I refer to the accessibility of COVID-19 vaccination clinics for culturally and linguistically diverse communities across Western Australia.

- (1) Can the minister detail the funding support provided to sustain the operation of the two vaccination clinics located at the Square Mirrabooka shopping centre and the Herb Graham Recreation Centre?
- (2) Is the government considering opening other clinics to cater to the needs of CALD communities residing in Perth’s eastern and southern suburbs; and, if not, why not?
- (3) Is the government considering opening other clinics to cater to the needs of CALD communities residing outside of the metropolitan area; and, if not, why not?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. The following information has been provided to me by the Minister for Health.

- (1) There has been \$119.6 million included in the budget across 2020–21 and 2021–22 to support the delivery of COVID-19 vaccinations through state-run clinics, implementation of statewide and targeted campaigns, and upgrades to the VaccinateWA system.
- (2)–(3) Yes.

SAFEWA APP — ACCESS — POLICE INVESTIGATION

**886. Hon NICK GOIRAN to the minister representing the Minister for Police:**

I refer to the evidence provided by the Commissioner of Police to the Standing Committee on Estimates and Financial Operations that the first time he became aware that officers had sought orders to produce SafeWA app records was on or around 26 February 2021, and that the first time he raised the issue with the Minister for Police was by a briefing note provided on 14 May 2021.

- (1) Did the Commissioner of Police ever raise this issue with the Minister for Police who immediately preceded the current minister?
- (2) If yes to (1), when?
- (3) Will the minister table the briefing note of 14 May 2021?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. The following information has been provided to me by the Minister for Police.

- (1)–(2) I refer the honourable member to standing order 104.
- (3) Advice is being sought as to whether the briefing note may be tabled.

## POLICE — EMPLOYEE ASSISTANCE PROGRAM

**887. Hon PETER COLLIER to the minister representing the Minister for Police:**

I refer the minister to the employee assistance program provided by Western Australia Police Force.

- (1) Will the minister provide a list of service providers that are used for this service; and, if not, why not?
- (2) Can officers and other employees of WAPOL choose their own service provider; and, if not, why not?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. The following information has been provided to me by the Minister for Police. The Western Australia Police Force advises the following.

- (1) A response to this question cannot be provided within the time frame. The honourable member may wish to place this question on notice.
- (2) The employee assistance program is available to sworn and unsworn personnel and their families and the service provider will allocate an appropriate clinician according to the individual circumstances. Should the person accessing the service have an existing relationship with a psychologist, the WA Police Force will authorise sessions to the same value as under the EAP with the approval of the director of human resources or the chief psychologist. In addition, police officers may access a service provider of their choice in accordance with their industrial agreement.

## THREATENED SPECIES AND THREATENED ECOLOGICAL COMMUNITIES

**888. Hon Dr BRAD PETTITT to the minister representing the Minister for Environment:**

Under the Biodiversity Conservation Act 2016, the minister may by order list specially protected species, threatened species and collapsed ecological communities. The last notices published in the *Government Gazette* for threatened flora was on 11 September 2018, three years ago.

Will the minister provide the dates that —

- (a) the Threatened Species Scientific Committee met in 2018, 2019, 2020 and 2021;
- (b) the Threatened Ecological Communities Scientific Committee met in 2018, 2019, 2020 and 2021;
- (c) the Threatened Species Scientific Committee provided the Minister for Environment or the department with advice on the listing of threatened species or the like between January 2016 and October 2021; and
- (d) the Threatened Ecological Communities Scientific Committee provided advice to the Minister for Environment or the department on the listing of threatened ecological communities or collapsed communities between January 2016 and October 2021?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question.

There were some words in the honourable member's question that I have that are slightly different from the ones that he read out. Nonetheless, I ask that the honourable member place his question on notice to allow for a fulsome and accurate response.

## FAMILY COURT

**889. Hon JAMES HAYWARD to the parliamentary secretary representing the Attorney General:**

I refer to Family Court operations.

- (1) What was the average wait time for a Family Court case to come before a judge in Bunbury?
- (2) Has the minister received any complaints in relation to the time it takes until a case can be heard by the Family Court in WA?
- (3) Is the minister concerned that delays in Family Court matters can have significant impacts on the lives of affected parties?
- (4) Are there any plans to increase funding to the Family Court with a view to reducing wait times?

**Hon MATTHEW SWINBOURN replied:**

I thank the member for some notice of the question. I provide the following response on behalf of the Attorney General. The honourable member's question cannot be answered in the time provided. I request that he place his question on notice.

## CORONAVIRUS — SCHOOLS — VENTILATION

**890. Hon NEIL THOMSON to the Minister for Education and Training:**

- (1) Has a COVID ventilation audit been undertaken for all schools and classrooms across the state; and, if not, why not?
- (2) How many schools and classrooms had inadequate COVID ventilation?
- (3) Of those in (2), how many have been rectified and how many are awaiting rectification?
- (4) When does the minister expect this work to be completed?

**Hon SUE ELLERY replied:**

I thank the honourable member for some notice of the question.

- (1) The approach to reviewing ventilation in schools is currently being considered based on health advice.
- (2)–(3) Not applicable.
- (4) The Australian Health Protection Principal Committee has asked states to consider ventilation when they are considering how we move forward with schools. Western Australia is considering that. I think it is useful to note, when we look to the eastern states, that New South Wales has done one thing and Victoria has done another thing. New South Wales is not going with ventilation filters; Victoria is. We will consider that and we will also get our own advice on the best way to handle it in Western Australia. It is also in some part dependent on the existing building construction. The member can appreciate that some schools are designed in a particular way. There is a variation of that. We have to take into account the design of the school, the type of the air conditioner that applies and whether windows can be opened. All those things are currently being considered.

## YANCHEP RAIL EXTENSION — BUDGET AND TIME LINE

**891. Hon Dr STEVE THOMAS to the Leader of the House representing the Minister for Transport:**

I refer to the Yanchep rail extension project.

- (1) What was the original total cost and project time line from commencement to completion of the project at the time that the first contracts were signed?
- (2) What works of the project have been initiated and completed to date?
- (3) What changes of scope have been applied to the project since the McGowan government was elected to power in March 2017 and what is the proposed cost of each of those changes in scope?
- (4) Have there been any cost overruns on the original scope of work during construction of the project; and, if so, what are they?
- (5) What is the current expected total cost and project time line for commencement to completion of the project?

**Hon SUE ELLERY replied:**

I thank the honourable member for some notice of the question.

- (1)–(5) The COVID-19 pandemic continues to disrupt supply chains, with particular pressure across the civil construction industry. Combined with record low unemployment and a record number of road and rail



infrastructure projects, Western Australia is experiencing incredible demand across our construction and infrastructure sectors. Following extensive consultation and the skills summit hosted by the state government this year in July, the state government made a decision to review the asset investment program to ease pressure on industry, extend WA's economic boom and support jobs into the future. As part of this, several project schedules have been adjusted to ensure the sustainability of the asset investment program, including the Yanchep rail extension.

I note the member's comments in the Legislative Council on 14 September 2021 in support of this approach by the state government, and I quote —

... the extension of some of these projects is probably not a bad idea, economically speaking. It is probably quite reasonable of the government to extend the time frame on some of its Metronet projects so that it is a bit less in competition with the private sector ... it would be quite reasonable for them to occur ...

Works started on the Yanchep rail extension in late 2019, with completion now expected by late 2023. Significant works are underway, including clearing the rail corridor and future station sites from Butler Station to north of Yanchep Beach Road, piling for a number of road-over-rail bridges and noise walls and retaining walls at Alkimos Station.

Since the Yanchep rail extension was announced in 2017, new projects have come online in the northern suburbs that include new cyclepaths, such as the Mitchell Freeway extension to Romeo Road and future plans to extend further north. Following a review of the existing and planned cycling infrastructure as part of the Yanchep rail extension, the project will focus on connecting pedestrians and cyclists from local communities to the new stations. It was determined that a shared path along the Yanchep rail extension would be a duplication in the area. Work with stakeholders is currently underway to ensure shared path connections from local communities on day one of operations.

Although the cost to deliver the project continues to be monitored, the budget remains at \$532 million.

#### MAIN ROADS — WEEDS — ROAD VERGES

#### **892. Hon COLIN de GRUSSA to the Leader of the House representing the Minister for Transport:**

I refer to question without notice 863 asked by me yesterday regarding the growth of resistant weed populations on road verges managed by Main Roads Western Australia.

- (1) Can the minister confirm that there are no plans, procedures or policies related to the management of herbicide resistant weeds?
- (2) If not, please table the relevant plans, policies or guidelines used internally by Main Roads.

#### **Hon SUE ELLERY replied:**

I thank the honourable member for some notice of the question.

- (1)–(2) As outlined in the answer to question without notice 863, testing is conducted if potential resistance is identified. This is carried out on a case-by-case basis.

#### ENDANGERED TAXA AND ECOLOGICAL COMMUNITIES

#### **893. Hon TJORN SIBMA to the minister representing the Minister for Environment:**

I refer to the Department of Biodiversity, Conservation and Attractions' management of 292 recovery plans for critically endangered and endangered taxa and ecological communities. What level of recurrent funding is allocated to —

- (a) drafting;
- (b) implementing; and
- (c) evaluating the success of these plans for each year of the forward estimates?

#### **Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. The following answer has been provided to me by the Minister for Environment.

I ask that the honourable member places his question on notice to allow time for a complete and accurate answer.

#### CHILD PROTECTION — CASEWORKERS

#### **894. Hon JAMES HAYWARD to the parliamentary secretary representing the Minister for Child Protection:**

I refer to staff turnover of child protection caseworkers.

- (1) How many new child protection caseworkers were hired in the period from 1 July 2020 to 30 June 2021?
- (2) How many of the new child protection caseworkers hired in the 2020–21 financial year are still employed by the Department of Communities as child protection caseworkers at this point in time?
- (3) What is the cost of training a newly recruited child protection caseworker?
- (4) What initiative is being taken by the Department of Communities to increase child protection caseworker staff retention?

**Hon KYLE McGINN replied:**

I thank the member for some notice of the question. The following answer has been provided to me by the Minister for Child Protection.

The information required is not possible in the time frame, but I will endeavour to have a response for the honourable member on the next sitting day.

**QUESTION ON NOTICE 286**

*Paper Tabled*

A paper relating to an answer to question on notice 286 was tabled by **Hon Stephen Dawson (Minister for Mental Health)**.

**HOSPITALS — REGIONS — STAFF**

*Question on Notice 289 — Answer Advice*

**HON STEPHEN DAWSON (Mining and Pastoral — Minister for Mental Health)** [5.01 pm]: Pursuant to standing order 108(2), I inform the house that the answer to question on notice 289, asked by Hon James Hayward on 9 September 2021 to the minister representing the Minister for Health, will be provided by 19 November 2021.

**ABORIGINAL CULTURAL HERITAGE BILL**

*Question without Notice 767 — Answer Advice*

**HON STEPHEN DAWSON (Mining and Pastoral — Minister for Aboriginal Affairs)** [5.02 pm]: I would like to provide an answer to Hon Dr Brad Pettitt's question without notice 767, asked on 12 October 2021.

I seek leave to have the response incorporated into *Hansard*.

[Leave granted for the following material to be incorporated.]

The consultation draft Aboriginal Cultural Heritage Bill 2020 was released for public comment and available on the Department of Planning, Lands and Heritage's website from 2 September 2020 for a 5 weeks public consultation period. The Department received a total of 176 submissions by the 7 October 2020 closing date.

- (1)
  - (a) 5
  - (b) 22
  - (c) 2
  - (d) 2

From September 2020 to October 2021 there have been 53 information sessions, stakeholder briefings and meetings held regarding the Aboriginal Cultural Heritage Bill.

- (2)–(4) The Hon Member would need to contact the organisations directly to ascertain their views.

**HEALTH WORKER (RESTRICTIONS ON ACCESS) DIRECTIONS**

*Question without Notice 802 — Answer Advice*

**HON STEPHEN DAWSON (Mining and Pastoral — Minister for Mental Health)** [5.02 pm]: I would like to provide an answer to Hon Martin Aldridge's question without notice 802, asked on 13 October 2021.

I seek leave to have the response incorporated into *Hansard*.

[Leave granted for the following material to be incorporated.]

I thank the Honourable Member for some notice of the question.

- (1) Yes.
- (2) Not applicable.
- (3) As of 1 October 2021, 89 staff at the South Metropolitan Health Service and 58 staff at Pathwest.
- (4) No.

**DANGEROUS SEXUAL OFFENDERS — GPS TRACKING DEVICES**

*Question without Notice 867 — Answer Advice*

**HON ALANNAH MacTIERNAN (South West — Minister for Regional Development)** [5.02 pm]: Yesterday I undertook to provide an answer to Hon Peter Collier's question without notice 867. The following information has been provided by the Minister for Corrective Services.

- (1) Yes.
- (2) The offender removed the GPS tracking device at 7.05 am on 19 March 2021 and the Western Australia Police Force apprehended the offender at 4.11 am on 20 March 2021.

**SAFEWA APP — ACCESS — POLICE INVESTIGATION***Point of Order — Question without Notice 886*

**HON NICK GOIRAN (South Metropolitan)** [5.02 pm]: I seek your ruling on an answer provided during question time by the Minister for Mental Health representing the Minister for Police. The minister in his response referred me to standing order 104. Standing order 104 states, in part —

Questions may be asked of —

- (a) a Minister or Parliamentary Secretary relating to public affairs with which the Minister or Parliamentary Secretary is connected, to proceedings in the Council, or to any matter of administration for which the Minister or Parliamentary Secretary is responsible ...

The issue here is that I was seeking information that is in the knowledge of the Commissioner of Police. I was asking whether the Commissioner of Police raised the matter with the previous Minister for Police, not the current one. It appears that the Minister for Police has interpreted that as meaning that he cannot provide that information. If that were true, it would mean that we would be unable to ask any questions of any minister about historical matters that occurred prior to them taking that ministry. I seek your ruling on this and I appreciate that this may need to be provided on another occasion.

**The PRESIDENT:** Honourable member, I would need to review the question and the answer and your explanation of your understanding of standing order 104, in which case I will take it under advisement and provide a response or ruling to the chamber at a later date.

**CONSTITUTIONAL AND ELECTORAL LEGISLATION AMENDMENT  
(ELECTORAL EQUALITY) BILL 2021**

*Second Reading*

Resumed from an earlier stage of the sitting.

**HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary)** [5.05 pm] — in reply: Before we were interrupted by question time, I was making a point about the statement made by Hon Martin Aldridge about the explanatory memorandum. I want to make it clear that his point was inaccurate. He said that having 37 members makes it easy for the government to form a majority in both houses. That is inaccurate. The EM simply refers to the Legislative Council, not the Legislative Assembly, and states —

Having an odd number of Council members makes it easier for a party that wins a majority of votes to win a majority of seats.

I would also like to clarify something that I said during the course of my earlier comments about Hon Colin Barnett and fixed four-year terms in 2008. I was making the point that the Electoral and Constitution Amendment Bill 2011 was not subject to a referendum and not a question put for the specific consideration of the people of Western Australia. But I do concede that it was a point that was raised during the 2008 election campaign. For whatever it is worth, I just wanted to make that particular point clear.

During the debate, Hon Steve Martin queried whether the President's impartiality would be affected under a 37-member chamber. The first point is that the question of a President's casting vote only comes into play when the chamber is evenly split on a division. We agreed that the President's vote should be used rarely, and that will continue to be the case. The purpose of the thirty-seventh member is that on those rare and contentious decisions when the vote is tied, the President's casting vote will actually have value.

I will turn to the new registration requirement included in the bill. Hon Wilson Tucker in particular argued that these would place an insurmountable burden on minor parties and were ill thought out. I can assure the chamber that these elements were considered carefully. The principal argument for tightening registration requirements is that entry onto the ballot paper is a privilege and we want to avoid the chaotic situation that occurred in New South Wales in 1999 with the infamous tablecloth ballot paper. Political parties should be able to demonstrate a genuine foundation of community support in order to get onto the ballot paper. Hon Wilson Tucker indicated that the requirement for parties to engage with memberships to satisfy the registration nominations will be unduly onerous. I would like to point to New South Wales where the requirement is for 750 unique members, compared with

the proposed 500, and similar to this bill, New South Wales requires a \$2 000 fee on application. New South Wales has 15 registered parties so the requirements there have not prevented parties like the Reason Party, The Open Party and Flux NSW from registering and participating in the electoral system, notwithstanding the higher threshold for unique voters.

Several members reflected on the level of consultation between the Ministerial Expert Committee on Electoral Reform and the Western Australian Electoral Commissioner. The Western Australian Electoral Commission was consulted on what it needed to be consulted on—the practical operational elements of this reform, not the policy. What I find troubling is the suggestion by some that the Electoral Commissioner should have been involved in implementing government policy. Hon Tjorn Sibma hit the nail on the head when he described the WAEC as the principal independent agency responsible for our electoral system. I can imagine the wails of protest had this government politicised the key independent officeholder and appointed Mr Kennedy to the expert committee. I suspect that Mr Kennedy would not have accepted that appointment, being the experienced former high ranking public servant that he is, and knowing that it would have been completely inappropriate for the Electoral Commission to be involved in implementing government policy. The Minister for Electoral Affairs has been clear: he did not want to risk politicising this independent statutory office by even talking to the Electoral Commissioner about the reform prior to the publication of the final report—that is the minister speaking to the commissioner—let alone putting him on the ministerial expert committee.

Several members raised voter participation and the need to lift participation in remote areas of the state. The Minister for Electoral Affairs during the debate in the other place made it clear that he is committed to everyone having unimpeded reasonable access to vote. Consultation with the Western Australian Electoral Commission will occur on this front as part of the next tranche of reforms to the Electoral Act.

I do note that the federal government's proposed voter identification legislation requiring the production of identification before casting a vote will have huge implications for Indigenous Australians and those experiencing homelessness. I trust that members opposite will be writing to their federal colleagues to express their outrage and concerns about these voter participation requirements.

In conclusion, this bill recognises the government's deeply held view that all Western Australian voters are equal and they should be treated as such by this chamber. The Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021 will abolish the group voting ticket system, which has thrown up anomalous results that have shocked and dismayed the public and held the chamber to ridicule. The McGowan Labor government is proud to have pursued this reform in the interests of all Western Australians and I proudly commend this bill to the house.

**The PRESIDENT:** Members, the question is that the bill be read a second time. Before I put that question, the second reading of this bill requires an absolute majority pursuant to section 16M of the Electoral Act 1907. If there is a dissenting voice when I put the question on the second reading, I will divide the house.

*Division*

Question put and a division taken with the following result —

Ayes (21)

Hon Klara Andric	Hon Peter Foster	Hon Dr Brad Pettitt	Hon Dr Brian Walker
Hon Dan Caddy	Hon Lorna Harper	Hon Stephen Pratt	Hon Darren West
Hon Sandra Carr	Hon Jackie Jarvis	Hon Martin Pritchard	Hon Shelley Payne ( <i>Teller</i> )
Hon Stephen Dawson	Hon Alannah MacTiernan	Hon Rosie Sahanna	
Hon Kate Doust	Hon Ayor Makur Chuot	Hon Matthew Swinbourn	
Hon Sue Ellery	Hon Kyle McGinn	Hon Dr Sally Talbot	

Noes (10)

Hon Donna Faragher	Hon Steve Martin	Hon Dr Steve Thomas	Hon Colin de Grussa ( <i>Teller</i> )
Hon Nick Goiran	Hon Sophia Moermond	Hon Neil Thomson	
Hon James Hayward	Hon Tjorn Sibma	Hon Wilson Tucker	

Pairs

Hon Samantha Rowe	Hon Martin Aldridge
Hon Pierre Yang	Hon Peter Collier

Question thus passed with an absolute majority.

Bill read a second time.

**CARERS RECOGNITION ACT — REVIEW**

*Statement*

**HON DONNA FARAGHER (East Metropolitan)** [5.15 pm]: I rise quickly tonight to raise some concerns about some answers I have received this week from the Parliamentary Secretary to the Minister for Community Services. My concerns do not relate to the parliamentary secretary, but rather the answers she has provided on behalf of the Minister for Community Services. The matter relates to the review of the Carers Recognition Act 2004. By way of background, on 29 May 2018 Minister McGurk released a statement that the act would be reviewed and there would be stakeholder consultations, consultation was available and, importantly, the review would be completed by the end of the year, that being 2018. In response to that, approximately three years have passed and the outcome of that review is now considerably late by any means. This week I saw some advice from the parliamentary secretary about the status of the review. I refer to the uncorrected *Hansard* of Wednesday, 27 October. I referred to the minister's press statement and asked the following questions —

- (1) Has this review of the act been completed?
- (2) If yes to (1), when was the review completed and has the Department of Communities provided a final report to the minister for consideration?
- (3) If no to (1), why not?

The response from the parliamentary secretary was —

- (1) Yes.
- (2)–(3) The Department of Communities recently provided a final report to the minister that is currently with the minister for consideration.

Today I asked a follow-up question —

On what date did the Department of Communities provide the final review report to the minister for her further consideration?

The response I was provided was 8 October 2021.

The issue I have is that there seems to be some discrepancy between the advice provided to me in the chamber and the advice provided by the Premier to Carers WA on 16 February 2021. This letter, which can be found on the Carers WA website, was obviously in response to questions put by Carers WA to the Labor Party. The response from the Premier was this —

The McGowan Government undertook to review the *Carers Recognition Act 2004* and commenced that review in 2018. This proved to be a considerable task, but the review has now been completed and a report was very recently provided to the Minister for Communities. The report and recommendations will be considered by a re-elected McGowan Labor Government.

Either, the report was provided to the Minister for Community Services prior to the last election, because this letter from the Premier is dated 16 February 2021, or it was not. I take the Premier's letter on face value. I suggest that the organisations and individuals who are interested in this review would also take the Premier's letter on face value. Did the minister receive a report from the Department of Communities, as outlined by the Premier, prior to the last state election or did she only receive it on 8 October 2021, which is the advice that I was provided with today?

Either way, I think this requires some clarification from the minister. I would like to think that during the break, the parliamentary secretary, who I appreciate is out of the chamber on urgent parliamentary business, will undertake to check with the minister as to what is accurate. If we are to read on face value what the Premier has said, it states pretty clearly, in pretty plain English, that the minister was recently provided with a copy of the report. Either way, and irrespective of the minister's response about the time frame of a report that was provided to her, the review report is now incredibly late. It was expected, according to the minister's statement, back in 2018, so it is now three years late. Irrespective of the answer that is provided to me, hopefully by the parliamentary secretary in due course, it is more than reasonable for the government and the minister to explain the reasons for the delay and when we can expect a report to be released.

**KIMBERLEY REGION***Statement*

**HON LORNA HARPER (East Metropolitan)** [5.21 pm]: Today we have heard a lot about the crisis that is happening in Broome. I would like to reflect on a visit that I recently made to Broome. I would like to thank Hon Rosie Sahanna. I had never been to Broome; I had never been to the Kimberley. I was asking lots of questions. Hon Rosie Sahanna invited me to go up and meet some people there and find out what is going on. If she extends that offer, be prepared and put on comfy shoes because she ran me ragged. I was exhausted by the end of it! We visited three early childhood centres. I apologise for any mispronunciations but if any members have a problem, they can come and talk to me about Drumnadrochit and things like that!

We went to the Jalygurr Guwan Aboriginal Corporation's childcare service, which was absolutely beautiful. It was great. There were children outside. They were calm. It was lovely to visit. I would like to thank the staff for being so welcoming and the children for just being adorable. We also visited the Broome Daycare Centre. I thank the staff there for their lovely welcome. We also visited Kimberley Kids, where we got to see the children running amok. When I say they were running amok, they were having fun. It was really good to see the children outside, running around in their bare feet. I said to them that in Perth, children are told not to run around in their bare feet because they will burn their feet. The words I got were, "They're Broome kids; they soon learn quick. If the ground is hot, they won't play in it." There was so much shade and so many activities going on, I do not think these children stopped long enough to burn their feet. I would like to thank them.

Next, Rosie took me to the Kimberley Stolen Generation Aboriginal Corporation. I would like to thank the CEO, Tania. I do not know whether she was quite sure about me at first, this wee Scottish girl sitting there—this honourable member, this politician who was sitting at her table. We had a wee chat and before long, we were getting on like a house on fire. It was an honour to go there. I spoke to quite a few people who worked there. The receptionist had come through another place that I will mention in a second, and that is how she got her job there. It was truly an honour to go there and hear about some of the history of the stolen generation.

On that same day, we visited Waardi Ltd, a not-for-profit entity working towards the social and economic benefit of the Jabirr Jabirr people.

It has some programs there. One is called LAPS—Literacy Acquisition for Pre-Primary Students. This began as a pilot program in 2014 and it is still going. The program tries to increase children's literacy as they go through school; there is a whole program going on. We also got to hear about Building Babies Brains. This has been going on in versions around the place, but this was brought up by a local Jabirr Jabirr traditional owner because she wanted better language for young children through storytelling of their own history. It is a massive program for all the TOs in the area. It was fascinating to listen to.

On the same day, we visited Nirrumbuk Aboriginal Corporation, which has been delivering outcomes for Aboriginal people in the Kimberley for over 25 years. I told Rosie that I was going to talk about this and she has been giving me pages of notes all day, because Rosie Sahanna used to be the chairperson of Nirrumbuk before she became Hon Rosie Sahanna. She is really deeply connected to this group and its outcomes. I have written lots of notes because it has done so much. It runs an Aboriginal environmental health program that promotes sustainable environmental health practices, including, as Hon Neil Thomson will be happy to know, dealing with dogs. There are dogs in the Kimberley. The corporation does things like desexing, which the dogs probably do not enjoy, as well as recycling, clean-ups, dust control, disease control et cetera. Nirrumbuk also runs National Disability Insurance Scheme services and community connections, the Thrive program, prison re-entry programs, rheumatic heart disease programs, COVID support, transitional housing, prison support, and Containers for Change. That is not all. It has the Pinakarra Youth Counselling Service and the Djaringo RTO—its own registered training organisation. It is managed and owned by Aboriginal members, with a board of 11 Indigenous people from Broome and the Dampier Peninsula. It has its own employment services group. It 100 per cent owns Broome Electrical Services and Kullarri Building, and it is part-owner of a plumbing group. This is forward thinking. These traditional owners are completely involved in their environment and what they are doing. Thankfully, that was the end of day one.

The next day, we took a trip up the Dampier Peninsula. If members go up there, they will be pleased to know that there are now bitumen roads on the Dampier Peninsula. I was assured by Hon Rosie Sahanna that that was recent. I was also assured by her, just as we left Broome, that she just needed to stop quickly. We had eaten breakfast on the go. Two and a half hours later, while I was still driving, I realised that I had been well and truly conned by Hon Rosie Sahanna. She took me to Kooljaman resort. Oh, my gosh, it is stunning! We had a cuppa there and then drove back down.

I have to give a huge thank you to the people of Beagle Bay for giving us permission to visit. It was a truly moving experience. As members may have seen in the media, over 90 per cent of the community at Beagle Bay has been vaccinated and it will hopefully be able to start opening up and other people will have the opportunity to visit. It is the home of the Nyul Nyul-built church. People may know about the church that is there. Unfortunately, a lot of children were stolen and taken there, and they made the bricks and helped build the church. Although it is a very sad story, it is also the centre of the community. If members get the opportunity and are allowed to go there, please, the community will need visitors to help it keep growing. While there, we met a woman. Well, when I say "met", Rosie was out the car going, "I know you", before we had barely stopped! She was a woman of the stolen generations. Her name is Daisy Howard. Daisy was stolen from Halls Creek as a child and taken to Beagle Bay. Beagle Bay is not her land; her land is in Halls Creek. She came to talk about how she is a desert person and she was taken to the sea. She is not a sea person. She has been given a grant by the Kimberley Stolen Generation Aboriginal Corporation and is travelling around the Kimberley with her granddaughter and recording her story so that it can be passed on to future generations and other people can learn about what it was like to be a member of the stolen generations.

Again, that was truly an honour and it was very moving.

After that, on the same day—they were long, long days—we went to Arrow Pearl Co’s pearl farm. It is not a working pearl farm anymore, but it was amazing. I got a handful of pearls. Pearls are not really my thing, I will be honest, but it was amazing to see these creatures from Beagle Bay—they are not really creatures. Then we got to drive back to Broome. We will not talk about who drove. The next day I got a wee rest for five minutes before we, thankfully, got to attend Hon Rosie Sahanna’s office opening in, I believe, 34-degree heat and 85 per cent humidity.

It was my first trip to Broome. Although I saw some things and I acknowledge that some issues are going on there, I was truly, truly proud of the people of Broome and to see the work that the traditional owners of the area are doing on their land for their people. We have hope for the future to expand on that and to have them be more involved so that we can have some solutions instead of pointing a finger at the problems.

### WORLD TEACHERS’ DAY

#### *Statement*

**HON SANDRA CARR (Agricultural)** [5.32 pm]: Tomorrow is World Teachers’ Day so I thought I would take a moment to thank the many teachers and teachers’ aides before Parliament finishes this week and we take a break. To all the teachers and teachers’ aides in Western Australia, I genuinely thank you for all the work you do. With my son having graduated year 12 this year, it is the end of my role as a school parent now that both my children have finished school. I would also like to steal this moment to indulge and thank all the teachers who have made a positive contribution to my son’s education. Thank you for your extra efforts and the time and commitment you make to students like my son. From the bottom of my heart, thank you.

As a former teacher, I am acutely aware of the long hours that teachers put in to contribute to the education of Western Australia’s students and young people. People do not see the many additional hours of preparation, marking, planning and undertaking the huge range of administrative tasks that teachers have to complete, or the nights of sleep that are lost worrying about students. It is a tough job at times. It has been a really great training ground for me in this new role as a member of Parliament. I have said a number of times now that teaching has some really strong similarities to being a member of Parliament. It is a bottomless pit of work. The hours are significantly greater than what most people would imagine. We have to deal with vast quantities of issues and complaints, and people do not always come to us with the most positive attitudes.

Teaching certainly prepared me for this new role. It also taught me that if we work hard for other people, the intrinsic rewards are great. Teachers work incredibly hard for the young people of WA. I would like to make a special mention of one particular teacher. The principal of Northampton District High School, Melanie Sutherland, not only steered her school through a post-cyclone recovery and a lot of the anxieties and stressors that came with that for the young people there, but also used the school as a hub for the community to heal. She provided the school as a place for meetings and for my office staff to do pop-up offices in Northampton to help people access funding and to support people through insurance issues. The generosity and her concern for the whole community is reflective of the inherently nurturing and caring nature that so many teachers bring. I would also like to recognise the fact that Melanie Sutherland has been nominated as a finalist for WA Primary Principal of the Year in the WA Education Awards. I congratulate her and all the other finalists in these awards. Her passion and dedication for WA students and their education is invaluable and the roll-on benefits of that will flow through our community for many, many years to come.

To the teachers and the teachers’ aides of WA, knowing that my words are grossly inadequate to show the appreciation that we all have for what you do, thank you so very much.

### CONSTITUTIONAL AND ELECTORAL LEGISLATION AMENDMENT (ELECTORAL EQUALITY) BILL 2021

#### *Statement*

**HON JACKIE JARVIS (South West)** [5.34 pm]: I stand today because I have been dismayed by some of the comments that have been made in this place and the other place on the subject of electoral reform, particularly about me and some of my colleagues on this side of the house.

I would like to start by reading from the *Hansard* of 12 October, when the member for North West Central—some members might know him—stood in the other place and named all the regional members of Parliament from WA Labor. He named me first, funnily enough. He said —

Are they going to vote to get rid of their jobs? That is what they will be doing. They will get rid of their jobs, ...

How dare he! The suggestion is very clear. He is saying that we are not worthy of preselection. He is saying that WA Labor does not value hardworking regional-based MPs. Not only that, he is actually suggesting that regional people are not worthy of preselection at all, unless they are within a system of regional vote weighting. That is an insult to his regional constituents. I am not sure. This might be how it works in the National–Liberal Party alliance, but not in WA Labor.

Hon Neil Thomson followed up on Tuesday, 26 October. I quote Hon Neil Thomson. He said —

My plea to members is to please reconsider ...

He was speaking to us —

for the sake of your own reputation ...

President, I might be new to this place, but to paraphrase Madonna, I am not here like a political virgin, touched for the very first time. I do not need advice on how to keep my reputation intact. In fact, I found the whole commentary a little patronising. As the 2014 WA Rural Woman of the Year, and in 2019 Rural Community Leader of the Year in the Australian Farmer of the Year Awards, I have built a career representing the interests of regional WA. Nothing in the Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill that we have discussed today will stop that.

Despite the “laziness and selfishness” of the opposition—I note, President, that I am quoting from an article that was published in *The West Australian* today, which attributes those words to Hon Nick Goiran—it may indeed make up some ground here in 2025, and perhaps some of us will not be here in the forty-second Parliament. But for the member for North West Central and for members opposite to suggest that regional MPs should vote against this bill on the basis of self-interest, is repugnant. If I or some of my colleagues are not here in 2025, we will be okay. We are all readily employable. There are some impressive CVs on this side of the house. The repeated suggestion—because that is what it has been: a repeated suggestion—that people who live in regional WA will not be worthy of preselection on the basis of electoral reform is an insult.

It is not just the people in this house who have been called into question. On 12 October, the member for Central Wheatbelt said —

I cannot imagine the people of Warren–Blackwood ... would have been so generous in their support of the Labor Party if there had been a sharing of the government’s position on electoral reform ...

She went on to say —

The opposition opposes the Labor government’s plan to slash regional representation in our Parliament. We oppose silencing regional Western Australian voices. We oppose disenfranchising those who live, work and invest in our regions ...

I am happy to inform the house that the electorate of Warren–Blackwood is well served by the new member of the Legislative Assembly, Jane Kelsbie. Those who know her would know that she is a woman who is not easily silenced. That is yet another slight on the capacity of regional women in WA Labor. Jane Kelsbie has over a decade of international business experience. She has worked for the BBC in London. Before she joined WA Labor, she was a respected CEO of a not-for-profit in the great southern region, and the first female president of the Denmark Surf Life Saving Club. I know that Hon Terry Redman was well liked and respected, but do not suggest that voters in Warren–Blackwood have been disenfranchised. They have Jane Kelsbie living and working in Denmark and, as Hon Dr Steve Thomas noted, my office is also in the electorate of Warren–Blackwood, in Margaret River. The constituents of Warren–Blackwood have never had better representation.

I do not begrudge opposition regional members their places here. I will not suggest that they are not worthy of preselection again.

**Hon Alannah MacTiernan:** Some may be.

**Hon JACKIE JARVIS:** It is certainly not my place to suggest that regional members of Parliament may have to join the Liberal “The Clan” faction to secure their place in the forty-second Parliament. I will however reject the notion that there are some fictional factional overlords ready to dump Labor regional members. We are indeed a party of factions, President, but we are open and honest about it. I stand in this chamber shoulder to shoulder with my regional colleagues from a number of different factions, because we are all here as members of a party that has always stood up for equality.

On Tuesday, Hon Martin Aldridge said —

I have no confidence in the long term that the government will genuinely seek to preselect regional champions to ensure that we have some form of meaningful representation ...

He suggested the party will —

... support factional allies to get preselected and elected, and then buy a holiday house in Broome, Margaret River or Albany ...

There is no need for anybody to buy a holiday house in Margaret River; although I highly recommend it because I already live in Margaret River. I am a proud member of the United Workers Union. I hate to break it to opposition members but the regions do not belong to the Nationals WA. There are Labor voters across regional Western Australia, and we will not be walking away from them. They include people represented by the broad range of unions involved in the Labor Party—metalworkers, maritime workers, miners, aged-care and disability service workers, farm and



agri-food industry workers, transport, supply chain and logistics workers, cleaners, security guards, early childhood educators, education assistants and many, many more.

**Hon Martin Pritchard:** Including retail.

**Hon JACKIE JARVIS:** Yes, retail workers, hospitality workers—I could go on.

Nothing in the Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021 will remove the ability for regional voices to be heard in this house. The opposition is obsessed with the notion that regional members will not be preselected, and I can only assume that they are reflecting on their own preselection processes, because they are certainly not reflecting on ours.

### REGIONAL SKILLS SUMMIT — GOLDFIELDS–ESPERANCE

#### *Statement*

**HON SHELLEY PAYNE (Agricultural)** [5.42 pm]: I rise to briefly mention the regional skills summits. On Monday, in Kalgoorlie, I attended the goldfields–Esperance skills summit together with Hon Sue Ellery, Minister for Education; Hon Kyle McGinn, member for Mining and Pastoral; Ms Ali Kent, member for Kalgoorlie; and Hon Peter Foster, member for Mining and Pastoral. It was a great turnout for the summit from our members of Parliament, further demonstrating our commitment to the regions and our government's acknowledgement of some of the challenges we currently face under this pandemic with the skills shortage, and our commitment to working towards positive solutions. There was an MP at every table at the summit.

I would also like to acknowledge those who made the trip from Esperance to contribute to the summit. I sat with representatives from the hospitality industry and the employment sector. Some great ideas were raised on how we can help alleviate and address some of the skills shortages we face. I really look forward to reading the results of the summit.

I would like to congratulate the government for its work in holding its first skills summit in Perth in July, and for listening and implementing some of the outcomes from that first summit, like smoothing the pipeline of work to ensure a continued program of work, securing future jobs, providing funding for mature-age apprenticeships, and committing to hold 10 regional summits around Western Australia to give regional people and businesses an opportunity to help in addressing some of the issues they face. Five of the 10 summits have been held so far and they have all been very successful.

### CONSTITUTIONAL AND ELECTORAL LEGISLATION AMENDMENT (ELECTORAL EQUALITY) BILL 2021

#### *Statement*

**HON DARREN WEST (Agricultural — Parliamentary Secretary)** [5.43 pm]: Hon Jackie Jarvis has inspired me to also stand and say a few words about the second reading debate on the Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021.

A government member interjected.

**Hon DARREN WEST:** Very much so, member.

It is a bill that I proudly support. Although we were keen to get the bill read a second time, I think members' statements provides me with an opportunity to put on the public record our support for the bill and what I found to be the hollowest defence of the status quo one could imagine. This is a historic day, on which this bill has been read a second time, and although there is still a long way to go before its passage, I am growing more confident that we will see this bill enacted into law. In a true democracy, every vote is equal and that is what this bill proposes. It is a long overdue reform to correct the most undemocratically elected house of Parliament in the country. There are a few reasons why we should support this bill. Equality of voting is the right thing to do. It is right that everybody is given an equal say in how their Legislative Council or upper house members are elected. It is the right thing to do. As Hon Alannah MacTiernan eloquently pointed out today, it should not be based just on geography; there are various levels of disadvantage and reasons for vote weighting in the election of members of this house.

**The PRESIDENT:** Order, member. I just need to remind you that this is members' statements and the opportunity to speak on a second reading bill is on the bill, so you need to be very careful about talking generally about a specific piece of legislation that is before the house. So in general terms, I would encourage you to do so. In addition, you are also taking up the time of other members who have a member's statement to make.

**Hon DARREN WEST:** Thank you for your guidance, President. I will certainly take that on board.

Rather than being too specific, I just wanted to get some points on the record about why I think this is an important day and why this is an important piece of legislation. I found some of the arguments particularly hollow and I want to make the point that once all is said and done, everybody leaving this house and who watched this debate today will realise the importance of this legislation. I want to acknowledge the work of the many people who have taken the bill this far and acknowledge that this was a dream of the late Labor Prime Minister, Gough Whitlam, who wrote

many times about the malapportionment in the Western Australian Legislative Council and the way it is elected. For the late great Gough, I think he will be smiling down on this legislation as it progresses its way through the house and, hopefully, eventually becomes law.

## ABORIGINAL AFFAIRS

### *Statement*

**HON ROSIE SAHANNA (Mining and Pastoral)** [5.46 pm]: It has been about six months since I was sworn into the upper house and I have sat here and listened carefully to speakers on both sides. It has been very interesting for someone like me to come into this chamber, find my feet and wait for the right time to have a say. This week certainly spiked that and it got me off my seat to have a say. As I said in my inaugural speech, I live by the values I was raised on and that is: look, listen and learn. I also made it very clear that I am passionate about Indigenous affairs and I want to use my time here to make a difference of change for my people. I love a constructive debate. What I do not need is to listen to some white guy from down south talking about my electorate. He has been there for a day and all of a sudden he knows everything there is to know about a small town called Fitzroy Crossing. There is another white guy who is more concerned about a police dog being present to catch an escaped prisoner from Broome Regional Prison. That seems to be more important to him than other issues. Having said that, Indigenous affairs is really close to my heart and I will stand up and have a say whenever I can.

The other thing I want to raise that I am really passionate about is that members can talk all they want about Indigenous affairs in general, or Aboriginal people for that matter, but be very clear: it is not one shoe fits all. Aboriginal people around this state of WA are different. What fits in Fitzroy Crossing certainly does not fit in Broome. What fits here in Noongar country does not fit in the Yamatji country of Geraldton or Gascoyne, so be very careful. I just want to remind you non-Aboriginal people to take that into consideration when you want to talk about Indigenous affairs. I am one Aboriginal person in this room. I have over 30 years of experience in this field and I will not tolerate any crap that you want to talk about Indigenous affairs and I will have a say. Today is the first time I have ever come up and said all this, but this is just the beginning of my four-year term here. Thank you.

## POSEIDON NICKEL AGREEMENT AMENDMENT (TERMINATION) BILL 2021

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by **Hon Alannah MacTiernan (Minister for Regional Development)**, read a first time.

### *Second Reading*

**HON ALANNAH MacTIERNAN (South West — Minister for Regional Development)** [5.49 pm]: I move —

That the bill be now read a second time.

The purpose of this bill is to ratify an agreement made on 4 August 2021 between the state and Poseidon Nickel Ltd, which I will refer to as the termination agreement. This bill is necessary in order to amend the Poseidon Nickel Agreement Act 1971 to provide for the ratification of the termination agreement that will terminate the Poseidon Nickel Agreement, a state agreement that was entered into on 27 July 1971. A key purpose of the termination agreement is to provide Poseidon with greater flexibility to progress the development of its projects under the general laws of the state, which has the potential to create jobs in the goldfields region.

To put this termination agreement in context, I will provide some background on the state agreement. Nickel was first discovered at Mt Windarra, about 18 kilometres north-west of Laverton, in 1969, heralding the start of the Western Australian nickel boom. The purpose of the state agreement was for the development of a nickel mining and treatment project at Mt Windarra. A second nickel mine commenced at South Windarra in 1974. Collectively, the two mines are referred to as the Windarra nickel project, or WNP. Western Mining Corporation Ltd, or WMC, took 100 per cent ownership of the WNP in 1983.

Between 1981 and 1984, nickel mining volumes at Mt Windarra and South Windarra varied. To ensure full concentrator capacity, incidental to the primary nickel purpose of the state agreement, gold ore from the nearby Lancefield and Beasley Creek tenures was treated at Mt Windarra in a modified nickel circuit. Mining at Mt Windarra ceased in 1990 and at South Windarra in 1991. Processing of nickel sulphide ores from WMC operations at Leinster continued at Mt Windarra until 1993, and processing of gold ore continued until 1994.

In December 2005, BHP Billiton Nickel West Pty Ltd, previously WMC, sold its interest in the WNP and assigned its interests to Niagara Mining Ltd, which later became Poseidon Nickel Ltd. In 2007, the state agreement was varied to require that Poseidon submit development proposals and commence construction by certain fixed dates and provide reasonable evidence of its financial and marketing capacities to fulfil and implement proposals approved under the state agreement. These changes meant that the state agreement, and the tenure held pursuant to it, would cease and determine should Poseidon not be able to meet the deadline dates.

Since that time, the cyclical conditions in the nickel market have been such that Poseidon has been unable to develop the project as required under the state agreement. Poseidon formally requested the termination of the state agreement to enable it to pursue alternative business options. Parliamentary ratification of the termination agreement will provide greater flexibility for Poseidon to progress the development of its projects at the WNP under the general laws of the state, which has potential to both create jobs in the goldfields region and for the retreatment of nickel tailings to extract gold.

I now turn to the provisions of the bill and the variation agreement outlined in the explanatory memorandum. The provisions of the bill essentially set out to terminate the state agreement by ratifying, authorising and attaching the termination agreement, otherwise referred to as schedule 3, to the Poseidon Nickel Agreement Act 1971. The key provisions of the variation agreement are as follows. The first is the continuation of the mining lease under the Mining Act 1978, the continuous authorisation of mining operations upon the termination of the state agreement, and the application of the Mining Rehabilitation Fund Act 2012 to the mining lease, which is under clause 4(4). The second is the cessation of the bank guarantee, held under the deed of covenant, and for the unbroken provision of a mining security under the Mining Act in the amount of \$3.5 million as an unconditional performance bond applicable to the mining lease, which is under clause 5. The third is the release of the company from its obligations, which is under clauses 3.2(a) and 3.2(b) of the deed of covenant for implementation of the 2005 mine closure plan, and completion of closure finalisation works, which is under clause 4(2). These obligations have been replaced by obligations under the Mining Act and through a new mining proposal and mine closure plan. The fourth is that Poseidon will remain liable for its activities and its indemnities under the state agreement and the deed of covenant, which is under clause 4(3).

Ratification of this bill by Parliament will have a positive impact on the local economy and will facilitate the development of the resources sector in the goldfields region. It will enable Poseidon to progress its development strategies focusing on nickel and gold with greater certainty and commercial flexibility with the near-term prospect of creating over 50 regional jobs.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

I commend the bill to the house and I table the explanatory memorandum.

[See paper [833](#).]

Debate adjourned, pursuant to standing orders.

## CIVIL PROCEDURE (REPRESENTATIVE PROCEEDINGS) BILL 2021

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by **Hon Matthew Swinbourn (Parliamentary Secretary)**, read a first time.

### *Second Reading*

**HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary)** [5.56 pm]: I move —

That the bill be now read a second time.

The Civil Procedure (Representative Proceedings) Bill 2021 will introduce a legislative representative proceedings regime in the Supreme Court of Western Australia. This legislation meets a McGowan Labor government election commitment and, in so doing, will enhance access to justice in Western Australia.

This bill was introduced in a very similar form in the previous Parliament as the Civil Procedure (Representative Proceedings) Bill 2019. The 2019 bill passed the other place in September 2019 and was introduced in this place in October 2019, where it remained until Parliament was prorogued last December. The bill I am reading in today differs in only two respects from its predecessor: firstly, it includes minor editorial drafting changes; and, secondly, it seeks to abolish the torts of maintenance and champerty. I will discuss the abolishment provision shortly.

In a 2017 speech, Justice Bernard Murphy of the Federal Court of Australia observed that the regime in part IVA of the Federal Court of Australia Act 1976 “has proved flexible and adaptable” and that it “provides real, practical and broad based access to justice and it is a regime of which we should be proud”. This bill seeks to implement a representative proceedings scheme modelled on that successful federal scheme. This regime was substantially adopted in Victoria in 2000, New South Wales in 2011 and Queensland in 2017, and has stood the test of time.

The bill provides for a range of matters relevant to representative proceedings. The first is a requirement that, in order for representative proceedings to be commenced, seven or more people must have a claim against the same person or corporation, and that those claims are in respect of, or arising out of, the same, similar or related circumstances. Those claims must also give rise to a substantial common issue of law or fact. The second is the right of a group member

of representative proceedings to opt out and formally discontinue as a member of those representative proceedings. The third is provisions relating to the settlement of individual claims, the discontinuance of proceedings in certain circumstances, and the distribution of payments to group members.

Although the bill is modelled on the regime contained in part IVA of the Federal Court Act, it does not simply mirror the text of that regime. This bill differs from part IVA of the Federal Court Act in the following respects. First, the bill incorporates contemporary plain English drafting principles to enhance its readability. Second, the bill includes a provision that is based on section 33T of part IVA of the Federal Court Act—a provision that allows the court to remove and substitute a representative party in particular circumstances—but expands it so that the court may remove and substitute a representative party when it is in the interests of justice to do so. This provision provides the court with additional flexibility. Third, the bill’s definition of “representative party” is not limited to a person who commences a representative proceeding—as in part IVA of the Federal Court Act—but also includes a person who is substituted as a representative party. It is considered that the bill’s definition is more comprehensive and reduces the risk of possible challenges to the legitimacy of a substituted representative party. Fourth, the bill contains an express provision allowing a representative action to be commenced against multiple defendants, regardless of whether each person to the representative action has a claim against every defendant. This is to address the issue created by the decision in *Philip Morris (Australia) Ltd v Nixon* (2000) 170 ALR 487, in which the full court of the Federal Court concluded that all represented plaintiffs must have a claim against each of the named defendants in the proceeding. Fifth, the bill contains a review clause to ensure that the operation and effectiveness of the new legislative regime is examined following its fifth anniversary.

The current mechanism for bringing representative proceedings in Western Australia is found in rule 12 of order 18 of the Rules of the Supreme Court 1971. However, rule 12 of order 18 has been found to contain little detail. The bill will implement a clear set of processes to govern the commencement and conduct of representative proceedings in Western Australia to ensure that these actions are undertaken in the fairest and most efficient manner possible. Procedural matters relating to the conduct of representative proceedings will be discussed with the Supreme Court during the course of the development of its supporting practice directions and rules. Owing to the need to develop these instruments, the bill will not commence immediately following passage through Parliament.

As members will be aware, the Attorney General recently tabled the Law Reform Commission’s final report titled *Maintenance and champerty in Western Australia: Project 110: Final report*. The Law Reform Commission made three recommendations and provided four options for the government on litigation funding. This bill will implement the Law Reform Commission’s first recommendation by abolishing the torts of maintenance and champerty, whilst preserving the rule of law as to the circumstances in which a contract is to be treated as contrary to public policy or as otherwise illegal. The torts are considered to be a barrier to justice in that they can be used by defendants to stymie class actions when litigation funders assist plaintiffs on the basis that they interfere, without justification, in another’s action—known as maintenance—and for a share in the proceeds, known as champerty. The majority of stakeholders supported the abolishment of the torts during the commission’s review, and the torts have long since been abolished by most Australian jurisdictions, as they are widely considered to be out of date. Tasmania also recently abolished the torts in recognition of the fact that litigation funding is now a modern reality and has the potential to improve access to justice when the costs to initiate an action are prohibitive. The Law Reform Commission’s remaining two recommendations are non-legislative and are matters for the Supreme Court to consider.

Members may be aware that the Joint Committee on Corporations and Financial Services of the commonwealth Parliament recently finalised its inquiry into litigation funding and the regulation of the class action industry with its final report, tabled in the commonwealth Parliament on 21 December 2020. Government has carefully considered that report and determined that it is appropriate to reintroduce this bill in substantially the same form as its predecessor, save for the addition of the abolishment of the torts, to fulfil its election commitment to the people of Western Australia to increase access to justice. Representative proceedings serve an important role in providing access to justice; they fill a gap by allowing people who have suffered damage due to a mass civil wrong to seek compensation. Absent such regimes, many people within the community would go uncompensated.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

I commend the bill to the house and I table the explanatory memorandum.

[See paper [834](#).]

Debate adjourned, pursuant to standing orders.

*House adjourned at 6.03 pm*

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**QUESTIONS ON NOTICE**

Questions and answers are as supplied to Hansard.

**CORONAVIRUS — VACCINATIONS — HEALTHCARE WORKERS**

**286. Hon Martin Aldridge to the minister representing the Minister for Health:**

I refer to the State Government's policy for mandatory vaccinations for all health care workers, commencing from 1 October 2021, and question without notice 536, asked on 18 August 2021, and the response by the Minister to Part 3, stating "Healthcare workers across WA have been provided access to COVID-19 vaccinations through their workplaces and can walk into any state-run clinic at any time and be vaccinated," and I ask:

- (a) is it correct that healthcare workers are able to present at state-run vaccination clinics without a booking and receive a vaccination against COVID-19;
- (b) is the State Government considering any exemptions for regional health care workers unable to access COVID-19 vaccinations prior to the deadline for mandatory vaccinations;
- (c) please provide a breakdown by WA Country Health Service region of the following:
  - (i) the number of and locations of any state-run COVID-19 vaccination clinics;
  - (ii) the number of and locations of State-run COVID-19 testing clinics;
  - (iii) the number of, and locations of, any tier one health care facilities which health care staff and health support workers will require a full COVID-19 vaccination to enter from 1 November 2021;
  - (iv) the number of, and locations of, any tier two health care facilities which health care staff and health support workers will require a full COVID-19 vaccination to enter from 1 December 2021; and
  - (v) the number of, and locations of, any tier three health care facilities health care staff and health support workers will require a full COVID-19 vaccination to enter from 1 January 2022; and
- (d) noting the Commonwealth Government's Residential Aged Care COVID-19 Employee Vaccination Support Grant, which provides an \$80 payment for casual aged care staff required to go off-site to receive a vaccination; paid leave of up to \$185 for casual staff who become unwell after a vaccination; and grants of up to \$500 to facilitate off-site vaccination for employees to cover transport costs and other reasonable expenses when getting vaccinated, will the State Government implement any similar measures to encourage vaccination and, if so, please provide detail?

**Hon Stephen Dawson replied:**

I am advised:

- (a) Yes.
- (b) Temporary exemptions will be considered in the case of any health worker who is unable to access vaccination.
- (c)
  - (i) There are 54 separate locations for WA Country Health Service (WACHS) COVID vaccine clinics scheduled for the next four weeks. This includes 47 regularly scheduled clinics and 18 whole of community mass vaccination clinics planned in October 2021. [See tabled paper no [832](#).]
  - (ii) There are 3 regional state-run COVID-19 testing clinics and 66 regional hospitals where testing is available. [See tabled paper no [832](#).]
  - (iii) In addition to the COVID-19 vaccination clinics listed above there are a total of 33 designated Tier 1 locations across 17 separate WACHS sites. [See tabled paper no [832](#).]
  - (iv) WACHS has a current list of 138 locations identified as Tier 2. [See tabled paper no [832](#).]
  - (v) WACHS has a current identified list of 29 Tier 3 sites. [See tabled paper no [832](#).]
- (d) Any health worker in Western Australia can attend any of the 100 State-run COVID-19 vaccination clinic at any time to be vaccinated as a priority 'walk-in'. This includes non-frontline staff. Some agencies may be supportive of their employees being vaccinated during work hours, and this is encouraged where possible, in line with the operational needs of the workplace.

