



# Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT  
FIRST SESSION  
2021

LEGISLATIVE ASSEMBLY

Wednesday, 18 August 2021

# Legislative Assembly

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

**HON HARRY WALTER “MICK” GAYFER, AM**

*Condolence Motion*

**MR M. McGOWAN (Rockingham — Premier)** [12.03 pm] — without notice: I move —

That this house records its sincere regret at the death of Hon Harry “Mick” Gayfer and tenders its deep sympathy to his family.

I begin by paying my respects to and acknowledging the family present in the Speaker’s gallery today, including Lorraine and Glenda, Mick’s daughters, and their husbands, Will and Anthony; Mick’s grandchildren Taryn, Rohan and Fiona, and their partners, Sean, Sharon and Claude; and his great-grandchildren Ashton, Reece, Lucy, Tamsyn, Caris, Kayla, Declan, Oli and Amelie. On behalf of the government, I pass on our condolences to you all.

Harry, or “Mick” as he was more commonly known, served in both chambers of the Western Australian Parliament throughout his 27 years of service. Elected to the Legislative Assembly in 1962, Mick served as the member for Avon for 12 years, representing a range of towns throughout the wheatbelt. Mick served as the Country Party Whip in this place from 1969 to 1974, before serving in the Legislative Council from 1974 to 1989, including as Leader of the National Party from 1988 to 1989. Reading through Mick’s biography and his contributions to this place, it is clear that he was a passionate representative for his community and regional people more broadly.

Mick was born in London, England, on 12 August 1925 to Harry Gayfer and Sophia Reading. He arrived in Western Australia just a few years later as a small child. Mick received his education at Claremont Practising and Central School, and Scotch College, where he was the head prefect and college captain in 1942. Mick was an able sportsman during his school years. He was a member of his school cricket and football teams and a member of the rowing squad, as well as the lieutenant of his school cadets. Following his schooling years in Perth, Mick returned to his family farm at Corrigin. At the family farm, Coongan Downs, Mick farmed wheat and sheep. In 1948, Mick married Alice Mary Hewett in his hometown of Corrigin. Alice and Mick had three children: Lorraine, Harry and Glenda. Mick was a proud grandfather of eight and great-grandfather of 18.

Mick was a proud advocate for his community, becoming active in both local government and the grains industry. Elected president of the Corrigin Shire Council in 1955, Mick served on the council for seven years, before serving a further 12 years between 1995 and 2007 after his time in this Parliament ended. In total, Mick spent 52 years serving the public in either state or local government, for which he deserved a medal!

Mick was elected as a director of Co-operative Bulk Handling Ltd in 1959, becoming chairman of the group in 1971. A stalwart of Western Australia’s grain industry, Mick was chairman of CBH for 25 years. The *Countryman* stated recently that Mick even declined the opportunity to become a minister as he would have had to resign from his role on the CBH board to do so. Mick is credited by many as being the mastermind behind the Kwinana grain terminal, which opened in 1974. The establishment of the Kwinana grain terminal saw Western Australia’s storage capacity increase by tenfold on the old north Fremantle facility, which was at the port in Fremantle. Mick’s advocacy of and contribution towards the construction of the new terminal is widely credited as making Western Australia’s grain industry world class. I drive past the terminal every single day, at least twice. Legend has it that it is the largest single building in the Southern Hemisphere. I have not seen a bigger one, so I assume that is correct!

Mick’s contributions have left a lasting legacy on Western Australia’s grain and farming industries, and his contributions were not left unrecognised. Mick was awarded the Queen’s Silver Jubilee Medal in 1977. In 1991, he was awarded a Medal of the Order of Australia. This expanded in 1997, when Mick was appointed a Member of the Order of Australia. In 2003, he was awarded the Centenary of Federation Medal.

Madam Speaker, I would like to conclude by reflecting on the contributions that Mick made in his inaugural speech in 1962. He spoke of the importance of providing good quality services, education and employment opportunities in country and regional Western Australia especially. Mick was right. He lived by those words and he worked hard for his community. It is important that we continue and acknowledge those efforts today.

Vale Mick Gayfer.

**MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition)** [12.09 pm]: I rise on behalf of the Parliamentary National Party and the opposition generally to pay my respects and reflect on the contribution that Hon Harry “Mick” Gayfer made to this Parliament, and public life. I would like to acknowledge his family, some of whom have joined us today, including: his daughters, Lorraine and Glenda, and their husbands, Will and Anthony; granddaughter Taryn, her husband, Sean, and their children, Ashton, Reece and Lucy; grandson Rohan, his wife, Sharon, and their children, Tamsyn, Caris, Kayla and Declan; granddaughter Fiona, her husband, Claude, and their children, Oli and Amelie.

I also acknowledge that just prior to coming in today we were also joined by former members of the Nationals WA who had served with Mick during his time, Hon Hendy Cowan, a former Leader of the National Party and former member for Merredin; Hon Dr Hilda Turnbull, a former member for Collie; and Hon Murray Montgomery, a former member for South West Region who spent some time alongside Mick in both chambers.

Mick was born on 12 August 1925 in London and arrived in Western Australia as a child. He was the son of Harry Walter Gayfer and his wife, Sophia Reading. Harry Gayfer was a farmer, housing developer and horsetrader. Mick was educated at Claremont Practising and Central School, and Scotch College where he was head prefect and captain and represented the college in cricket, football and rowing and was a lieutenant in the cadets.

In 1943, he returned home to the farm in Corrigin after completing school to take on the property that was originally selected by his father in 1906. In 1948, he was married in St Matthews Church in Corrigin to Alice Mary Hewett, known affectionately as “Mais” to those who knew her well. This partnership was to last for 73 years. Sadly, Mais passed away just a number of weeks before Mick. She was his number one supporter and it was evident to everyone who knew him that it was a wonderful and devoted partnership.

Mick was elected to the Corrigin shire council in 1955 and served until he was elected to the state Parliament in 1962, including some time as the deputy president. After spending time in this place, he returned to have another go. He was made a freeman of the shire in 1990 and has been held in the highest of regard by his peers and those generations who have followed in his footsteps. Mick’s commitment to his community of Corrigin, to agriculture and civic duty is reflected in the large number of organisations he was a member of and accolades bestowed on him. He was a member of the WA Farmers Federation, a Rotary Paul Harris Fellow, an active Freemason, a life member and former president of the Corrigin Golf Club, a Patron of the Corrigin Agricultural Society and a patron of the Corrigin Football Club. He served as an office bearer in Corrigin sporting clubs, including tennis, football, cricket and golf.

Mick was the CBH Group’s longest standing chairman and a true visionary for the cooperative. He served as a grower director on the board for 37 years, between 1959 and 1996, 25 years of which he served as the chairman. I note comments from former Mukinbudin farmer Allan Watson, who took over as chairman of the cooperative after Mick stepped away, in a recent article published in the *Farm Weekly* following Mick’s passing. Allan said —

“Mick put so much into agriculture in WA and was a true legend of CBH, actually he was a legend of the whole of the Australian grain industry,” ...

“He had a very strong personality, was a great leader, an excellent chairman and such a great contributor to rural Western Australia.

“He was also a bit of a character—he didn’t mind a cold drop on a hot day, he was strong and very knowledgeable, but he always listened and he was a very likeable man who made friends all over Australia through his work in the grain industry.”

Imre Menschelyi, who served as CEO for some of the time Mick was chair, made the following comments —

“To me, he was not only a mentor, but he was CBH for 37 years,” ...

That is certainly how I came to know Mick when I became involved in the National Party and agripolitics. Mick was “Mr CBH”; his reputation as a leader and someone who was held in high esteem preceded him. Imre went on to reflect —

“I was but a junior when Mick was at his heyday as chairman of the board and a visionary for CBH and the grain industry at large.

“Some of the initiatives that he introduced into CBH have left a legacy longer than anyone else and they are still recognised as being very beneficial to the graingrowers of WA.”

As a result of his significant and sustained contribution to the grains industry, Mick was awarded the Medal of the Order of Australia in 1991 for services rendered to WA and to the Australian grain trade and community, and was then awarded a Member of the Order of Australia in 1997, in recognition of his service to primary industry. There are few people in the state who can lay claim to making such a significant and enduring contribution to the agricultural sector. The honours that came to him as a result reflect his passion and commitment to the industry and his belief that it would continue to grow and sustain future generations on the land.

All this seems like it might be enough for one lifetime, but Mick was never one to rest on his laurels. In 1962, he decided to throw his hat in the ring for the Country Party for the seat of Avon. According to Mick, the closure of the railways was the theme on which he got elected, because the government closed, or was going to close 842 miles of railway, particularly the railway line from Corrigin to Brookton. In the Nationals’ history book, *Blood Nose Politics*, Mick recalled —

It was that Corrigin to Brookton line and the general closures and the lack of extensions to the comprehensive water scheme, which was introduced by Hawke in 1946 and never completed, that gave me good grounds to stand on... Blood was boiling—no water, railways. They actually took the Brookton railway away and that stirred everybody up.

As the current member representing the communities that formed the seat of Avon and broadly into the wheatbelt, I can attest that 59 years later, those two issues still get the blood boiling in the electorate! His move into politics was also inextricably linked to his role at CBH, and his vision for the cooperative. In an interview with Ron Chapman in 2012, Mick reflected on this synergy, saying, “I had the spirit of co-operatives in my blood because my father built three of the co-operatives—starting them off in 1917. So it was always instilled in our family”. Mick and former Country Party MP Tom Hart were both trustees of CBH in the 60s at a time when CBH was seeking to locate its prospective bulk grain terminal at Kwinana, rather than at Fremantle. He recalled that both he and Tom decided to stand for Parliament as Country Party candidates as, in his words, “We reckoned we stood more of a chance winning approval for a move to Kwinana by tackling it as members of Parliament.” It was a controversial decision, due to CBH’s non-political stance, but they did win support for the Kwinana option and eventually the new terminal was located at Kwinana.

He held the seat of Avon from 1962 until 1974, representing the Shires of Brookton, York, Beverley, Quairading and Corrigin, together with part of the Shire of Wickpin—namely, the town of Yealering. In his inaugural address, Mick began with a comment on the lack of decentralisation in the state. He said —

Decentralisation is something we have heard bandied about for many years, but we have never seen any practical results come from investigations that have been made into this question. I have heard it said that perhaps the best solution to the problem of decentralisation is to spend the money where it is earned.

This sentiment has been a common thread through generations of our great party, picked up in policies to achieve this end as it sought to achieve greater equity in services and infrastructure for regional communities. It must be something in the water, because 46 years later Corrigin produced another local member who shared those very same sentiments. In speaking with Brendon Grylls, a former member for Merredin and Central Wheatbelt and Leader of the Nationals WA, a former Corrigin boy, to prepare for this today, he reflected —

Mick’s contribution to the Country Party and the Nationals was significant, and I was privileged to follow in his footsteps as a representative for the Wheatbelt. The Nationals had a proud history of strong and visionary leadership and Mick wrote a critical chapter of that history.

As someone who now represents those same communities, and shares the same history of serving in both the Legislative Council and the Assembly, and as someone who knew Mick in his later years, I endorse those comments wholeheartedly. I thoroughly enjoyed meeting with Mick and Mais in Corrigin during my time as their local member. Mick was never backward in sharing his views on how the party was travelling, or how gains could be made for the benefit of the agricultural sector and our region. He was as sharp as a tack and even in his 90s with his eyesight failing, he knew exactly what was going on the world of politics. I do not think I once saw him without Mais at his side. In his final speech in the Legislative Council, he said that Mais had worn out five motor cars in 27 years of running around helping him. He thanked his family, acknowledging that when he had started, his children were young and his time away from home meant long periods of separation. We all in this place understand how important family is, and what they sacrifice for us to take on these duties. We thank you for sharing your father, grandfather and great-grandfather with the public of Western Australia and his electorate for such a long time. As we said, Mick spent 27 years in Parliament, 12 in this chamber and 15 in the Legislative Council. Ironically, it was reforms to the Electoral Act to change the weighting of regional representation in the Council that spelt the end to Mick’s career as a parliamentarian. As this house once again prepares to debate electoral reform legislation, it would be wise for members of this place to acquaint themselves with the debates of years past, including the wise words that Mick offered on the impacts of large regional electorates and the ability for the community to remain connected to their representative.

During his time as a member, he worked with and served under six Premiers: Premiers Brand, Tonkin, Court, O’Connor, Burke and Dowding. He was afforded the opportunity to be a minister of the Crown three times, and each time he refused. He remained grounded and committed to serving his electorate, approaching this with vigour and an admirable work ethic. As a farmer himself, the agricultural sector was always at the front of his mind, but his contributions in the house and the Legislative Council reflected his desire to tackle issues like extension to the water scheme, reliable electricity, improved education options and better housing for the wheatbelt. I suspect there were many debates with him roaring at members across this chamber, but in his valedictory speech, he focused very much on the friendships that he made across the aisle and within his own party.

In his 27 years, he served in government and in opposition, and he navigated major changes in our party as we emerged from the Country Party to become the National Party under the leadership of Hon Hedy Cowan. These were very difficult days for the organisation, but in the end Mick saw the value of the vision of a united regional party and he stood proudly as a member of the newly formed National Party. As he exited after 27 years, he spoke of his greatest achievements and disappointments. He reflected on working with John Tonkin to achieve a loan for the state, bringing in \$30 million from overseas to build the Kwinana grain silos and an export terminal. According to Mick, it was the biggest loan that had ever come into Australia. In his words, according to my notes —

That involved a great deal of cooperation and was rather exciting. It was all hush, but these are the sorts of things which Government have to do to make way.

He reflected on his greatest disappointment in not being able to achieve funding or support to complete phase 3 of the comprehensive water scheme, and in not seeing water from the Ord or Fitzroy Rivers harnessed for industrial and community development across the state. He parted with a touch-up for the media of the day, lamenting the fact that important speeches and legislation debated were ignored in favour of, in his words, “a half page article on how a politician hurled invective around the Chamber” in *The West Australian*.

Mick was never one to mince words, and it stood him in good stead with his electorate, the sector that he was so passionate about, and his colleagues. Our electorate, the wheatbelt, rewards members who are fearless in their views, prepared to work hard and be present and accountable. They were well served by Hon Harry “Mick” Gayfer and they rewarded him by re-electing him for 27 years. Our party recognised this effort by bestowing him with life membership.

To his family, of whom he was so immensely proud, the Nationals WA family extend our deepest sympathy. As his busy life slowed, he was able to spend many happy hours listening to the adventures and supporting and encouraging the achievements of his eight grandchildren and 18 great-grandchildren. Always at his side was his lifelong companion and number one supporter, Mais.

He finished his final contribution to this place with a few lines from a bush poem published in *Bush Ballads and Galloping Rhymes* in 1870, and it seems a fitting way to complete this contribution —

I’ve had my share of pastime, and I’ve done my share of toil,  
And life is short—the longest life a span;  
I care not now to tarry for the corn or for the oil,  
Or for the wine that maketh glad the heart of man.

For good undone and deeds misspent and resolutions vain,  
‘tis somewhat late to tarry. This I know:  
I’d live the same life over if I had to live again,  
and chances are I’d go where most men go.

Vale, Mick. Both you and Mais will be greatly missed, but your legacy in this state will live on for a long, long time.

**DR D.J. HONEY (Cottesloe — Leader of the Liberal Party)** [12.23 pm]: I rise on behalf of the Parliamentary Liberal Party to offer my condolences to the family and friends of Hon “Mick” Gayfer. Hon Harry Walter “Mick” Gayfer, AM, was born in 1925 and died at the age of 95 on 15 July, fewer than seven weeks after the passing of his wife, Maisey. He was a respected parliamentary representative of the wheatbelt communities for 27 years, a visionary leader of Western Australia’s grain industry and a tireless servant of his own Corrigin community.

Named after his father, a housing developer, horsetrader and farmer at Corrigin since 1906, Harry Walter Gayfer was born in London in August 1925 and, six weeks later, left for Western Australia with his family. He attended Scotch College from 1939 to 1942 where he was the head prefect, school captain, an all-round sportsman and a lieutenant in the cadets. In 1943, he commenced wheat and sheep farming at the Corrigin family property, Coongan Downs. Like many young farmers, he was precluded from enlistment in the RAAF by wartime manpower controls.

In January 1948, Mick Gayfer married Maisey Hewett, a marriage that would extend for 73 years. He was active in a range of Corrigin sporting clubs, serving as secretary of the tennis and cricket clubs, and as president of the football and golf clubs. He was admitted to the masonic movement, serving the Corrigin Lodge for 70 years. He was first elected to the Corrigin Shire Council in 1955, and, in 1959, commenced 37 years as a director of Co-operative Bulk Handling Ltd. Mick Gayfer served as chair of the Great Eastern Ward Road Board Association and became deputy president of the Corrigin shire in 1961. He was chosen as one of two Country Party candidates to contest the district of Avon at the 1962 state election. This seat comprising the shires of York, Beverley, Brookton, Quairading and Corrigin had been held for the Liberal Party since its creation in 1950 by former Country Party MLA James Mann, who had then announced his retirement.

At his first electoral contest, Mick Gayfer polled 1 655 votes, or 36 per cent, 75 votes behind the Liberal candidate and 430 votes clear of his Country Party running mate whose preferences favoured him strongly. Elected with a solid majority of 663 votes, he was re-elected unopposed at both the 1965 and 1968 elections, with the Shire of Bruce Rock now included in the Avon district. From 1969, he served as Country Party Whip in the Legislative Assembly. Between 1962 and 1971, he was director of the Roads Division of the National Safety Council. It is a testament to his popularity in the district of Avon that at the 1971 state election, with the tide running against the Brand coalition government, Avon was one of two seats left uncontested by the Australian Labor Party. Mick gained 75.3 per cent of the vote against an Independent and Democratic Labor Party opposition. It was the strongest result across all seats held by the Liberal and Country Parties. However, at the 1972 redistribution, the district of Avon was split between four other seats, with the York and Beverley shires being included with Northam in a radically redrawn seat that was given the name of Avon. Mick Gayfer was endorsed for the Central Province of the Legislative Council, composed of the districts of Avon, Narrogin and Mount Marshall. At the 1974 state election, he was one of only two members elected unopposed, commencing 15 additional years of service in the Legislative Council. Despite

the then split between the National Country Party and the National Party he was comfortably re-elected in 1980, and again in 1986, leaving Parliament when the Legislative Council was reconstituted on a regional basis for the 1989 election.

Parallel with his outstanding parliamentary career, Mick Gayfer served one of the state's major rural industries through his chairmanship of Co-operative Bulk Handling Ltd for 25 years from 1971 until 1996. On more than one occasion, he declined the offer of a ministry so that he could continue as CBH director and chairman to serve the state's grain producers. Thanks to his leadership, the CBH grains terminal was successfully relocated from Fremantle to Kwinana by 1974, securing the tax exemption that made possible the funding of this major infrastructure that immensely increased grains capacity. The Forrestfield grain terminal was substantially planned during his chairmanship, receival points were rationalised and fumigation improved. He had the acumen to not only secure overseas loans, but also negotiate repayments in Australian currency. Over the same 25-year period, he chaired the CBH directors' superannuation fund, greatly appreciated by CBH employees in the era preceding compulsory superannuation. From 1988 until 1993 he was chair of the Bulk Handling Authorities of Australia. He also chaired an international grains conference and was awarded a fellowship of the Australian Grains Institute in 1997, also being made a Fellow of the Australian Institute of Company Directors.

In the voluntary side of community service, Mick Gayfer was a Paul Harris Fellow of Rotary and continued his dedicated involvement in the masonic movement as the twenty-third grand master of the Grand Lodge of Western Australia from 1993 to 1996. He served on the board of governors of Fairbridge Western Australia and chaired its fundraising campaign. His interest in the state's wider rural and regional community included part ownership of a Meekatharra station and chairmanship of Matso's Art Gallery and Broome Brewery in 1997. This wide and generous service was recognised by a Queen's Silver Jubilee Medal in 1977, a medal in the Order of Australia in 1991 soon after leaving Parliament, and by the upgrade of his Order of Australia medal to membership of the Order of Australia in 1997. He also received a Centenary of Federation Medal in 2003.

Both in his active career and in semi-retirement, Mick Gayfer remained firmly anchored to the sporting, rural and community life of Corrigin. He was awarded freeman of the municipality of Corrigin in 1990. The Shire of Corrigin has noted with deep appreciation that he returned to a further 15 years' service in 1992, being elected deputy president in 1995 and as shire president from 2001 until 2007.

Hon Ken Wyatt, federal Minister for Indigenous Australians, who arrived in Corrigin aged 12 with his family after 1965, has recalled that his great respect for Mick Gayfer as a local community leader and parliamentarian was a major influence on his decision as a young man to support the free enterprise and the Liberal-conservative side of politics.

Mick Gayfer died in Corrigin after the passing of his wife, Maisey, on 28 May. We extend our deepest condolences to his family and friends. Today I wish to recognise Lorraine and Will Crombie, Mick's daughter and son-in-law; Glenda and Anthony McBeath, Mick's daughter and son-in-law; Taryn and Sean Scadding, and great-grandchildren Tamsyn, Caris, Kayla and Declan Scadding; and granddaughter Fiona and her husband, Claude Marais, and great-grandchildren Oli and Amelie Marais. I also recognise Mick's ex-parliamentary colleagues, Hon Hendy Cowan, Hon Murray Montgomery and Hon Dr Hilda Turnbull, who are also here today.

Mick Gayfer has been an outstanding contributor to the state of Western Australia at every possible level, from his local community to the whole state. I offer my sincere condolences to his family.

Vale Mick Gayfer.

**THE SPEAKER (Mrs M.H. Roberts)** [12.31 pm]: Members, I, too, had the opportunity to meet Mick Gayfer on a couple of occasions—one, I think, being the opening of our new Masonic Lodge in Midland. He was clearly a really likeable and accomplished person who made a significant contribution to the state of Western Australia.

Members, I request that you all rise for one minute's silence in order to carry the motion.

Question passed; members and officers standing as a mark of respect.

#### **PAPER TABLED**

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

#### **JOHN LANGOULANT, AO — AGENT GENERAL, UNITED KINGDOM–EUROPE**

*Statement by Minister for State Development, Jobs and Trade*

**MR R.H. COOK (Kwinana — Minister for State Development, Jobs and Trade)** [12.33 pm]: It is with great pleasure that I stand today to inform the house of the appointment of Mr John Langoulant, AO, as the new Agent General of Western Australia in the United Kingdom–Europe region. The Agent General leads Western Australia's investment and trade office in London, which covers the United Kingdom–European region. The London office is part of Invest and Trade WA, which was launched by the government in July 2019 to support a refreshed and comprehensive approach to attracting investment and growing trade for the state. Western Australia has had official representation in London since 1892 and, as Agent General, Mr Langoulant will play an important investment attraction, trade promotion and state representation role for the state within the United Kingdom and European markets.

Western Australia has strong relationships with the United Kingdom and the European Union, underpinned by substantial trade and investment links. In 2020, the United Kingdom was Western Australia's third largest market for export goods, accounting for 6.5 per cent of the state's goods exports. The European Union presents a range of opportunities for the state's diversification agenda, including strategic investment and trade relationships in our battery, critical minerals and hydrogen industries.

Negotiations for the Australia–United Kingdom Free Trade Agreement and Australia–European Union Free Trade Agreement are currently underway and are scheduled to conclude at the end of this year. These agreements will impact the state's investment and trade activities within both markets. The government is actively working with the Australian government to maximise investment and trade opportunities for WA under these agreements. Brexit has created a changed geopolitical dynamic that requires considered navigation to ensure Western Australia's economic diversification, and investment attraction interests in these markets are best promoted.

With Mr Langoulant's diverse experience across government, industry and the private sector and his extensive knowledge of the Western Australian economy and industry, he is an outstanding choice for Agent General. As Western Australia's Under Treasurer from 1995 to 2004, Mr Langoulant was instrumental in restoring the state's AAA credit rating. In 2010, he was awarded an officer in the general division of the Order of Australia and was the Western Australian Citizen of the Year for Business in 2011. Most recently, Mr Langoulant has been the board chair for a number of high-profile organisations, including Infrastructure WA, the Pawsey Supercomputing Centre, the Rottnest Island Authority, the Government Employees Superannuation Board and Amana Living Inc.

Mr Langoulant will start in the position on 18 October 2021 and has been appointed for a three-year term. He will undertake a period of induction before being deployed to the state's investment and trade office in London. As Agent General, he will work closely with the investment and trade commissioners for the Association of South-East Asian Nations, China, India–Gulf and North East Asia to attract investment and grow trade as part of the state's focus on diversifying the economy.

I know Mr Langoulant will well represent Western Australia's interests overseas as we navigate an ever-changing and fraught geopolitical environment.

#### **HUMAN REPRODUCTIVE TECHNOLOGY AND SURROGACY LEGISLATION — REVIEW — GOVERNMENT RESPONSE**

*Statement by Minister for Health*

**MR R.H. COOK (Kwinana — Minister for Health)** [12.37 pm]: I rise to inform the house that the government approved a detailed response to the 122 recommendations made in Dr Sonia Allan's 2019 review of the Western Australian Human Reproductive Technology Act 1991 and the Surrogacy Act 2008. This response identifies key areas for reform to reproductive technology and surrogacy. Ultimately, these reforms will assist more Western Australians in achieving their desire to start a family. Members may recall that the Allan review was the most comprehensive undertaken since the WA legislation was enacted and involved extensive consultation with the community and targeted stakeholders.

The areas for change reflect the shift in both societal views and technological advancements in assisted reproductive technology. Key areas identified for change are as follows: noting that the welfare of the child is paramount, the WA donor conception register will be maintained and people conceived with the assistance of a donor will have access to their biological heritage. Benefits for donor-conceived people will include access to further information about their identity and medical history. Support services will be made available to assist both donor-conceived people and their biological donor. Further consultation will be carried out regarding processes for information release, taking into consideration issues of confidentiality and privacy for all participants.

Equity of access will be provided for altruistic surrogacy, including consideration of women who face impending infertility, single men, people in same-sex relationships, transgender and intersex people. It is our intention that new legislation will be drafted to facilitate this access. Access to surrogacy will also be improved by allowing clinics to recruit altruistic surrogates, but commercial surrogacy arrangements of any kind that involve payment or reward for surrogacy services will remain prohibited.

Other legislative changes will seek to establish a co-regulatory model for ART in WA, including aligning with National Health and Medical Research Council guidelines. Further consultation regarding the posthumous use of gametes in accordance with the NHMRC guidelines is supported. A ministerial advisory panel will be established by the end of this year to advise me and to ensure that new legislation reflects social trends and scientific advances to ensure safe use of ART.

The expertise of Dr Allan and the extensive consultation conducted as part of her review reassures us that the way forward for the legislation strikes the right balance in safeguarding public and professional confidence in ART. I now table the government's response to the review of the Western Australian Human Reproductive Technology Act 1991 and the Surrogacy Act 2008.

[See paper [428](#).]

## REGIONAL EVENTS SCHEME

*Statement by Minister for Tourism*

**MR D.A. TEMPLEMAN (Mandurah — Minister for Tourism)** [12.40 pm]: I am excited to inform the house that the 2022–23 regional events scheme funding round will open for applications on Tuesday, 24 August 2021, for two months. The McGowan government supports regional events because they attract visitors to the regions who spend money that boosts local economies; attract media coverage that helps promote the region as an exciting destination; involve and inspire the local community; add vibrancy and excitement; and support local jobs.

In previous years, the application and assessment process for the regional events scheme commenced in October; however, this year it has been brought forward by six weeks. This means that applicants will be notified about the outcome of the assessment process and decisions on government funding as early as March, instead of May, as has been the case in the past. This will provide applicants with sufficient time to financially plan their event and is particularly beneficial for those who hold their events in July. It also aims to relieve some financial pressure during a COVID-19-impacted period as event holders are facing difficulties securing cash sponsorships in advance from local private organisations. The regional events scheme is an annual funding round of \$1 million that supports smaller and developing events around regional Western Australia. Event holders can apply for grants of between \$5 000 and \$40 000 for events held between 1 July 2022 and 30 June 2023. The funding includes \$150 000 for the regional Aboriginal events scheme to support events that showcase and celebrate Aboriginal activities and experiences through the leadership and participation of Aboriginal people.

Pre-promotion of the 2022–23 regional events scheme funding round commenced in July to ensure regional event holders are well aware of the new application dates. In the 2021–22 round, 62 regional events were funded between 1 July 2021 and 30 June 2022, including five through the regional Aboriginal events scheme. The McGowan government is proud to sponsor events through Tourism Western Australia's regional events scheme, supported by royalties for regions. Our aim is to provide opportunities to develop and elevate small regional events that position the state as a vibrant tourism destination across all regions. The government is pleased to sponsor these events that will help regional communities to stimulate their economies and community vibrancy.

## VIETNAM VETERANS' DAY

*Statement by Minister for Veterans Issues*

**MR P. PAPALIA (Warnbro — Minister for Veterans Issues)** [12.42 pm]: I rise to bring to members' attention that today, on the anniversary of the Battle of Long Tan in 1966, we commemorate Vietnam Veterans' Day. On 18 August 1966, in a rubber plantation near the village of Long Tan, Australian soldiers fought one of the fiercest battles of the war. The men of Delta Company of the 6<sup>th</sup> Battalion, Royal Australian Regiment, faced a force of some 2 000 North Vietnamese and Viet Cong troops. The battle was fought in wet and muddy conditions during a heavy tropical downpour. By the day's end, 17 Australians had been killed in action and 25 were wounded, one of whom died a few days later. This was the largest number of casualties in a single operation since the Australian Task Force established its base at nearby Nui Dat the previous April. Today, we commemorate all the battles fought by Australians in Vietnam, from large-scale operations to platoon and section-level encounters.

On Sunday just passed, the Premier and I had the privilege of attending the Vietnam Veterans' Day commemorative service at Kings Park, organised by the Vietnam Veterans Association of Australia. We remembered those lost and reflected on the bravery, teamwork and endurance that Australians displayed throughout the war. When our Vietnam veterans first returned, many felt isolated and that their service and sacrifice were not appropriately honoured. It took until 1987 for these veterans to receive a welcome-home parade, with 22 000 Vietnam veterans marching through Sydney in front of a crowd of some 100 000 Australians.

Today, we also pause to reflect on the impact of service on our veterans' families. All defence families endure the hardship of separation, uncertainty and fear, but the families of our Vietnam veterans also witnessed their loved one returning home to a nation in turmoil. They watched as the vast majority received no formal recognition for their service and welcome home ceremonies were not hosted by their communities.

As we see the end of Australia's commitments in Afghanistan, we must learn from this experience and ensure that all the defence personnel and defence families are supported. It is my honour to stand before this house to thank our Vietnam veterans and their families for their service and sacrifice.

Lest we forget.

## ALL ABILITIES FOOTBALL

*Statement by Minister for Sport and Recreation*

**DR A.D. BUTI (Armadale — Minister for Sport and Recreation)** [12.45 pm]: It gives me great pleasure to inform the house that this weekend the Western Australian All Abilities Football Association will host its Integrated Football competition grand finals. The Integrated Football competition has over 300 players who come together to play



each week. This program is run by the All Abilities Football Association. All Abilities Football provides players with an intellectual or physical disability the opportunity to improve their independence, wellbeing, self-esteem and life skills by being a valued member of a local community footy club.

All Abilities Football in WA has its origins in 2008, when several Perth Football League clubs identified a need for players with an intellectual disability who love the game of footy to be able to play. This WA program has grown to be nationwide. In 2019, the Western Australian All Abilities Football Association was established to promote and grow disability football in Western Australia. Its core purpose is to provide the opportunity for people with a disability to be involved and participate in Australian rules football, like every other Australian.

For season 2021, my local club, Kelmscott Bulldogs Football Club, entered an all abilities team in the Integrated Football competition. The driving force behind the establishment of the Kelmscott team is inspirational coach Robbie Turner, who is ably supported by the executive of the club. I also congratulate the disability support group 4lifeskills for its support in getting the Kelmscott Integrated team on the paddock. To Robbie and his charges, congratulations on your first season. I am already looking forward to season 2022.

Footy, as we know, is part of the social fabric of the Australian way of life. It is the biggest club-based sport played by adults in WA. The McGowan government is proud to support organisations such as the All Abilities Football Association that play a valuable role in making WA a better and more inclusive place for everyone. The role of sport and recreation in connecting and enhancing communities in WA should not be taken for granted. All Western Australians, regardless of their situation, deserve the opportunity to lead a healthy, active lifestyle and be part of a team. The physical and mental health benefits of club footy participation are valued at \$78.6 million. I am pleased to share that the government recently secured in excess of \$30 000 in funding to help grow the association's Wheelchair Football League competition in 2021–22.

I encourage members to support our all abilities teams this weekend and head down to John Dunn Memorial Park in Kelmscott on Saturday as I toss the coin to kick off the B division grand final match at midday.

#### **MEMBER FOR VASSE**

##### *Leave of Absence — Motion*

**MR D.A. TEMPLEMAN (Mandurah — Leader of the House)** [12.48 pm]: I move —

That the member for Vasse be given leave of absence from the Legislative Assembly up to and including 9 September 2021 on account of urgent private business.

I am aware that the member for Vasse has had a bereavement in the family and I am sure on behalf of all members we send her our very best regards during this time and, indeed, acknowledge the importance of private leave for such significant purposes.

Question put and passed.

#### **IRON ORE AGREEMENTS LEGISLATION AMENDMENT BILL 2021**

##### *Introduction and First Reading*

Bill introduced, on motion by **Mr R.H. Cook (Minister for State Development, Jobs and Trade)**, and read a first time.

Explanatory memorandum presented by the minister.

##### *Second Reading*

**MR R.H. COOK (Kwinana — Minister for State Development, Jobs and Trade)** [12.49 pm]: I move —

That the bill be now read a second time.

The purpose of this bill is to ratify two agreements made on 4 August 2021 between the state and the Mount Goldsworthy joint venture, which I will refer to as the “variation agreements”. This bill is necessary to give effect to the variation agreements as amendments to two state agreements—the Iron Ore (Mount Goldsworthy) Agreement 1964 and the Iron Ore (Goldsworthy–Nimingarra) Agreement 1972—which I will refer to as the “state agreements”. A key purpose of the variation agreements is to allow the Mount Goldsworthy joint venture, which I will refer to as the “joint venture”, to sell iron ore from existing stockpiles to a third-party purchaser for that third party to export. To put the variation agreements into context, I will provide some background on the state agreement and the need to vary the state agreements.

Since the 1960s, the Goldsworthy state agreement and, since the 1970s, the related Goldsworthy–Nimingarra state agreement have facilitated the development of iron ore mines and associated infrastructure in the Pilbara region of this state. This includes, among other things, the development of a number of iron ore mines in the Goldsworthy northern areas, which is located approximately 150 kilometres east of Port Hedland. BHP manages and operates iron ore projects approved under the two state agreements on behalf of the joint venture. BHP's joint venture partners are Mitsui Iron Ore Corporation Pty Ltd and Itochu Minerals Energy of Australia Pty Ltd, both of which are Japanese trading entities.

In 2014, mining at the Goldsworthy northern areas was suspended as the cost of handling the stockpiles for export by the joint venture became uneconomic on an opportunity-cost basis—that is, it would displace tonnes from BHP’s logistics network that would be capable of being more efficiently mined and transported. This resulted in 40 iron ore stockpiles, totalling just over 7.4 million tonnes of ore, being left in situ. Since that time, BHP has undertaken various rehabilitation activities in the Goldsworthy northern areas.

BHP has proposed to sell the iron ore from these existing stockpiles to third parties at the mine gate, which the variation agreements identify as the exit point on the boundary of the relevant tenement held by the joint venture. Using their own logistics networks, the third-party purchaser or purchasers will then transport the iron ore by road to Port Hedland for export. This proposed structure to sell the iron ore is currently not permitted under the state agreements. These variation agreements are therefore important as they facilitate the sale of iron ore that might otherwise ultimately remain in situ. The mine gate sale of this product will promote and assist in the post-COVID-19 economic recovery of the state through the generation of royalty income for the state and job creation in the Pilbara region. Based on the current Treasury forecast of an iron ore price of \$US64 a tonne and the exchange rate for 2021–22, it is estimated that royalties to the state from the mine gate sale of the stockpiled ore will be about \$63 million, but it could be significantly higher if iron ore prices remain elevated.

I now turn to the provisions of the bill and variation agreements outlined in the explanatory memorandum. The provisions of the bill seek to amend the state agreements by ratifying the two variation agreements referred to respectively as the sixth variation agreement set out in the seventh schedule of the Iron Ore (Mount Goldsworthy) Agreement Act 1964 and the fourth variation agreement set out in schedule 5 of the Iron Ore (Goldsworthy–Nimingarra) Agreement Act 1972. The key provisions of the variation agreements are essentially the same. Clauses 2(2) of each agreement will insert new clause 9DB into the Iron Ore (Mount Goldsworthy) Agreement 1964 and new clause 16BB into the Iron Ore (Goldsworthy–Nimingarra) Agreement 1972. This will define the ore stockpiles as comprising in aggregate approximately 7.4 million tonnes of iron ore across the two variation agreements and allow the joint venture to undertake, by approval of additional proposals reasonably necessary, commercialisation activities to carry out the sale of iron ore comprising the ore stockpiles to an arms-length purchaser. Those activities will include the crushing, screening and handling of the iron ore up to the relevant tenement boundary sale point. The joint venture will have up to five years to submit additional proposals under the relevant state agreement to commercialise the ore stockpiles to ensure the timely sale of the stockpiled iron ore. This period cannot be extended by the state agreement minister. The Mining Act royalty and additional rental regimes will be applied to the mine gate sale of the ore stockpiles.

This is an important bill. I commend the bill to the house.

Debate adjourned, on motion by **Mr P.J. Rundle**.

## **CIVIL PROCEDURE (REPRESENTATIVE PROCEEDINGS) BILL 2021**

### *Introduction and First Reading*

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

Explanatory memorandum presented by the Attorney General.

### *Second Reading*

**MR J.R. QUIGLEY (Butler — Attorney General)** [12.57 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 this house in September 2019 and was introduced in the other 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 “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, I last week 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.

I am proud, as Attorney General, to have brought this bill to Parliament to establish a legislative representative proceedings scheme in Western Australia, and I commend the bill to the house.

Debate adjourned, on motion by **Mr P.J. Rundle**.

## **SENTENCING LEGISLATION AMENDMENT (PERSONS LINKED TO TERRORISM) BILL 2021**

### *Introduction and First Reading*

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

Explanatory memorandum presented by the Attorney General.

### *Second Reading*

**MR J.R. QUIGLEY (Butler — Attorney General)** [1.06 pm]: I move —

That the bill be now read a second time.

I am pleased to introduce to the house the Sentencing Legislation Amendment (Persons Linked to Terrorism) Bill 2021, which amends the Sentence Administration Act 2003, the Young Offenders Act 1994, the Criminal Procedure Act 2004 and the Freedom of Information Act 1992.

On 9 June 2017, the Council of Australian Governments, otherwise known as COAG, agreed to adopt a presumption against the granting of bail and early release orders—for example, parole—to persons who have demonstrated support for, or have links to, terrorist activity. The impetus for these changes were the increased incidents of terrorist-related violence perpetrated by persons with known links to terrorism who were on bail or parole when committing terrorist acts on Australian soil. These incidents included the terrorist attack in Brighton, Victoria, on 5 June 2017 perpetrated by an offender who was on parole at the time of the attack while serving a sentence for home invasion offences. This was preceded by the December 2014 siege at the Lindt Café in Martin Place, Sydney, by an offender who was on bail facing charges of sexual assault and accessory to murder.

The threat of terrorism is ever-present. In February this year, Australian Federal Police provided to the federal Parliamentary Joint Committee on Intelligence and Security's inquiry into extremist movements and radicalism in Australia a submission that reinforced the need for ongoing vigilance. Statistics show that since Australia's national threat level was raised to "probable" in 2014, 138 people have been charged as a result of 66 counterterrorism-related operations around Australia. Additionally, authorities have responded to nine domestic terrorist attacks, and there have been 21 major counterterrorism disruption operations in relation to potential or imminent attack planning within Australia.

At a 5 October 2017 special meeting on counterterrorism, COAG agreed that the decision to adopt a presumption against the granting of bail and early release orders should be underpinned by a nationally consistent approach. To do this, COAG tasked the Australia–New Zealand Counter-Terrorism Committee to consult with each Australian jurisdiction to develop principles to guide the implementation of these presumptions. The first principle is that the presumptions against bail and early release orders should apply to categories of persons who have demonstrated support for, or links to, terrorist activity. The second principle is that a high legal threshold should be required to overcome the presumptions against bail and early release orders. The third principle is that the implementation of the presumption against bail and early release orders should draw on and support the effectiveness of the counterterrorism team model. The fourth principle is that implementing a presumption against early release orders should appropriately act to protect sensitive information. These principles acknowledge that all jurisdictions have well-established and accepted practices and procedures in relation to early release orders and bail.

Western Australia has taken a two-stage approach to implementing the COAG agreement. The first stage was implemented by the Bail Amendment (Persons Linked to Terrorism) Act 2019, which received royal assent on 5 July 2019 and became operational on 1 January 2020. The bill before the house represents the second stage and accords with the principles agreed to by COAG.

The amendments to the Sentence Administration Act 2003 and the Young Offenders Act 1994, as proposed by this bill, will provide that persons with links to terrorism are subject to a presumption against an early release order. The bill ensures that terrorism-related risks are appropriately assessed before a person with links to terrorism is granted the privilege of an early release from prison or detention. These reforms are aimed at minimising the terrorism-related risk to the Western Australian community. For the purposes of the bill, a person falls under the definition of a person who has links to terrorism if a person is subject to certain terrorism-related charges, orders or convictions as defined in the bill. When the person has made statements or carried out activities that support, or advocate support for, terrorist acts, the person must be subject to a Commissioner of Police report to fall under the definition. A Commissioner of Police report is introduced in this bill to support decision-making by the chairperson of the Prisoners Review Board of Western Australia, or the Supervised Release Review Board, whichever the case may be.

The bill will create a presumption against early release orders by mandating that exceptional reasons must be shown before a person with links to terrorism is granted an early release order. This is known as the exceptional reasons test. To guide the exceptional reasons test, the bill will introduce special considerations that require an assessment of particular matters, such as the degree of risk posed to the community should the offender be released, and the nature and seriousness of the current links to terrorism and terrorism-related activities. The bill will enable the immediate cancellation of an early release order in the event of a prisoner or young offender becoming subject to defined terrorism-related charges, orders or convictions and in other specified circumstances.

A Commissioner of Police report may be provided for consideration by the board for any prisoner or young offender, including for persons with links to terrorism. This report could include information that has been shared between Australian intelligence and law enforcement agencies. New confidentiality protections have been included in the bill to protect terrorist intelligence information that may be contained within the Commissioner of Police report. For example, to ensure the protection of terrorist intelligence information, the bill requires that the board will be constituted by the chairperson alone when determining whether to grant an early release order for a person with links to terrorism and when considering a Commissioner of Police report that contains terrorist intelligence information. This will reduce the number of people who have access to terrorist intelligence information and protect against

disclosure of such information that may impact current or ongoing national security investigations. The bill will also introduce strict protections to limit the disclosure of terrorist intelligence information in any legal proceeding relating to or requiring the disclosure of information contained within a Commissioner of Police report that the court is satisfied is terrorist intelligence information. Amendments to the Criminal Procedure Act 2004 will ensure that prosecutors do not overlook these protections. Further protections will also be provided by the bill's amendments to the Freedom of Information Act 1992, which will exempt Commissioner of Police reports from disclosure. Reporting requirements to inform the public and Parliament about the number of terrorism offenders released on early release orders are additionally subject to provisions that will ensure that protected and sensitive information, which includes terrorist intelligence information, is not inappropriately disclosed.

All other Australian jurisdictions have legislated to give effect to the 2017 COAG agreement. Each has taken a different approach to reform, having regard to their legislative frameworks. This bill will implement the second stage of the COAG agreement to tackle the terrorism risk when considering early release for a person with links to terrorism. It will ensure that, like in other states, Western Australia strengthens the nationally consistent approach to address and prevent the evolving terrorist risk.

I commend the bill to the house.

Debate adjourned, on motion by **Mr P.J. Rundle**.

### **MOTOR VEHICLE REPAIRERS AND DEALERS LEGISLATION AMENDMENT BILL 2021**

#### *Introduction and First Reading*

Bill introduced, on motion by **Ms A. Sanderson (Minister for Commerce)**, and read a first time.

Explanatory memorandum presented by the minister.

#### *Second Reading*

**MS A. SANDERSON (Morley — Minister for Commerce)** [1.16 pm]: I move —

That the bill be now read a second time.

Today I introduce the Motor Vehicle Repairers and Dealers Legislation Amendment Bill 2021. The bill will amend the Motor Vehicle Repairers Act 2003, or the repairers act, and the Motor Vehicle Dealers Act 1973, the dealers act. The bill is part of a package of regulatory reforms the McGowan government has initiated to support business by streamlining decision-making and improving efficiencies.

Businesses that participate in buying or selling motor vehicles are required to have a licence under the dealers act, and businesses that participate in repairing motor vehicles are required to hold a separate licence issued under the repairers act. At present, a large proportion of motor vehicle repairers are also licensed motor vehicle dealers and therefore are required to hold two licences. However, the processes and time periods for renewing licences under these two acts are inconsistent. This creates problems for the motor vehicle industry and government, which has responsibility for administering occupational licence regimes. Under the dealers act, a licence may be renewed every three years and renewal applications must be lodged with the Commissioner for Consumer Protection not more than two months before the date on which the licence expires and not more than 28 days after the date on which the licence expires. By contrast, under the repairers act, a licence may be renewed every three years, but an application for the renewal of a business licence is required to be made not later than 28 days before the expiry of a licence, unless the Commissioner for Consumer Protection agrees to shorten the period. Under the repairers act, there is no capacity for the commissioner to accept applications for renewal after the expiry of the licence. These provisions therefore are inconsistent with the dealers act. This means that a repairer's licence ceases if it is not lodged with the commissioner before its expiry date, which disrupts business continuity. If a repairer's licence ceases, repairers are then required to reapply for a licence from scratch, including having to submit a host of documents in support of what is considered a new application, which can be particularly time consuming and add to the administrative burden of the business and government.

The bill addresses these problems by amending the repairers act and the dealers act to create a consistent licensing renewal regime for both motor vehicle repairers and motor vehicle dealers. Amendments to the repairers act will permit the commissioner to accept applications for licence renewals not more than two months prior to the date that the licence expires, which will bring the act into line with provisions applying under the dealers act. This effectively extends the time period for repair businesses to manage their licence renewal applications by approximately two months. The amendments to the repairers act and the dealers act will also allow motor vehicle repair and car dealer businesses to trade pending a decision by the commissioner on their renewal application. This is an important change as it will provide certainty and continuity for these businesses and avoid the potential significant disruption of their day-to-day operations.

Amendments to the repairers act also provide for a late payment fee when an application for renewal of a trading licence is received within 28 days after the expiry date of the licence. The amendment is consistent with the existing provisions in the dealers act and will encourage business to renew their licences on time and help offset the costs

to government of processing late renewal applications. Lastly, the amendments also clarify that if a licence is renewed, including for those applications received within 28 days after expiry, the renewal is to apply on and from the date that the previous licence expired. The proposed amendments will streamline processes and will help support business continuity and avoid additional costs for business and government. The amendments will also bring the motor industry into line with the requirements that apply under other occupational licensing schemes administered by the Department of Mines, Industry Regulation and Safety.

I commend the bill to the house.

Debate adjourned, on motion by **Mr P.J. Rundle**.

### PUBLIC ACCOUNTS COMMITTEE

#### *Inquiry into the Student Transport Assistance Policy Framework — Motion*

**MS R. SAFFIOTI (West Swan — Minister for Transport)** [1.21 pm]: I move —

- (1) That this house requests the Public Accounts Committee to inquire into and report by 31 August 2022 on the current student transport assistance policy framework within the current budget parameters, in particular —
  - (a) the eligibility criteria for students to qualify for transport assistance, including —
    - (i) nearest appropriate school;
    - (ii) access to spurs; and
    - (iii) inclusion of social, community, and economic and financial factors;
  - (b) the types of transport assistance and entitlements to be provided to ensure students can undertake an appropriate education;
  - (c) the relevance of existing policies, practices and rules that are applied in delivering the transport assistance arrangements;
  - (d) the assessment process when evaluating the safety of bus stops and routes;
  - (e) the implication of the National Disability Insurance Scheme on the delivery of transport assistance for students attending education support facilities;
  - (f) the contractual arrangements with service providers, including the appropriateness of current school bus contracts, and payment arrangements, and previous contractual arrangements and the manner in which they were created;
  - (g) the resourcing of the school bus services division within the Public Transport Authority; and
  - (h) the appropriateness of the conveyance allowance as an alternative to transport assistance.
- (2) That the member for Roe be co-opted to the committee for this inquiry.

Today I speak to the reason that we are moving this review today in Parliament. The issue of school bus services in regional WA is one that creates a lot of discussion in particular from families throughout regional WA. There is an issue when government tries to balance the needs of individual families while having a policy framework that can be applied consistently throughout regional towns and communities. We understand that people's needs change over time and that this policy framework has not been reviewed or reconsidered after many years. A lot of regional members on my side from the past term and since being elected have raised inquiries and concerns from their constituents about access to bus services, issues to do with fairness and equity across particular towns and regions, and also more generally some of the issues about when a more rural-type setting will get a Transperth bus service—I notice the member for Darling Range here today—how to make the transition between a regional bus service to a more Transperth-style bus service and how to support families in that transition. Many, many issues have been raised. As I said, it is a very difficult challenge. In many instances the distances are significant. The time that kids are required to be on buses is also significant. Of course, in some parts of regional WA when different choices are being made by families about what high school their children should attend—district high school versus senior high school—the movement the families choose can completely change the dynamics or economics of a service. It just takes one family to move in with five school-age children and it completely changes the case for a particular bus service. In many instances too, a bus may have, for example, those on board who have the right to be on board and they offer the extra seats to other families, but when others come in, sometimes there is dislodgement. There are a lot of different issues. I have to apologise. I have a very bad tooth issue, and that is why it is taking me awhile to warm up! It is very, very sore.

As I said, it is an ongoing issue to try to marry the educational needs, the education policy and the policy of the transport agencies as well. I congratulate the transport team at the Public Transport Authority who oversee this

area. It is a tough one because matters to do with children moving around from one place to another are always highly sensitive, as they should be. We all care about our children and want to make sure that we do what we can to get the best services for our children. We all do it. We all want to make sure our children can go to school safely, hopefully not be on the bus for too long and be comfortable in that environment. The school bus team works hard to try to satisfy that, but there are policies. As I said, this is a very difficult area because we are balancing the individual needs, which change over time, within a policy framework. As I said, a lot of different issues have been raised and that is why we thought we would refer it to a parliamentary committee. I also acknowledge the member for Roe on the other side, and we are moving that he be involved in this committee because he will be a proactive and I think cooperative member who will put forward ideas. I suspect that is the case.

**Mr P.J. Rundle:** Absolutely!

**Ms R. SAFFIOTI:** I have not found the member for Roe to be a negative person who always tries to tear people down, so I think he will work well with the committee to try to deliver results. That is what it is all about.

I have to say that—given the Premier is also the Treasurer—there are budget parameters as well. Ideally, if there was no budget on anything, life would be easy, but economics and government policy is always about making sure we match dollars allocated to the services that we undertake. We are asking that we have reference to the existing budget parameters, because, to be honest, we want to make sure our policy can work better. We are asking the inquiry to look into a number of things, including —

- (a) the eligibility criteria for students to qualify for transport assistance, including —
  - (i) nearest appropriate school;
  - (ii) access to spurs; and
  - (iii) inclusion of social, community, and economic and financial factors;
- (b) the types of transport assistance and entitlements to be provided to ensure students can undertake an appropriate education;

Another thing we have seen, of course, is the increased use of technology regarding how we move around. The idea is that how we move around the city has changed significantly over time, particularly with the use of apps and technology. Are there any things we can do better in regional WA? The motion continues —

- (c) the relevance of existing policies, practices and rules that are applied in delivering the transport assistance arrangements;
- (d) the assessment process when evaluating the safety of bus stops and routes;

Again, issues that have been raised are sometimes about two children from the same family who have to access different bus stops. If we make some small improvements to those sorts of practical measures, that would change the lives of many. The motion continues —

- (e) the implication of the National Disability Insurance Scheme on the delivery of transport assistance for students ...
- (f) the contractual arrangements with service providers ...

I suspect this will create a lot of topics of discussion and that a number of bus contractors will be waiting at the door of the Public Accounts Committee when there is an official commencement of this inquiry. Can those different contractual arrangements be better managed to satisfy the budget requirements of the state and flexibility of providing services in regional WA? The inquiry will also address the school bus services division and the appropriateness of the conveyance allowance as an alternative. These are the issues that we would like to have reviewed.

The school bus services started in 1918 when the first contracted service, a two-horse team omnibus, travelled seven miles, starting in Toodyay. Currently, the rural school bus network carries more than 25 000 students on 967 services across the state. Transport assistance is provided in one of two ways—the orange school bus network or through a conveyance allowance. The policy provides for a reasonable level of transport assistance to the nearest appropriate school that offers the year of study for that student at a government or non-government school. A number of requirements exist that I have raised before. There are a number of different aspects depending on the network or the route configuration. The bus stop will either be a pick-up at the gate of the residence or a spur off the main route or there will be a conveyance allowance payment.

I have highlighted a number of challenges, but I will go through them again. Of course, one of the challenges is parent choice and where parents may choose to send their children. Currently, it is the next appropriate school. I know from the many letters sent to me that that is fundamentally challenged all the time. There must be some mechanism to identify the most appropriate school and whether that should still stand as a criterion, but we could not expect a bus to pick-up any child and take that child to any school in Western Australia either. There must be that balance as well. A major issue arises when there is a lack of demand when amalgamating services. There may be demographic

changes in some towns. Those demographic changes might be temporary, and there may be just not enough students or no students. It is about having flexibility to respond to those demographic changes in a way that allows us to be there when needed, but also to move out when we are not needed.

The other issue I have raised relates to the expansion of the public transport network. It is very much an issue for the peri-urban—I love that word—but, more generally, for those areas just outside the metropolitan boundary where there is a transition from a school bus service to a more normalised Transperth service. The member for Darling Range raised that with me in relation to Jarrahdale.

There is also the issue of contracts: How do we ensure that taxpayers get value for money? How do we ensure consistency and fairness? How do we ensure we protect our kids as much as possible on school buses by ensuring some level of supervision and also quality control? Many different aspects are involved. Even in government, it is always good to review what we do and see how we can do it better. I am not one who believes that just because something has been done a certain way for many years that there is no opportunity to change. A bipartisan approach is important because this is an emotional and sensitive issue, and we want politics out of it. Issues in the system are not of only this government's creation; they are issues consistent across all political parties over many years. We have adopted exactly the same policy as applied under previous governments, but I understand, particularly as we continue to evolve, that this policy has not been reviewed, that people's concerns continue to increase and it is time to review the policy. This is not meant to be a party political issue. The composition of the Public Accounts Committee with representatives from the Liberal Party, and now the Nationals WA, and the Labor Party means it will be a very good committee able to review what is happening. I will leave it to the committee to decide how to undertake its consultation, and, moreover, some of its time frames on consultation and public forums. However, I expect that the committee will visit much of regional WA to listen to communities firsthand. This type of committee is what we should have parliamentary committees for—that is, to be proactive, to look at existing policies that have been established over many years and to see how things can be improved, and to do that in a nonpartisan way. Regional WA will support that, and it will be good for policy and for us more generally.

Therefore, I seek parliamentary support to refer this matter to the committee, to have really good, engaged dialogue throughout regional WA, to hear the views of people, and to see how potentially we can have a better policy going forward. As I said, the challenge is enormous—there will be a lot of key stakeholders—but it must balance the need to be flexible while delivering a service with a policy that can be implemented. Having policies that are flexible but with some sort of structure is a massive challenge. I seek the support of the Parliament for this, and I wish the parliamentary committee members all the best as they undertake this very important role.

**MR P.J. RUNDLE (Roe)** [1.35 pm]: I appreciate the words of the Minister for Transport. I asked a question of her a few weeks ago on this matter, and I appreciate that she has taken this matter on board because it is very important to our regional families. I am pleased to be co-opted onto the Public Accounts Committee for this inquiry, and am very happy to try to make a positive contribution. As the minister would know—as I have referred to this in my questions—school bus services are the bane of my life as a regional member, but I have always tried to approach it in a positive way. My electorate staff do a fantastic job communicating with constituents, who in many cases are very frustrated constituents and families. I appreciate that the minister has taken this on board and put this inquiry up. I look forward to working with our Public Accounts Committee. The chair of the committee, the member for Bicton, and the member for Victoria Park, have a metro basis in some ways, but I am sure they are very much on top of regional issues. The member for Cottesloe has a Cranbrook background; that is where he went to school. The member for Mirrabooka used to catch a school bus not far from where I live, around the Broomehill way, so I am sure she will be very involved. As the minister mentioned, the member for Darling Range deals with issues around the Jarrahdale area, and I am sure he will be very interested in this matter. It will be a great blend of committee members. As the minister said, it will be a bipartisan inquiry. As far as I am concerned, this is not really about politics; it is about getting a result for regional families.

In my electorate of Roe, I have had issues from Salmon Gums and Grass Patch in the east through to Narrogin and Wagin in the north west, along with Lake King and many other places. The member for Collie–Preston is familiar with two areas in particular in which I have had public meetings. A public meeting in Darkan was attended by 30-odd parents. There is the unusual situation in which people could live 500 metres either side of Darkan in three different directions and be directed to three different district high schools. Many of the parents there also want their kids to go to a senior school nearby, potentially Collie or the like, for the continuity of their education. That issue is very difficult to solve under the current guidelines.

The other issue relates to Munglinup, where I fronted up to 90 or 95 parents and community members and tried to defend the school bus guidelines, which I did not want to do in any way, shape or form. I tried to explain to them how they worked or how they did not work, and the fact that I wanted them changed. Many families down that way are affected. I believe the second criterion, the inclusion of social, community and economic and financial factors, should be taken into account. A nurse and mother of a family in close-by Ravensthorpe, who is a really key member of our Ravensthorpe health community, could potentially be lost because of the school bus situation. Those are the sorts of examples that really worry me as a local MP. My electorate officers and I have worked closely with providers



of school bus services, people like Anthony Cattai and his team, and we really try to get the communication going. We have them in our office at times and try to work through maps; here at Parliament House as well, we lay the map out on the courtyard table just to try to sensibly work through some of those issues. I appreciate the fact that they are working to the guidelines and sometimes they can only give an answer that is comparable with those guidelines.

I think the minister mentioned “appropriate school” or “appropriate nearest school”. I believe that we should take an opportunity to look at those guidelines, because, at the end of the day, education should be a family decision. When school bus services dictate where children go to school just because they happen to live a few hundred metres from the wrong side of a line on a map, that is pretty concerning to me. I hope that this inquiry brings in two things. The first is common sense. That is our number one priority—common sense. The other is better communication. I really believe that we have the opportunity to improve communication. Groups such as the Isolated Children’s Parents’ Association, the Western Australian Council of State School Organisations and P&C associations around the state, and I am sure many community and family groups and, of course, as the minister mentioned, the bus contractors and BusWA, will be lining up outside the front door. To be honest, I think we have drifted away from smaller family bus businesses that had good continuity and there was a business to sell, and all of a sudden we have drifted into a more corporate model. I believe there is work we can do.

I noted the minister’s comment “within budget parameters”. I understand that, but I think we need to look at some solutions that may have some budgetary effects. I do not think that we can confine ourselves to no budget implications at all. Certainly, it will be a challenge from that perspective. I look forward to making a positive contribution to the committee, and I look forward to working with the other members of the Public Accounts Committee.

**MS J.L. HANNS (Collie–Preston)** [1.42 pm]: I start my address in the chamber today by thanking the minister for listening very carefully to the issues that were obviously conveyed to the minister’s office on behalf of the constituents that approached me in my electorate office. I thank the minister for referring this very important issue to the Public Accounts Committee. I would like to also acknowledge the fact that this is an inherited system. It has evolved over time. The system is very complex, and our community’s needs and expectations have also similarly changed over time. I thank the minister once again for this very positive step and for showing her support for the families in my electorate of Collie–Preston.

I would like to throw out to members in the chamber today a couple of names of towns to see exactly how many of them they recognise. I will not read them all; there is a significant number. I am not lucky enough to have one or two towns in my electorate; I am lucky enough to have many scores of towns in my electorate. Some of these areas are Argyle, Beelerup, Brazier, Brookhampton, Buckingham, Burekup, Cardiff, Charley Creek, Collie, Collie Burn, Crooked Brook, Dardanup, Donnybrook, Eaton, Elgin, Ferguson, Forrest Beach, Glen Mervyn, Harris River, Henty, Kirup, Lowden, Ludlow, Lyalls Mill, Muja and Mumballup. For those people who do not know where Mumballup is, it is halfway between Noggerup and Yabberup, also in my electorate.

**Ms R. Saffioti:** I thought that!

**Ms J.L. HANNS:** Correct. Palmer, Paradise, Paynedale, Peppermint Grove Beach—we have our own form of Peppermint Grove in the south west—Picton, Preston Settlement, Queenwood, Roelands, Shotts, Stirling Estate, Stratham, The Plains, Thomson Brook et cetera. I challenge anybody to plot those locations on a map. It shows members the complexity of the transport system for school bus services.

**Mr J.N. Carey:** Nuanced.

**Ms J.L. HANNS:** Absolutely—very nuanced. Many of those locations are remote in nature and obviously take into account the geography of the south west. I will give some examples of issues that constituents have raised with me. I thank the member for Roe, who has raised the issue of Darkan school bus services. I also met with parents who transport their students from Darkan to Collie Senior High School. Although Darkan is not in my electorate, the flow-on effect of students from Darkan coming to Collie Senior High School is of benefit to our community. It is more of a natural fit for a lot of the families who travel from Darkan to other areas to do their shopping and access medical services. They tend to travel into Collie as opposed to towns to the east of them. A lot of those families have children who range between primary and high school age. Some families have raised issues with me—the member for Roe also alluded to this—about students needing to transition between district high school and senior high school. Many of those families are doing multiple drop-offs at different locations. That can be a time-consuming trek in the mornings, particularly if the family is from a farming community that is located reasonably far away from the nearest drop-off point. Several of these children are very young, and some travel in excess of one hour either end of their school trip.

I would like to thank the member for Roe for his support of the Darkan community, which naturally interfaces with Collie, as I have said. I support him being co-opted onto this committee and recognise his advocacy for his community. The member for Roe and his wife, Andrea, introduced themselves to me very early on after the election and the member indicated to me that he was keen to work closely with me on issues on which our electorates interface. I welcome his positive approach in this regard. It is for that reason I thank the minister for the motion to co-opt the member for Roe onto the committee.

One family reported to me that their decision on which school to enrol their child in is dependent on access to bus services, so they actually apply for the bus service before they enrol their child into a school. If parents are not able to access the school that they feel is appropriate for their children, some consider boarding school, which, as a regional member—I am sure other regional members in the chamber today would agree—has implications for our local schools, communities and sporting groups.

Other examples that members of my community have raised with me regarding school bus services include the fact that the green school bus services, which are public transport, are “pay to travel”. Those children pay to travel whether they are travelling two, five or potentially 20 kilometres to the nearest school. The orange school bus services are for students who are deemed eligible to receive complimentary travel. Those services potentially travel to schools 50 kilometres away. People have raised with me the inconsistencies of the application of the policy and what that looks like for families. Another family approached my office looking for support for their child, a special needs student, to be able to travel on a school bus. This child is only eight years old and requires a carer to travel with her on the bus service. This young child has a tendency to run away, so, if the bus stopped, there was a potential that she could alight from the bus. It was challenging for the family, who were asking for support for their child to travel to the nearest appropriate school, which was an education support school. The minister’s staff and the department were very, very helpful in addressing that issue. Again, it highlights the complex issues that we are dealing with around school bus services, particularly when students may qualify for National Disability Insurance Scheme funding, and what that looks like in getting those children to and from their nearest appropriate school.

I welcome this bill being referred to the Public Accounts Committee and thank the Minister for Transport for her support by requesting the committee examine these issues on behalf of families in my electorate. I will continue to listen to my community and raise issues on their behalf. I extend an invitation to the committee to visit the beautiful area of Collie–Preston to see firsthand the issues that families are experiencing in my area.

**The ACTING SPEAKER (Ms M.M. Quirk):** I have never seen such fierce agreement!

**MR H.T. JONES (Darling Range)** [1.50 pm]: I rise this afternoon to speak in support of the motion brought by the Minister for Transport. I have a lot to thank the Minister for Transport for on behalf of the Darling Range electorate: the Byford rail extension, the Tonkin highway extension, \$18 million worth of road funding to support upgrades or management of local roads, and also for the school bus service and how it has impacted particularly the people of Jarrahdale.

As mentioned by the member for Roe and others, school bus services are associated with regional areas as well as the peri-urban areas and special needs students. My exposure to the school bus service has been through my son, as a special needs child, who went to a special needs school. We utilised the school bus service and were very happy with it; I cannot speak more highly of it, especially given its personal service and always having the same bus driver is very much appreciated.

I suppose my awareness of the school bus service increased rather dramatically in June this year, a couple of months after I had been elected, when I started to receive correspondence from people in Jarrahdale. They had received a letter from Transperth, I believe, in June advising them that their school bus service would cease within the next six to eight weeks as a result of the public transport boundary being enlarged. At face value, the public transport boundary being increased to service Jarrahdale is a good thing. One of the issues in Jarrahdale raised with me has been the requirement for greater transport services in the area. However, the consequential cessation of the school bus service was something that Jarrahdale parents in particular were very concerned about.

The residents gave several reasons why the school bus service should be retained or was preferable to Transperth services, including the changed timings of the bus service; the length of time students might spend on the bus; the placement of bus stops in Jarrahdale itself—Jarrahdale Road is quite busy—and the lack of bus shelters, especially in inclement weather; and the placement of bus stops at schools. Court Grammar School has a bus stop on Soldiers Road. If the children have to cross Soldiers Road, it will be quite hazardous for them, whereas the school bus service drops the children off at the school.

The transition from a free service to a paying service is also a concern for parents. Although Transperth charges 70¢, I think it is, for a bus ticket, for a single parent with maybe two or three kids, it adds up and is something I was probably not aware of. I earn a good wage and my wife works as well, so to me 70¢ is not a lot of money, but to some people it is a lot of money.

General safety concerns were raised about the proposed change to Transperth bus services, including not only the position of bus stops, as I mentioned, but also the fact that primary school children in Jarrahdale travel to private schools, such as Court Grammar School and Southern Hills Christian College. Parents are concerned that primary school kids will not be able to cope with a public service.

As a result of the correspondence from the people in Jarrahdale, I spoke with the Minister for Transport on probably two or three occasions highlighting the issue. Again, it is not a criticism of the Public Transport Authority of Western Australia, Transperth or the school bus service; they are conforming to the policies we have to deal with.

However, the minister agreed to delay the impending six-week change to the service until the end of this year, which came as a relief to the parents who were very concerned about the short notice of the change to the service. I was drawn then to look at the school bus service system and it became quickly apparent that it was quite inconsistent and the service provided to people varies, depending on where they live. It became readily apparent that it needed to be looked at.

The people of Jarrahdale can be assured that as a member of the Public Accounts Committee, I will raise the concerns they have raised—and will raise subsequently with me, I am sure—as part of the inquiry process, should it go ahead. I will have that knowledge and be able to take those issues into account as part of the broader inquiry, should it be adopted.

Again, I want to thank the Minister for Transport for her assistance, particularly for delaying the decision to cease the school bus service to Jarrahdale. I also thank the people in the Public Transport Authority, Transperth and the school bus service for the jobs they do in difficult circumstances, dealing with a policy framework that is open to a great deal of interpretation and with what is an emotive issue. I have had to advocate for my son's place on the school bus service on occasion and, luckily, the service saw my point of view. I would like to thank also the member for Roe. I am glad the member for Roe will be co-opted onto the Public Accounts Committee. In my short time in this place, the member for Roe has impressed me as someone who works cooperatively across the chamber and for the benefit of his community.

**Mr P.J. Rundle:** Most of the time.

**Mr H.T. JONES:** Most of the time—when he is allowed to! I commend this referral to the Public Accounts Committee and hope it is accepted.

Question put and passed.

### **DOG AMENDMENT (STOP PUPPY FARMING) BILL 2021**

#### *Second Reading*

Resumed from 17 August.

**MR J.N. CAREY (Perth — Minister for Local Government)** [1.57 pm] — in reply: In the few minutes before question time, I wish to first of all thank members for their contributions to this debate. It was quite a notable debate as we got later into the evening. I have to say that the member for Moore gave an incredible, sterling performance with some of his commentary. I note, for example, that he asked why the Minister for Transport was represented by a tulip. I thought that was an interesting one. He said he had a couple of cardigans that were very attractive, but said —

... I do not think they meet the dress code in this chamber. I think we have to be a bit more liberal about male dress codes in the chamber.

Several members interjected.

**Mr J.N. CAREY:** Member for Moore, I am talking about your contribution last night, which was entertaining, and your statements about cardigans. I note also that the member for Roe made probably the classic statement of the evening when he said, "I'm struggling to concentrate." That even got the member for Moore chuckling in front of the member for Roe, I have to say. I appreciate the contributions of all members. It was a very lively debate towards the end of the evening.

I first of all want to acknowledge the work of many people on this legislation. This Dog Amendment (Stop Puppy Farming) Bill has been very long in the making. I also, of course, want to acknowledge the member for Maylands, who is not here. It is fair to say that the member for Maylands has worked incredibly hard in advocating for the welfare of cats and dogs. She played an incredible part in all the groundwork needed to develop this bill. This bill really is testament to her incredible work on and advocacy for animal welfare.

I also want to acknowledge the work of the previous minister, Hon David Templeman, particularly his staff, who went out of their way to engage with local stakeholders across the board. I want to acknowledge Gary Hamley, Tarnya Widdicombe and Kelly McManus. I also want to thank my staff—Claire Comrie, Ben Johnson and Sam McLeod—for their work on this bill.

I also want to acknowledge the work of and commend the staff at the Department of Local Government, Sport and Cultural Industries. They have gone well beyond to reach out to stakeholders and really get into the detail. In particular, I want to mention Darrelle Merritt and Dee da Silva. They really have done an exceptional job to draft a complex amendment bill that will deliver on this key election commitment that we took to the 2017 election and then reintroduced at the 2021 election.

I am waiting to be called. I will be like the member for Moore, who struggles to concentrate.

Debate interrupted, pursuant to standing orders.

[Continued on page 3029.]

## EMERGENCY EVACUATION ALARM SYSTEM TESTING

*Statement by Speaker*

**THE SPEAKER (Mrs M.H. Roberts)** [2.01 pm]: I have a reminder that I need everyone to pay close attention to. It is important that members are aware of two different types of emergency alarms used at Parliament House—the evacuation alarm and the code black alarm—and the appropriate response to each. Depending on the particular alarm, members may need to evacuate immediately, such as in the event of a fire or a bomb threat or in the event of a person with malicious intent moving freely through the building. They may decide to evacuate or, conversely, remain and hide or prepare to defend themselves.

Tomorrow an alarm familiarisation exercise will be broadcast over the PA system. Members, you will not be required to take any action, but you should listen carefully to the PA broadcast instructions so that in the event of a real emergency, you are aware of the appropriate response. The exercise will take approximately four minutes.

The Parliament's alarm system is tested every Friday at 8.00 am. The detailed security information can be found on the "Member Services" tab on the intranet. I will announce when the alarm familiarisation is about to commence immediately before the test tomorrow. Just to be clear, there will be no actual evacuation; people will remain in the building and familiarise themselves with the process, and they will be required to listen appropriately.

### QUESTIONS WITHOUT NOTICE

#### KING EDWARD MEMORIAL HOSPITAL FOR WOMEN — STAFF

**430. Ms M.J. DAVIES to the Minister for Health:**

I refer to the second rally that is being held today at King Edward Memorial Hospital for Women by the Australian Nursing Federation and the hospital staff who are scared, anxious and overwhelmed by the crisis in our health system and the private hospitals giving cash incentives to recruit nurses. Why is the minister refusing to implement short-term measures put to him by the Australian Nursing Federation, such as improved parking for staff and more flexible rosters to retain existing nurses and attract additional critical staff?

**Mr R.H. COOK replied:**

Last week we announced a range of measures to create incentives to make sure that nurses are supported better in the workplace, making sure that we can create a good clinical environment for the people they care for. In addition, we continue to work with the Australian Nursing Federation around a range of its proposals. Mark Olson has come up with about a dozen 10-point plans recently. I am very close to Mark, and we work through those on an ongoing basis. To some extent, the nurses at King Edward Memorial Hospital for Women are anxious about safety outside the hospital as well as the parking issue. Obviously, parking remains an issue, as it does in hospitals anywhere in the world. The hospital leadership continues to work on these issues with both the staff and the City of Subiaco to see what remedies we can put in place.

However, the best thing we can do for the doctors, nurses, allied health support staff and patients, particularly the women of Western Australia, at King Edward Memorial Hospital is to build them a brand new hospital. That is why the government has committed \$1.8 billion to ensure that we can provide for the needs of women and babies into the future. At the moment we are actively engaged with clinical staff around that major project.

#### KING EDWARD MEMORIAL HOSPITAL FOR WOMEN — STAFF

**431. Ms M.J. DAVIES to the Minister for Health:**

I have a supplementary question. Why is the minister making it so difficult for public hospitals to recruit nurses coming back from retirement or maternity leave by demanding that they work a minimum number of hours? Surely any nurse wanting to come back into the system should be given the flexibility to do as many or as few hours as possible.

**Mr R.H. COOK replied:**

We are providing refresher courses and paid work experience to go along with those refresher courses as part of our program to bring people back into the workplace. As members saw in *The West Australian* today, there is a nurse shortage everywhere. That is why we announced our package last week. It is extraordinary that the member continues to overlook the fact that we are investing \$1.9 billion into our hospital system.

Several members interjected.

**The SPEAKER:** Order, please, members!

**Mr R.H. COOK:** This sort of concocted ignorance from the other side is now becoming the hallmark of this opposition.

**Mr R.S. Love:** Are you calling the nurses ignorant, minister?

**Mr R.H. COOK:** No, I am specifically calling you ignorant, member.

We are investing more in our health system than ever before, making sure that we can continue to provide the resources that the health system needs to care for the patients that we put first. What we have seen from those opposite is this concocted ignorance of the impacts of the COVID-19 pandemic, the impacts of closed international borders —

**Mr R.S. Love:** Concocted excuses.

**Mr R.H. COOK:** It is so easy for the member for Moore.

**Mr R.S. Love** interjected.

**Mr R.H. COOK:** Why are you so grumpy today? I think the member for Moore is getting dehydrated—a little bit grumpy. I think he is having a bad day from a long night.

Several members interjected.

**The SPEAKER:** Order, please, members.

**Mr R.H. COOK:** We will continue to put significant investment into our hospital system, support our staff and, above all, make sure that the doctors and nurses at King Edward Memorial Hospital will soon have a brand new world-class hospital. That, my friends, is more than you will ever be able to do.

#### PERTH CITY DEAL

#### 432. **Mr S.N. AUBREY to the Premier:**

I refer to the McGowan Labor government's investment in creating jobs and driving economic activity through the delivery of the \$1.5 billion Perth City Deal.

- (1) Can the Premier update the house on how this government is helping to deliver a new state-of-the-art university campus in the Perth CBD?
- (2) Can the Premier advise the house what this investment will mean for jobs, businesses and economic activation in the Perth CBD?

#### **Mr M. McGOWAN replied:**

- (1)–(2) I thank the member for the question. Obviously, the new Edith Cowan University city campus will be a game changer for Perth and Western Australia. It is more than just a new building; 9 000 students and staff will come into the city each and every day. The state government is providing \$150 million in land and funding for this new inner-city campus. It is a joint investment with the commonwealth government. In particular, I would like to thank former Senator Mathias Cormann for his support of this project and the Prime Minister. I would also like to thank ECU and Professor Steve Chapman for their support of this project. A total of \$695 million will be invested in this project, which shows the outcomes that can be achieved when the state and commonwealth governments work together.

The centrepiece, of course, will be the Western Australian Academy of Performing Arts, which is moving from Mt Lawley into the city. As members know, a process is in place to redevelop the existing campus and improve Mount Lawley Senior High School with additional facilities. It will have 11 levels, including theatres, studios and performance spaces, and new laneways will be created between Yagan Square and King Square. It will be a spectacular building and provide great opportunities for students from both the city and the regions. I was in Mingenew recently, and the deputy shire president who was with me and took me around the area is a graduate of WAAPA. She is committed to the regions and also the arts. During construction, it is expected to create more than 3 000 jobs, as well as 380 ongoing jobs once operational. We expect that it will drive billions of dollars in economic activity over its time. As I said, 9 000 students coming in will result in an activation of the city. Once again, it shows the value of state and commonwealth governments working together to achieve great outcomes.

The totality of the Perth City Deal between the state and the federal government is worth \$1.5 billion. The state and the federal government are driving the rejuvenation of our city. Via the Perth City Deal, we are investing in the new Causeway cycling bridge; the redevelopment of the WACA, which we are determined to achieve; the redevelopment of the Perth Concert Hall; the redevelopment of the East Perth power station, which has sat there now for 41 years; the revitalisation of the Perth Cultural Centre; a homelessness initiative to support people who may be homeless; and planning for the Aboriginal cultural centre. It is great that the Liberal–National government nationally and the state Labor government have been able to work together to achieve these outcomes.

I am aware of only one group of people who has opposed it—that is, the Nationals WA. It ran ads during the last election campaign attacking the project, which stands to reason because it tries to divide city against country regularly. But the great thing is that we are proceeding with this project, which will benefit both people from the city and students from the regions who want to engage in this sort of education and university opportunity as, indeed, did the deputy shire president of Mingenew, who I caught up with recently and who is a strong supporter of WAAPA.

## URGENT CARE CLINICS

**433. Dr D.J. HONEY to the Minister for Health:**

I refer to comments by the Child and Adolescent Health Service chief executive, Dr Aresh Anwar, that the code yellow at Perth Children's Hospital over the weekend was due in part to patients turning up who could have been seen by a GP.

- (1) Is this not exactly what the government's urgent care clinic 2017 election promise was supposed to address?
- (2) Are the urgent care clinics working as the government promised?

**Mr R.H. COOK replied:**

- (1)–(2) Yes. At last, the opposition has heard that our hospitals are under significant demand because of the post-COVID-19 spike. As I have said in this place, explaining in very slow language, with as many gestures as possible so that opposition members can understand, somewhere between 160 and 180 people usually report to our emergency departments each day; over the weekend, it was kicking at around the 300 mark. There is significant pressure on our hospital system and we have to respond in a range of ways. One way is through significant investment, which we announced last week. At the moment, we are working with teams at both Perth Children's Hospital and right across our hospital system about the best use of those resources to improve throughput. The other way is by trying to manage the demand. That is one of the reasons we introduced the urgent care clinic network as part of our election commitments in 2017.

The COVID-19 pandemic has put significant pressure on GP networks. There is not the same capacity in our GP system as there was previously, but there is a significant number of referrals to the online referral pathway from urgent care clinics. If the member had given me a bit of notice, I would have given him an update on those numbers. We are undertaking an evaluation of that program, which is in part hampered by the fact that, of course, during 2020 we had this thing called a global pandemic that impacted on people's capacity to get to their GP, or on their GP even being open in the first place.

We are, of course, in the middle of flu season and that has resulted in a large increase in respiratory syncytial virus—RSV—and respiratory viral infections. Of course, the one thing that people cannot do at the moment through their GP is go to them with a respiratory problem, because many GPs simply refuse to see those people. This is part of the problem that we are confronting at the moment because of the global pandemic. That is one reason why we are so lucky to have the McGowan government making that investment and providing leadership to ensure that we can get through this together.

## URGENT CARE CLINICS

**434. Dr D.J. HONEY to the Minister for Health:**

I have a supplementary question. The second part of my question was: are the urgent care clinics working as the government promised? Does the minister believe urgent care clinics are delivering as the government promised they would in 2017?

**Mr R.H. COOK replied:**

The short answer is yes. They are working. We are getting good throughput in the online referral system. But there is something that we ultimately cannot fix and that is because it is the commonwealth government's responsibility to make sure that we have a higher number of GPs. Western Australia has the lowest concentration of GPs of anywhere in the country—the lowest number of GPs per population—except, of course, in the western suburbs. Your electorate, member, has the highest concentration of GPs of anywhere in the country!

**Dr D.J. Honey:** They just want to be near me, obviously!

**Mr R.H. COOK:** It must mean that you are a very poorly mob, you lot in Cottesloe!

The fact of the matter is that our GP networks need to continue to make sure that they can provide quality health care to the public. We want to engage them as part of the urgent care clinic network, and this is exactly what is happening.

## JOBS — REGIONS

**435. Ms L. DALTON to the Minister for State Development, Jobs and Trade:**

I refer to the McGowan Labor government's commitment to maximising local content, creating local jobs and supporting local businesses.

- (1) Can the minister update the house on how the Western Australian Jobs Act is providing more opportunities for Western Australian businesses, in particular those in regional WA?
- (2) Can the minister outline to the house how this is helping to create more jobs for Western Australians?

**Mr R.H. COOK replied:**

- (1)–(2) I thank the member for the question. The member for Geraldton knows how important it is to make sure that we, as a government, can provide prosperity through jobs, and keep people safe and provide them

with great health and wellbeing. That is nowhere more important than it is in regional Western Australia. One thing that this government has focused on is to make creating jobs for people throughout the state a fundamental tenet of everything that we do. In October 2018, the Western Australian industry participation strategy—or WAIPS as it is known—was launched as a requirement of the Western Australian Jobs Act. The jobs act, of course, was enacted after the government came to office in 2017.

WAIPS is a keystone component of the government's commitment to WA jobs and ensures that local businesses benefit from an even greater share of the \$30 billion worth of procurement that state governments undertake each year. Under WAIPS, prospective suppliers are required to submit participation plans to outline their commitments to employ and involve local WA businesses in supply opportunities. Once a contract is awarded, the approved participation plan is incorporated into the contracts of the successful suppliers to ensure that they deliver upon their commitments to local industry. Successful bidders are required to report on the fulfilment of their plans.

As I said previously, the government has a lot of reasons to be happy about the work that is being done under the jobs act. In fact, I am sure that all members will be very happy to hear that there are 43 000 reasons to be happy—43 000 jobs have been created as a result of WAIPS. More than 450 plans have been received, which have committed to those 43 000 jobs, of which 12 000 were created in regional WA. On top of that, 2 800 apprenticeships and traineeships have been supported by WAIPS, of which 986 are in regional WA. This underscores our commitment to ensure that we continue to skill up our young people and provide them with the opportunity to get the training and the jobs that they need to thrive in our community.

Let us be under no illusion: a lot of hard work is still to be done on the constraints around our workforce and skills, which is why the government had a skills summit recently, which created a lot of really good outcomes and engagement with industry about what we need to do to continue to create opportunities for our young people. However, supporting more than 43 000 jobs in less than three years shows that the Western Australian Jobs Act is working, creating opportunities for local businesses and apprentices, and making sure that we keep Western Australians in a prosperous, safe, happy and healthy place.

#### SOLDIERS AND SIRENS PROGRAM

#### **436. Dr D.J. HONEY to the Minister for Police:**

I refer to the hundreds of police, former police, first responders and veterans who have used the services of Soldiers and Sirens. Will the minister listen to the pleas for help from people who have benefited from this valuable service and commit to finding \$1 million to support it?

#### **Mr P. PAPALIA replied:**

I thank the member for his question. Soldiers and Sirens is a service provider that was established following a federal government grant in 2019 by Hon Christian Porter of \$464 000 over two years. As I understand it, there are a couple of individuals involved in that organisation and their proposal was that, as former police officers, they would be able to provide a service that would be welcomed by police officers in particular. They labelled the organisation Soldiers and Sirens to show that they were also focused on trying to provide services to veterans. However, it is a service provider.

It was recognised by the Western Australia Police Force. The police provide internal, government-employed services. We have eight psychologists employed by the department, and a further three are to be employed. I believe we now have five police chaplains; when I entered Parliament there was one. In recent times, resources and funding for services to police officers who need assistance with mental health have increased astronomically—far more so when we took office. It has been an extraordinary investment under the leadership of Commissioner Dawson and our government.

However, services are not only provided by internal resources; external approved providers are also able to be accessed by police officers. For those police officers who do not wish to see health, welfare and safety branch staff and would prefer instead to go outside to an independent provider, there is a list of authorised providers, and Soldiers and Sirens was one of those. For the last two years or thereabouts, Soldiers and Sirens, amongst other service providers, has been available to any police officer who wanted to seek out its assistance.

I can only assume that, following the end of the \$464 000 grant, not enough police officers are seeking out Soldiers and Sirens to sustain the business—noting that it is a business; it is a proposal for the provision of services as a business. If that were not the case, there would have been enough police officers—the hundreds to which the member referred—to sustain the business, because the Western Australia Police Force pays for any police officer who seeks out the assistance of the external providers. I can only assume that not enough police officers saw it as an attractive option. That may be because, knowing that Soldiers and Sirens are former police officers, a currently serving police officer who does not want to seek assistance from an internal provider might view Soldiers and Sirens with much the same concern as they would the internal providers, and would rather go to an independent provider altogether.

I cannot say why that problem is there, but it is not because we cut funding. We never funded Soldiers and Sirens; it was always funded as an external provider. In the event that a police officer sought its services, that funding was provided. The state government has not cut any funding. The federal government provided a grant that came to an end; that was always going to be the case. We can only assume that not enough police officers see Soldiers and Sirens as an attractive option. If hundreds of police officers were using its services, I imagine it would not need any advocacy from anyone for a million-dollars-per-year grant, which is what I understand it is seeking.

#### SOLDIERS AND SIRENS PROGRAM

#### 437. **Dr D.J. HONEY to the Minister for Police:**

I have a supplementary question. Regardless of the original source of funding, will the minister do what he —  
Several members interjected.

**The SPEAKER:** Order, please, members!

Several members interjected.

**The SPEAKER:** Deputy Premier, you should know better. I want to hear a short, sharp supplementary question, nothing else.

**Dr D.J. HONEY:** Regardless of the original source of funding, will the minister do what he knows is right in supporting our veterans, police and first responders, and provide at least some level of funding to support this service, which is so highly regarded by our police force and service people?

Several members interjected.

**The SPEAKER:** The Minister for Police and only the Minister for Police!

#### **Mr P. PAPALIA replied:**

I came to this role with a genuine focus on assisting police who are dealing with trauma and the consequences of the trauma they encounter. The Commissioner of Police will tell you that; he has stated it publicly to police officers via From the Line, his online newsletter. He has also said at public forums, consistently, that it was the first thing I raised with him on day one. At the very first meeting I had with him as the new minister, I raised the issue of focusing on assisting our police officers who might be suffering from PTSD or other illnesses as a consequence of the traumas they encounter.

Since that time, he has actively pursued increasing resources, which had already been massively increased above what we inherited, in the last term of the McGowan government. As the member knows and was reported publicly, we recently held a prevention of suicide forum that I attended for the entire duration of briefings, throughout the morning and into the afternoon. I can guarantee the member that more is being done now than has ever been done before in the history of Western Australia to support our police officers in operational and all health matters, and certainly with regard to supporting those who might be suffering illnesses as a consequence of the traumas they encounter.

I will repeat this, because it is an obvious fact: no-one at state level cut any funding to Soldiers and Sirens. It was an authorised external provider. If hundreds upon hundreds of police officers had been seeking out its assistance, it would have been funded by the police force; that is the process. Clearly, that is not the case. It does not provide —

Several members interjected.

**Mr P. PAPALIA:** There is no service provided by Soldiers and Sirens that is not available through other external providers or through internal provision of service from within the police force. If Soldiers and Sirens wants a \$1 million grant to continue its business, it is not going to get it from us, because I am focused on providing the best possible service for our police officers, and using every single dollar of taxpayers' money in the most effective manner we possibly can.

#### STATE FOOTBALL CENTRE

#### 438. **Ms H.M. BEAZLEY to the Minister for Sport and Recreation:**

I refer to the McGowan Labor government's significant investment in job-creating sporting infrastructure across Western Australia, including the new State Football Centre. Can the minister outline what this facility will mean for WA's local football community—regardless of him wearing a different code's scarf today!—and the FIFA Women's World Cup in 2023; and can the minister advise the house how the McGowan Labor government's investment in sporting infrastructure is supporting local jobs and the growth of female participation in sport?

#### **Dr A.D. BUTI replied:**

Before I answer this fantastic question, I acknowledge on behalf of the member for Bassendean the staff of Meerilinga, who are in the gallery.



I thank the member for Victoria Park for the question. It is always great to get a question on sport after a great Dockers victory in the Western Derby! As we know, the FIFA Women's World Cup is to be held in 2023 in Australia and New Zealand, and Perth is one of the host cities, which is absolutely fantastic news. That came about through the strong advocacy of the McGowan government and Football West. The popularity of football—the world game variety—continues to grow in this state, with around 160 000 registered participants. The growth of female football is phenomenal. Even during the COVID-19 period, over the last year there has been a 45 per cent increase in female participation in football, which is absolutely fantastic.

It was with great pleasure that I was with the Premier at HBF Park this morning to announce the state government's commitment of \$35 million to the upgrading of HBF Park ahead of the staging of the Women's World Cup in 2023. That funding will be used to upgrade the lighting of the premises, the power, the electronic scoreboards, video scoreboards and the turf, and there will be other improvements in amenities for spectators and players. I was there this morning with the Premier and the member for Cannington to also announce a commitment the state government has made to the Football West high-performance centre in Queens Park. I should acknowledge the member for Cannington's long advocacy for that centre. Of course, it is very close to the member for Victoria Park's electorate. It will obviously serve the whole of the Western Australian football community. It is a great initiative. The Western Australian government has put \$16.25 million into that centre, which is matched by the commonwealth government to the same tune. That centre will be completed by the time of the Women's World Cup, so at least one of the visiting teams will be able to use that as a training centre. It will have pitches, administration facilities for Football West and a high-performance centre that will include testing facilities and so forth. We should not forget that although these projects are very important for football, they also create many jobs. Those two projects, the HBF Park improvements and the new State Football Centre in Queens Park, will create at least 750 jobs, and that is in addition to all the jobs created as part of the McGowan government's \$164 million commitment to sporting infrastructure at the last election.

Regarding the football World Cup, we recently saw the women's soccer tournament at the Olympic Games in Tokyo, where Australia finished fourth, just missing out on a bronze medal. It was exciting football to watch. I think the Matildas would have to be in the top two or three most popular national teams in Australia. I cannot wait until the World Cup is held here in 2023, which should be a great incentive for young female soccer players in this state and around the nation. Who knows who will be the next Samantha Kerr, who has to be the number one player in the world and plays for the great, fantastic Chelsea Football Club in the Premier League? There will be other Sam Kerrs out there. This morning, Premier, we possibly saw a couple of Sam Kerrs in the making as they dribbled between our legs with the ball, although they were energetic young boys. Those juniors were very energetic, and we could not get the ball off them! That was a great announcement. As I said, it was part of improving the facilities for sport in Western Australia for the world game, as part of the FIFA World Cup, but also for football generally.

I should also state that we have put a huge commitment into sporting facilities. As was announced in the 2021 election campaign, we have committed a further \$2 million in funding over four years towards upgrades and new buildings for female-friendly change rooms, which are incredibly important. In addition to that, we have quarantined \$500 000 per year exclusively for female-friendly facilities under the community sporting and recreation facilities fund. There is even more than that, member for Roe, as he is the opposition sports spokesperson.

**The SPEAKER:** That might deserve another question, if there is more!

**Dr A.D. BUTI:** Maybe, but this is all positive! There is the McGowan government's \$10 million commitment over four years for the club night lights program. That is really important, because with the additional participation in sport by females there is greater demand now on playing facilities. Obviously, if there is an upgrade in lighting, the facilities can be used for a longer time. That is an absolutely fantastic initiative by the McGowan government. It is really positive news.

**Mr V.A. Catania** interjected.

**Dr A.D. BUTI:** The negativity I think I am hearing there from the member for North West Central is quite amazing. This morning I just announced a \$35 million investment in the HBF Park upgrade and \$16.25 million as part of a \$35 million new State Football Centre, plus the increase in lighting facilities and the increase in funding for women's facilities, and the member for North West Central still wants to complain. All I can say is: bring on 2023, and go the Matildas!

**The SPEAKER:** I know you have a lot of sporting records, but you now have the record for the longest answer in question time this year!

**Mr D.J. Kelly:** It was previously my record!

**The SPEAKER:** It was previously held by the Minister for Water!

Several members interjected.

**The SPEAKER:** Order, please! Member for Roe.

## GOVERNMENT REGIONAL OFFICERS' HOUSING

**439. Mr P.J. RUNDLE to the Minister for Housing:**

I refer to the shortage of Government Regional Officers' Housing for teachers in WA, in particular across the midwest. Why has the government failed to provide appropriate accommodation, putting the attraction and retention of these essential workers at risk?

**Ms S. Winton** interjected.

**The SPEAKER:** The Minister for Housing, not the member for Wanneroo!

**Mr J.N. CAREY replied:**

I thank the member for his question. As of 30 June there were 5 040 GROH properties. I am pleased to say that from the last financial year there has been an increase of 2.6 per cent, or 129 additional properties, for GROH. We draw on a range of mechanisms, ranging from leasing, spot purchasing and working with local governments. I am proud we have seen that increase. We are investing nearly \$1 billion in affordable homes, public housing and social housing across Western Australia.

I want to clarify the record for GROH. This is really critical to understand. I know the member for Roe struggles to concentrate—he made that very clear last night—but so he understands this very clearly, I will speak slowly for him. The reality is that the former government clocked up \$180 million of debt with the program. That is the fact; it is not contested. Also, the member's state government, which had the now Leader of the Opposition in the cabinet, endorsed an aggressive sales program. I will just give an example. We should make a T-shirt for the Leader of the Opposition—she can wear it in the midwest. It would say, "I sold 44 GROH homes." In fact, the biggest sale of GROH homes in any financial year was under the Liberal–National government. I want to be very clear: we have a Leader of the Opposition who cries crocodile tears, as if she came down from the heavens and had no history at all. The reality is that the Liberal–National government —

Several members interjected.

**The SPEAKER:** Order, please, members!

**Mr D.J. Kelly** interjected.

**The SPEAKER:** Order, please, ministers!

**Mr J.N. CAREY:** Your state government clocked up, because of poor financial management, which is no surprise because of your full record—Osprey Village is another one that the Leader of the Opposition crows about. It was \$95 million over budget. We can get her a second T-shirt for that! The reality is that this Leader of the Opposition oversaw the largest number of sales of GROH homes in the wheatbelt in any one financial year. She was a cabinet member and she endorsed that strategy.

## GOVERNMENT REGIONAL OFFICERS' HOUSING

**440. Mr P.J. RUNDLE to the Minister for Housing:**

I have a supplementary question. When will the minister stop the blame game? The Labor Party has been in government for five years now. Will the minister undertake to immediately refurbish and maintain any GROH properties in the regions that are currently out of use, specifically for the 88 teachers who are without homes?

**Mr J.N. CAREY replied:**

I have been advised that we spend about \$100 million on GROH each year, and we spend about \$200 million on regional housing. We are making an investment of nearly \$1 billion in social and affordable homes. But again, it is as if the opposition has come out of nowhere. The sale of GROH homes was the direct responsibility of the poor financial mismanagement of the Leader of the Opposition and her government. She sat around the cabinet table and endorsed a project, a strategy, to aggressively sell GROH homes. That cannot be denied. In any one financial year, in her own belt, in her own hood, she endorsed a strategy that in the first year sold 44 Government Regional Officers' Housing homes. That is her legacy that she can wear proudly across regional Western Australia.

Several members interjected.

**The SPEAKER:** Members! All members, including members of government.

**Mr J.N. CAREY:** I tell you: the shouting and yelling by the Leader of the Opposition is unbelievable.

**The SPEAKER:** And your colleagues, minister.

**Mr J.N. CAREY:** The fact is that there are 5 040 GROH properties at the moment. In the last financial year, there has been a 2.6 per cent increase, or 129 additional properties, in the GROH system. As the minister, I am looking at other ways of how we can accelerate the number of GROH homes, looking at how we can work with local governments and looking at eligibility requirements, for example, when teachers or police are going into the houses, and the

particular houses that they need. We are looking at Government Regional Officers' Housing. We understand that we have a booming economy, and I would rather be in this scenario than any other alternative. We are in a strong, booming economy and these are some of the pressures, but this government is working on the issues.

#### KAREL AVENUE — UPGRADE

#### 441. Mr Y. MUBARAKAI to the Minister for Transport:

I refer to the McGowan Labor government's record investment in road infrastructure across Western Australia, including much-needed upgrades to Karel Avenue.

- (1) Can the minister outline to the house how projects such as this are improving congestion and safety in the area, as well as supporting local jobs and local businesses?
- (2) Can the minister advise the house how this government's unprecedented infrastructure investment compares with the record of the Nationals and the Liberals?

#### Ms R. SAFFIOTI replied:

- (1)–(2) “Unprecedented investment”—we will make a T-shirt of that one, too, member for Jandakot! I thank the member for Jandakot for the question, and, of course, just last week I joined the Premier, the member for Jandakot and the member for Riverton to celebrate the end of works on our Karel Avenue upgrade, again a partnership with the federal government to deliver this much-needed project. The project has widened Karel Avenue to four lanes. It has also facilitated the new Thornlie–Cockburn Link and is removing bottlenecks—that is, the notorious Farrington Road bottleneck, where two lanes previously merged into one. We have also constructed new principal shared paths from Berrigan Drive to Farrington Road. This has improved safety in the area, reduced congestion and made it easier for families to move around. The Georgiou Group delivered that project—I thank everyone involved in that project—and over 200 jobs were created.

This is one of the projects that we negotiated with the commonwealth government in 2017, the \$1.2 billion Perth Freight Link money that was redirected to address important projects across the state, like Karel Avenue; the Wanneroo Road overpasses, at both Ocean Reef and Joondalup; the Reid Highway duplication; the Mitchell Freeway widening; the Kwinana Freeway widening from Russell Road to Roe Highway; and the smart freeway projects. Funds dedicated to Metronet, the Bunbury Outer Ring Road and other regional projects are all being delivered as the result of our ability to renegotiate that \$1.2 billion. We understand that there is another \$1.2 billion on the table to renegotiate for further projects, and that is what we will be doing. I understand the view is that we can deliver projects that will improve freight movements to Fremantle port—Fremantle port is both in Fremantle and Kwinana—so we will be putting some projects up on that basis. We will continue to work with the federal government to deliver much-needed infrastructure around Western Australia, improving safety, reducing congestion and, of course, creating local jobs.

#### AQUACULTURE DEVELOPMENT PLAN

#### 442. Mr V.A. CATANIA to the Minister for Fisheries:

I refer to the government's media statement of November 2020 announcing the aquaculture development plan, which the former minister claimed will support “WA's aquaculture industry and assist local operators in taking advantage of the rising global demand for quality seafood”, unlocking thousands of local jobs. Can the minister explain why current licence holders are now required to pay fees, increased from \$365 to \$20 000, an increase of \$19 635, or, in simpler terms, more than 54 times the original amount?

#### Mr D.T. PUNCH replied:

I am shocked. I have been asked a question about fisheries!

**Mr W.J. Johnston:** Is this the first one?

**Mr D.T. PUNCH:** No, it is the second one.

**Mr V.A. Catania:** No, what about in the upper house?

**Mr D.T. PUNCH:** There was one in the upper house, too, yes.

Thank you for the question. The aquatic resource management plans that we have in place for aquaculture are far-reaching. I am not familiar with the particular increases that the member has identified. I would have appreciated some advice and notice on that. I am not sure about their accuracy. The member needs to give me some further detail on those and in advance. I am very pleased about the work that we are doing in aquaculture and the work that is happening right across the board to bring the aquaculture development plan to fruition. Members will hear more about that shortly.

#### AQUACULTURE DEVELOPMENT PLAN

#### 443. Mr V.A. CATANIA to the Minister for Fisheries:

I have a supplementary question. How can an increase of this size possibly be in line with the government's promise to support this key regional industry?

**Mr D.T. PUNCH replied:**

As I said, I question the assumptions behind the question. Give me some more detail and some advance notice, and I am happy to provide an answer.

Several members interjected.

**The SPEAKER:** Order, please!

## ELECTRICITY SUPPLY — WALPOLE

**444. Ms E.J. KELSBIE to the Minister for Energy:**

I refer to the McGowan Labor government investment in delivering a secure and reliable energy system for Western Australians right across the state. Can the minister update the house on the work underway to deliver clean, affordable and reliable energy to households and businesses throughout regional Western Australia, including those in my electorate of Warren–Blackwood?

**Mr W.J. JOHNSTON replied:**

I am very pleased to answer this excellent question from the hardworking member for Warren–Blackwood. It is well known that there is a transition in the energy system and we need to make sure that we can have reliable, affordable energy with a lower carbon footprint. This government is determined to do that, because we believe in taking action to combat climate change. The town of Walpole in the member's electorate has certainly had its challenges with power reliability, and I want to acknowledge the issues that the member has raised with me on that topic since she has been elected.

I understand how inconvenient it is to be without electricity. As I pointed out before in respect of other communities that are called fringe-of-grid—those that are at the end of the grid—it is difficult for physics to get electricity to the edge of the grid and disturbances inside the grid can affect those more on the edge of the grid. But the good news is that Western Power is working to solve these problems right across the south west system.

Western Power has supported a Western Australian engineering company called Power Research and Development in developing a new technical solution for Walpole's situation. It will be deploying a pumped hydro–electric energy storage system to improve the reliability of electricity for the residents in Walpole. Power Research and Development's dynamic hydro solution is being conceived in a completely new way for pumped hydro. This is a microscale pumped hydro of 1.5 megawatts. It is designed to connect at the edge of the grid in specific locations to support the network, rather than requiring significant investment in a central location. Rather than relying on damming rivers, it can use farm dams and other features that can develop in a modular way, like in a wind farm, so that we can get much more opportunity to deploy these new systems. This is a globally significant research and development project, just another reflection of the fact that Western Australia leads globally with the adoption of new technologies in the electricity system. This will provide a microgrid to support the Walpole community that should allow most of the outages in Walpole to be dealt with through the islanding of the grid for this facility. One of the reasons we are able to do it at such a low cost is the innovative work of Power Research and Development, which uses existing equipment that is bought off the shelf; for example, polypipe from Bunnings rather than bespoke equipment. That keeps down cost. The great news is that we think this can be deployed to other locations in the future. I congratulate Western Power for having the innovation and foresight to support the research and development that has gone into this problem, as this has shown how Western Australian technology, which will now be able to be used in a range of other locations, is able to solve problems.

## ELECTORAL REFORM — REPRESENTATION — REGIONS

**445. Mr R.S. LOVE to the Premier:**

I refer to the Premier's answer to the Leader of the Opposition's question yesterday about potential electoral reform legislation. Why will the Premier not allow his members, particularly those in regional Western Australia, to exercise a conscience vote on electoral reform legislation? Is it because he knows that a number of them disagree with reducing regional representation and would potentially vote against it?

**Mr M. McGOWAN replied:**

As I said yesterday, which may have slipped the memory of the Deputy Leader of the Opposition considering the events of last evening—he may have an impaired memory from yesterday's events—a report has been conducted by Mr Malcolm McCusker into all of the matters surrounding the electoral system following the results of the state election in which clearly some serious issues were thrown up, particularly around the upper house. I think everyone understands they have to be addressed. A report has been prepared. Mr McCusker is an eminent Western Australian—a highly respected former Governor of the state, appointed by the Liberals and Nationals when they were in office. He is highly respected on all sides of politics. He has conducted a report.

**Dr D.J. Honey:** We don't have concerns about him; it's the three committee members who have already made up their mind.

**Mr M. McGOWAN:** Just so we all understand, the Leader of the Liberal Party is on record as supporting one vote, one value—just so we all know.

**Dr D.J. Honey:** You make stuff up as you go along.

**Mr M. McGOWAN:** We all remember, don't worry!

Just going back to the question, his report will be considered by cabinet. Cabinet will obviously release it in due course, and that will be announced at that point in time. The member's question pre-empts anything else in relation to that, except to say, as I said yesterday, that the rules of the party are very clear. The Australian Labor Party has been around since the 1890s. Our rules are very clear.

**The SPEAKER:** That concludes question time.

### DOG AMENDMENT (STOP PUPPY FARMING) BILL 2021

#### *Second Reading*

Resumed from an earlier stage of the sitting.

**MR J.N. CAREY (Perth — Minister for Local Government)** [2.53 pm] — in reply: I would also like to acknowledge all government colleagues who spoke on this topic—the members for Burns Beach, Southern River, Cockburn, Belmont, Forrestfield, Thornlie, Bicton, Hillarys, Riverton, Scarborough, Kalgoorlie and Victoria Park. I note there were multiple dog names. I did ask my staff to record them; unfortunately, they did not!

Several members interjected.

**Mr J.N. CAREY:** I know! I specifically asked my adviser, Sam—I am publicly shaming him—to record every dog's name mentioned. I remember the breeds. I think the member for Cockburn had a bichon-something-something. What was it?

**Ms M.M. Quirk:** Frisé.

**Mr J.N. CAREY:** Bichon Frisé? It sounds like an aftershave! I want to say that I love all dogs.

Last night, the member for Moore set out several questions. I acknowledge that many members made valuable contributions and I think all sides of politics—even the effervescent and spirited member for Moore last night—acknowledge the importance of dogs and the incredible capacity for wellbeing and mental and physical health, the role of working dogs on farms, and also the advocacy groups that have done so much to save animals and dogs in our community. I listened intently to the member for Moore—you had to! However, on a serious note, I wanted to address some of the issues that he raised and I will go through them.

Members may remember that last night the member for Moore was adamant that the opposition did not oppose the legislation. Other than asking why the Minister for Transport was represented by a tulip, he was adamant —

**Mr R.S. Love:** It was a very prominent tulip.

**Mr J.N. CAREY:** That is true—and I do not know why it was sitting there!

Very clear references were made in *Hansard*. I will read them out. The former member for Nedlands, the then Deputy Leader of the Opposition, said at the time —

I advise the minister that we will not be supporting the bill in its current form.

The member for Moore said —

I ... say at the outset that the Nationals WA will not support the bill in its current form.

The member for Cottesloe said —

I indicate at the outset that I will not be supporting this bill.

Now, am I confusing things? Maybe not supporting the bill really is supporting the bill; I do not know. Maybe it is just difficult to concentrate. Maybe the member for Roe was getting his words mixed up. However, the reality is that the opposition has been trying to hound these reforms away.

Several members interjected.

**Mr J.N. CAREY:** That is thanks again to Sam McLeod in my office!

**Mr R.S. Love:** I think you should leave out the puns. Government members took all of them last night.

**Mr J.N. CAREY:** I know we did. But give me one—I listened attentively to the member for Moore's speech last night. I urge opposition members to vote for the bill, but I think it is crystal clear that the opposition did not support it. The bill was delayed because we knew that if we took it to the upper house, it would gut it, and gut the clear intention of the bill.

**Mr W.J. Johnston:** There was negotiation on which bills would be allowed to pass and the opposition said this would not be a bill that it would allow to pass.

**Mr J.N. CAREY:** Thank you, minister.

**The SPEAKER:** Minister, can I just clarify: you are not quoting from uncorrected *Hansard*, are you?

**Mr J.N. CAREY:** No, I am not.

**The SPEAKER:** Excellent.

**Mr J.N. CAREY:** No, it is just my own memory—my personal notes.

I also note the member for Moore taking credit for the government's work to exempt working dogs. I have to say this: it was on the record from the previous minister that it was always an intention to provide an exemption for working dogs, so that was not a change. We were very open about that. We made that very explicit. However, we have now moved it from regulations into the amendment bill. The government did not accept the wisdom of the Nationals WA. I am glad the member has noticed a change. However, as the new minister, I listened to the farming sector and wanted to provide greater certainty. We included it in the legislation, and I think it is welcomed.

The member for Moore distinguishes between the farming industry and dog breeders. However, this bill distinguishes between ethical dog breeding by dog owners, whether they be farmers, dog breeders, operators of kennel establishments or community members, and individuals who breed without regard for the welfare of dogs. Puppy farming is an industry that involves the exploitation of dogs and the exploitation of systems to make money. Puppy farmers will always be scanning systems to try to find loopholes—we know that—but the government has set a very clear requirement to apply to local government for an approval to breed, so we are not exempting any dog owner. That is very clear and will ensure that there is strong, sound regulation. Unlike the opposition, we do not want to introduce a watered-down system that means that puppy farmers will continue their operations by exploiting loopholes because of narrowed definitions. The more exemptions we make, the more opportunities there are to exploit loopholes. I think that is fair. This should not be taken as a criticism of the standards of breeding associations, but a testament to the lengths to which puppy farms can go to profit from dog breeding without regard for the dogs or the reputations of ethical breeders. I think that is a really important point to make. The bill provides that anyone seeking to breed dogs must apply to their local government for an approval to breed, which will be a one-off approval, unless it is cancelled based on criteria outlined in the bill or the person moves to another local government district.

Last night, the member for Moore provided some new ideas about non-government agencies and regulation. He raised the example of Uber and the five-star rating system. I found this very interesting, because the problem with this approach is that dogs cannot give their breeders a star rating. It is slightly different, I might suggest. Dogs do not get popped out and say, "I'm going to give my breeder a five-star rating!"

**Ms S. Winton** interjected.

**Mr J.N. CAREY:** That is right. A dog that has been abused by a puppy farmer cannot swipe left on an app or leave a one-star review. They cannot leave an angry comment on a Facebook group or a Google review, so we cannot compare the Uber industry with dog breeding. I do not know how the member made that jump. I do not get it, I do not understand it, and, to be honest, I do not think that anyone in the community could effectively say that we should regulate dogs like we do with reviewing Uber and the taxi industry. I am sorry but that just does not make sense.

The member for Cockburn made an excellent speech in support of the bill, detailing how the constitution of Dogs West does not establish itself as an agency that acts to implement state laws. This is not an attack on Dogs West. I have met with Dogs West, I respect the work and the advocacy it does, but as the member for Cockburn clearly outlined, the objectives of Dogs West are defined in its constitution. As the member articulated, nowhere in these objectives is a reference to Dogs West policing breeders, enforcing legislation or regulations, or seeking penalties or other sanctions in court, because the simple truth is that Dogs West is not a regulator. It does not have the characteristics of a regulator. I do not think we actually want that organisation to be the ultimate state regulator. That is not its core business. It does many things well. Its core business is to represent the community of dog owners and professional dog breeders in Western Australia. I have to say, and this is genuine and honest and sincere: when I met Dogs West and had a discussion with its president and CEO, they told me that they had a part-time enforcement officer. I recall that perhaps they were going to hire another. In all, if I get this right, Dogs West was going to have two full-time staff members. Let us compare that with the current regulator under the Dog Act, which is local government. There are 139 local governments across Western Australia. Of course, many of those have professional rangers who are already out and about on the streets. That is two enforcement officers versus the officers of 139 local governments. Dogs West does not have the statutory powers that local governments already routinely use. The simple reality is that it does not have the powers for compliance. The only penalty that Dogs West can impose is to discontinue a membership of Dogs West.

The member for Cockburn also made the very good point that there would be a reputational risk to Dogs West if it were to become the regulator. I think that is a critical point. Dogs West exists to represent breeders, not to enforce the state's laws. I want to be very clear that this is not a slight on Dogs West, but the sad reality is that kennel club members in other states have been prosecuted for puppy farming and animal cruelty offences, and I do not think we should put that burden on Dogs West. The reason for this bill is that the public overwhelmingly believes in greater accountability for dog breeding in Western Australia. A kennel club cannot deliver the same level of accountability as local government.

The member for Moore raised concerns about the cost of the legislation for local government. He implied that it is already difficult for local governments and dog owners to deal with the Dog Act. I want to be really clear: the Dog Act has been in place since 1976. I was born in 1974. I know, I look younger; I try to tell my staff that! The facials are not working! But I want to say this: the Dog Act has been in place since 1976. The core work of local government is roads, rates, rubbish and Rover! We cannot say that somehow local governments are already overwhelmed, because this is their bread and butter.

The member also raised the Western Australian Local Government Association's previous positions on the bill, particularly its views on how the costs and fees are set and managed. The government has been working proactively with WALGA, and I want to give a big shout-out again to Darrelle and Dee. We have been working through this with them. My predecessor, David Templeman, wrote to WALGA in March last year and said in that letter that the minister is committed to engaging with WALGA to provide a confidential briefing on the cost modelling. He also committed to consultation involving the sector on decisions on how registration fees would be set, and I am committed to continuing this work, member for Moore. I will consult and involve WALGA and the local government sector in the process of implementing this bill, including undertaking a review of registration fees, and I will ensure that WALGA is fully briefed on the modelling that the department has done on potential cost implications.

The reality is that local government will benefit from the introduction of a centralised registration system. We have already heard that from many members; in fact, the member for Belmont raised that. This is a cost that local governments will no longer have to budget for. There will be significant savings for ratepayers, who will have a streamlined and consistent way to register their dogs. The cost modelling work cannot be publicly released in advance of the procurement process for the central registration system, of course; that makes obvious sense.

This has been an ongoing theme. Some of the member for Moore's criticisms date back to the debate on the original bill, and I think he actually read this from the original quotes, but he was concerned about the fact that there is no absolute one definition. However, I think many members made this point, as I said in my second reading speech, and that is because we want to encompass a variety of dog breeding practices that can affect the health and wellbeing of dogs. "Puppy farming" used in the media and in the community makes sense. It is not one particular offence; it is a range of practices that result in cruelty to animals. That is why we decided instead to provide flexibility in the legislation to address large and small breeding situations. We listened to feedback, but what is different from the original legislation is that a range of objectives were included in the bill to spell out the potential range of areas we are looking at that ultimately result in cruelty to animals.

The member for Moore also asked me to address the process for a person seeking approval to breed, and what local governments will take into consideration. He raised concerns that applicants would all be treated as though they were running a kennel. An application for approval to breed is different from a licence to establish a kennel. A person will make an application to their local government for approval to breed, which can be done online or in person. I have to note that local governments already do this for the cat breeding approvals under the Cat Act 2011, which was introduced under the former Liberal-National government. Ultimately—this is a really important point to make—if an application is refused, the applicant can lodge an objection with the local government or, alternatively, seek a review of the decision with the State Administrative Tribunal, so it will not end-all—cut-off; it is all over and out. There will be an opportunity to appeal to ensure fairness in the process. I think everyone will be supportive of that appeal process. The criteria that local governments will consider and that appeals will be assessed against are contained in the bill. I direct the member to part 2, division 2, of the bill for that criteria, which are on the record.

A local government can refuse an application to breed dogs only on the following grounds: the applicant has been convicted of an offence against the Animal Welfare Act 2002, the Dog Act 1976 or the Cat Act 2011 within the last five years; the applicant is aged under 18 years of age; the applicant does not have access to any or sufficient facilities to breed dogs in accordance with the requirements of any law such as the Animal Welfare Act; the applicant is not a fit or proper person to breed dogs—for example, they have previously been issued with a court order banning them from owning animals; and if an applicant does not comply with a request for further information within the specified time. For any reasonable person or decision-maker, that is entirely reasonable criteria by which refusal can be made, particularly in reference to conviction of an offence against the Animal Welfare Act, the Dog Act or the Cat Act so that repeat offenders will be unable to continue to breed. That will assist. We know that puppy breeders and farmers consistently do it, so we can regulate centrally the system and have it as a very clear reason for refusal so that we can knock them out.

Another issue the member for Moore raised—I think this is really important—was about designer dogs, and I think he referred to designer dogs worth \$6 000. I have a dog that I bought from Dogs West; I paid \$1 500 to a Dogs West breeder. For my first dog, I paid \$500 to a dog breeder. We all agree with the member for Moore's concern. We want everyone to have the opportunity to own a dog; it is an incredible experience. However, we do not want to see—I think the member for Maylands detailed the only statistics available—the horrific number of dogs impounded, rehomed, or, worse still, euthanised. They are statistics that we do not want to see. We want to get those figures down. We want to reduce the number of dogs that are "unwantingly loved" and put down. I think we all agree that that is shocking.

I want to be clear about this idea of—I think the member for Moore suggested it—the average dog costing \$6 000. Yes, designer dogs can cost \$6 000, but plenty of dogs cost \$500 if you want to rehome or adopt. As Minister for Local Government, I follow the Facebook groups of all the incredible adoptions from the Dogs' Refuge Home. If members wake up in the morning and want to feel good, go to one of those pages. Seriously, if you have had a bad day or, like the member for Moore, a bad night—that was a joke, member—look at the Dogs' Refuge Home pages in the morning for dogs that are being adopted out. Beautiful dogs for about \$500 or \$600 are being adopted out; they are entirely affordable. I want to put this on the record, and it has been in numerous media. We have seen a huge escalation in the price of designer dogs or dogs in high demand during the COVID pandemic. People cannot travel, so they are spending their money on their homes. We cannot buy a car. As the ABC, I think, reported, it is very difficult to buy a designer dog. They are not even proper breeds, so to speak; I am thinking of cavoodles and all those beautiful dogs.

**Mr P. Papalia:** They are beautiful dogs.

**Mr J.N. CAREY:** They are beautiful dogs. I love all dogs! But my point is that the market is heated and there is a huge demand for dogs, so it cannot be claimed that this legislation will fuel an increase in dog prices when we know we can look at the Dogs' Refuge Home or go to Greyhound Adoptions WA to get beautiful greyhound dogs. The point I want to make is that the dog market has gone through the roof not because of any legislative changes or policy, but because of demand and outside external market conditions—which is COVID. In fact, plenty of dogs are available. Not all of us need a little Chihuahua to put in our handbag like Paris Hilton does. There are lots of beautiful dogs at refuges.

**Mr P. Papalia** interjected.

**Mr J.N. CAREY:** Not that there is anything wrong with it. I dress up my dog on a regular basis, and I am very proud of that. He has attended a few pride dog marches; I have dressed him up in rainbows. He is a proud, proud dog.

**Dr A.D. Buti:** Proud pride dog.

**Mr J.N. CAREY:** Proud pride dog.

The transition of pet shops to adoption centres will be a mechanism to make dogs more affordable. This is part of the challenge. I do not think everyone in the community at the moment is aware of the incredible dogs we can get from adoption dogs or refuges or from Greyhound Adoptions WA. A lot of work is being done right now to promote dogs coming through that system. This new legislation will embrace that. I note that some pet shops have already established agreements with shelters to re-home dogs, and I commend those pet shops that are already looking in advance.

I know that I am addressing the questions asked by the member for Moore but he asked me to do something. I took all his issues seriously, but he also asked whether an imported dog would have to be put down. I want to be very clear—this is very important because we do not want any fear campaigns—that there is nothing in this bill that will require any dog to be euthanised. This legislation is about protecting the welfare of animals and making sure, through the adoption pet shops, that we get unwanted and unloved dogs into the hands of those who will love them.

The centralised registration system will include information about a dog that has come from another state or overseas. In fact, the bill will ultimately prevent dogs having to be euthanised because it will stop the reckless and random breeding of dogs that should have been sterilised at an appropriate age. That is the key essence of the bill. We will save dogs' lives. We will better ensure that dogs are not needlessly euthanised. I believe that addresses all the critical issues raised by the member for Moore. I appreciate that we will go into those issues during consideration in detail.

The other area that I did not cover, which many members mentioned and clearly is one of the most popular parts of the bill, is the de-muzzling of greyhounds. I admit that through my contact with greyhound owners in my electorate, it has become very clear what a beautiful placid dog they are. I will not call them lazy. It was fantastic to see so many members in this chamber say they were proud greyhound owners or passionate supporters or advocates of greyhounds. I have been struck by the number of petitions and the overwhelming public support. Every time a member puts this on social media, I am reminded of the number of greyhound owners who are waiting for this legislation to pass so that they can de-muzzle these beautiful dogs. I really think that is another critical part of the reform.

I want to come back to the beginning before we go into consideration in detail. I say this genuinely: we took this commitment to the election in 2017. We saw the member for Maylands do extraordinary work with a range of stakeholders, including engaging with Dogs West. Under the leadership of the former Minister for Local Government, David Templeman, the member for Maylands and those stakeholders worked extremely hard. There was significant engagement. I understand that Dogs West does not agree with all elements of this bill. I respect that. My commitment to Dogs West—I am sure the member for Maylands agrees—is that I will continue to be open, to engage Dogs West, to listen to its concerns and to look at the practicalities of how the legislation is introduced. We did listen. There were differences. We can engage and then we can disagree. That is okay; that is part of a respectful policy debate. That is not disregard, as the opposition claims. We can seriously engage but come to a point of difference. Ultimately, our point of difference is that we believe we need a central registration system and the approval of all dog breeders by local government. There cannot be a system for exemptions. A centralised system, with all breeders approved through their local governments, will ensure traceability. It will ensure that we can enact the best standards for



animal welfare. That is the critical difference between where we sit with the opposition and where we sit with Dogs West. That is okay. I respect that there are differences, but we took this clear commitment to the 2021 election. We were re-elected. We included the objectives in the amendment bill and now we have brought the bill back to this Parliament. It is essential that we pass this legislation in honour of that clear commitment that we took in 2017 and 2021, but also in honour of all the stakeholders, advocacy groups and dog welfare groups that are overwhelmingly supportive of this reform. We understand, critically, that at the end of the day this is about protecting and enhancing the welfare of dogs in our community. I look forward to consideration in detail.

Question put and passed.

Bill read a second time.

[Leave denied to proceed forthwith to third reading.]

*Consideration in Detail*

**Clauses 1 to 6 put and passed.**

**Clause 7: Section 2A inserted —**

**Mr R.S. LOVE:** I am looking at the objects of the act. They refer to a range of matters, such as promoting responsible breeding, ownership, effective management, and regulating the supply of dogs to and by relevant pet shop businesses et cetera. They do not refer to puppy farming as such. I am wondering why that is not mentioned in that clause, considering that the bill is subtitled “stop puppy farming”. Why is it not one of the objects of the legislation?

**Mr J.N. CAREY:** I respectfully say that this is a point of difference. Our view is that the objects cover a scope of practices rather than providing one particular definition. I have already covered that. The objectives clearly state all the intentions to try to wrap up all elements of what we believe could tackle puppy farming. That is the reason. Irresponsible breeding can occur on a small or large scale. There could be a multitude of different definitions. We listened. The member may remember from the debate that there were no objectives in the previous bill. We did listen and that is why we spelt out a large number of objectives to provide greater clarity about the scope of the area that we were seeking to regulate.

**Mr R.S. LOVE:** I thank the minister for the answer. I appreciate that the objects of the act will now be inserted in the legislation. We discussed previously that without a definition of puppy farming, the bill will look somewhat unrelated to its title. We are not debating the short title of the bill, but this is relevant. I thank the minister for improving the bill by including this list of objects in the bill. I think that it is now much clearer than it was before and I am happy to move on.

**Clause put and passed.**

**Clause 8: Section 3 amended —**

**Mr R.S. LOVE:** This is the same dog with different spots!

**Mr J.N. CAREY:** You told me not to do puns.

**Mr R.S. LOVE:** I did not do that deliberately.

Can the minister explain why a definition of puppy farming is not included in this clause and why the practice of puppy farming is not explicitly defined anywhere in a bill that seeks to regulate that activity? The bill contains objects that outline what the bill is all about, but puppy farming is not mentioned anywhere in the bill except the title. This clause contains no definition of puppy, so if we want to talk about puppy farming, we will have to rely on a definition based on a collection of objects and someone else’s definition—I am not sure whose.

**Mr J.N. CAREY:** The fear was that if a very tight definition of puppy farming was put in the bill, it would be narrow and make the enforcement of some practices very difficult. In a sense, this is the flip side of that. A clear set of objectives outline all the areas that the bill will regulate. Because puppy farming practices can be varied and there are very different approaches, we have done the flip side of that. We did not want any loopholes in the legislation or to have a definition that was so narrow that it would not assist us with enforcement or in the legislation’s effective regulation. Instead, we have flipped it and said that this is the whole scope of the areas that we wish to regulate.

**Clause put and passed.**

**Clauses 9 to 22 put and passed.**

**Clause 23: Part IV inserted —**

**Mr R.S. LOVE:** Clause 23 inserts proposed part IV, which states —

After section 26D insert:

**Part IV — Sterilisation and breeding of dogs**

Part IV lists the requirements for sterilisation, the conditions under which dogs must be kept when they are sterilised and which dogs will be exempt. It is lengthy and complex. I do not intend to go through the bill in great detail—we did that during the last term—but I want to go through a couple of the differences between the previous bill and this bill.

Proposed section 26E(3) states —

A dog is exempt from sterilisation if any of the following applies —

This is the list that we saw before. Proposed section 26E(3)(e) then states —

the dog is primarily kept to be used in the droving or tending of stock;

I note that this provision is similar to an opposition amendment moved in the last Parliament—in fact, by me—but rejected by the government. Can the minister explain the processes that led to the insertion of this paragraph in this bill? Does the government now accept the wisdom of our amendment, which was one reason we could not support the bill in its entirety last time? Now that the government has included this very worthwhile amendment, the bill is much more acceptable to members of my group. It certainly makes us more willing to support the bill. Can the minister explain why, initially, this provision could not be inserted into the legislation? That appeared to be the case. A commitment was given in the media and in some rhetoric that the regulations could be changed. Although we did not doubt the word of the then minister, we did not understand why this could not have been included in the legislation when there was an opportunity to do that. We were here in the Parliament, in the place where legislation is made, putting forward a pretty simple amendment. Of course, I note that my colleague in the other place, Hon Martin Aldridge, also proposed an amendment to bring about a similar result. Being an upper house member, he was much more nuanced about what needed to be done and his amendment was probably much more legally authoritative than the amendment that I tried to get through, but it went to the heart of the same matter—that is, the exemption of dogs that are used for farming, droving or tending of stock. What advice precluded that from the legislation last time around and what has changed so it is no longer problematic?

**Mr J.N. CAREY:** I thank the member for the question. I want to provide clarity on this. As I said in my reply to the second reading debate, it was always the intention to include working dogs in this regard. The previous minister gave a very clear public commitment on that. I am also looking at local government reforms. There is a tendency—I believe this was the advice at that time—to believe that regulations are more flexible and can change and that it is easier to introduce regulations rather than come back to Parliament. Saying that, I have been out to the regions, as the member knows, and have been making a ferocious effort to reach out to regional communities and regional local governments. It was decided, although it was not necessary for the effect of the outcome—that is, whether it was going to be via regulation or legislation—that working dogs would be exempt. But to reassure the farming community and regional communities, it was decided to put it squarely in the legislation so that it could be absolutely seen. I understand there is always a fear that because regulations come afterwards, things will not be done. But the previous minister made a strong commitment. I believe I have strengthened that commitment by putting it into the legislation.

**Mr R.S. LOVE:** Thank you for the response, minister. I think that including it in the bill has reassured the farming community. It seemed strange that it was not included. At one point I mentioned that dogs in the greyhound industry, which are regulated under the Racing and Wagering Western Australia Act, are exempt animals, yet farm animals that carry out very productive and worthwhile activities as working animals and have economic value were not exempt. Members of the farming community took that as though their industry was considered to be somewhat second place to the greyhound racing industry. That caused affront to people involved in farming, especially those people who are interested in training and particularly love working dogs. They came to me to talk about the need for that to be included in this legislation. That is part of the reason I think it is very important that the government has taken this step. I suspect that this would have been the point at which I would have moved an amendment, if I were going to, but I am not; I will leave that to my colleagues in the other place, if they want to go ahead with it. I note that in consideration in detail of the previous bill, an amendment was moved at this point to include Dogs West or the Canine Association of Western Australia Inc as bodies the membership of which would lead to an exemption for the owner. It may be that such an amendment will still be moved in the other place. I will leave that for those members to determine, bearing in mind that I am not the shadow Minister for Local Government or the lead speaker on this legislation; that is now a member in the upper house, and they will determine what should or should not happen in terms of any amendments. I assume that if the government agrees to any amendments, the bill will come back here and sail through anyway. That will be a discussion for the other place, if it is to take place. But this is the point at which we would have moved something along the lines that if the dog is registered with the Canine Association of Western Australia and the owner is a member, that exemption could go into a new proposed paragraph. Can the minister, for the record, explain why the request that was made in the previous Parliament for the insertion of farm working dogs was included, but the request for the insertion of the Canine Association was not?

**Mr J.N. CAREY:** I understand that the member is doing this for the public record, but I will respectfully say that this is the key point of difference between our parties. We believe we need one effective law for all, whereby there is one regulation for all, and that there is no exemption of such a significant number of breeders that it could allow for further loopholes and would not make for effective regulation. I also want to say—and I say this respectfully, member for Moore—that I respect the work of Dogs West; I just believe that if we were to give it that exemption, we would in effect be making it an additional regulator for its own membership. It would not have the same penalties and enforcements in place that we would have in one centralised, overarching system. This is, in essence,

a philosophical difference between us. We believe that there should be one set of key regulations, rather than exemptions for a quite significant number of dog breeders through a body that does not have the capacity for the same degree of effective regulation that is proposed under our system.

**Clause put and passed.**

**Clause 24: Sections 26L and 26M inserted —**

**Mr R.S. LOVE:** Clause 24 provides for the insertion of proposed section 26L, “Only holder of approval may breed dogs”, and 26M. Proposed section 26L lists a number of defences. Proposed section 26L(1) states, in part —

If the owner of a dog does not hold an approval to breed granted by the local government ...

At this point, again, we see that there are defences under proposed section 26L(3)(a), if the dog is a greyhound that is registered, and 26L(3)(b), if the dog belongs to a class of dogs prescribed for the purposes of the proposed subsection. In consideration of the previous bill, at this point we tried to move an amendment to include an exemption, or rather a defence, for farm dogs, to make it a defence if a person bred from a dog that was a farm working dog. I am wondering why, if the minister agreed to the inclusion of the amendment around sterilisation, he has not considered the breeding of farm dogs as a defence under this legislation. I will leave it at that for now, and come back.

**Mr J.N. CAREY:** I understand the point that the member for Moore is trying to propose, but relating back to my previous answer, I think it is a significant jump. Just as with an exemption for breeders with Dogs West, to make farmers with working dogs exempt from approval to breed is a step too far. We are saying that we want to try to keep consistency in the mechanism for breeding practices, and approval to breed is one of those critical measures. I accept the arguments made about the sterilisation of working dogs—that message has been received loud and clear—but I think it would start to create potential loopholes. In essence, one of the most critical mechanisms for this regulation is that owners need an approval to breed. That is what helps us regulate breeding practices. I also note that they only have to do the approval to breed once. I understand the farming community’s concern that this could be complex or an unnecessary burden, but it is only once. Overall, I do not think the system is going to be too punitive or create too much red tape for farmers.

**Mr R.S. LOVE:** That could have consequences for the owners of unsterilised female farm dogs. Let us face it, we cannot watch our dogs all the time. Female farm dogs getting pregnant and giving birth could potentially result in the farmer being fined \$5 000 for what is basically a force of nature at work. The farmer may not have set out to breed from the dog, but if we are allowing farmers to have unsterilised dogs, especially female dogs, the farmer will be left holding the baby, so to speak. The truck driver’s dog is long gone; it has gone up the road, but the farmer’s dog is still there, with a litter of pups. I actually had a dog once that gave birth to pups and I did not even know it was pregnant. These things happen from time to time. In that situation, because I had been allowed to keep an unsterilised animal, although I had not intended to breed from it, I would find myself potentially liable to a \$5 000 fine. Can the minister outline whether there is any defence for, shall we say, accidental birth, or will that otherwise render the permission to keep an unsterilised dog quite unworkable for those who might wish to have a female unsterilised dog, bearing in mind that it is the female that is left holding the baby?

**Mr J.N. CAREY:** If anyone had said that in my political career I would be talking about dogs mysteriously giving birth and pregnancies! Mum and dad up in heaven, I hope you are proud of this! I will be remembered!

First of all, having mentioned my mum, my mum came from a farming family in Perenjori. I know accidents happen sometimes, although I have to say that my experience of people in the farming sector in general is that they love their dogs. For the majority of farmers I have come across and those from my own family history, dogs are a central element of farm life. They are almost like gods, and they are looked after and loved. I do not think it will happen much, but there are always cases when it can happen. An approval to breed can cover multiple dogs. That is the first thing to point out. It is not for each dog. I do not want people walking away thinking that if their second dog gives birth, they will not have breeding approval for that. It will cover them all. There will be no offence provided to the owner of a bitch if approval is applied for within seven days of birth. I understand that a person needs to get approval within seven days. I am just clarifying that. If the dog gives birth, a person has to go along to the local government and get approval. To be frank, I do not think that is the most complex system. Unless the dog has given birth and a person does not know where the dog is, there is a time frame to go to the local government for approval. The owner can also apply for approval as soon they become aware that the dog is pregnant. There will be protection mechanisms so it will not just be a gotcha moment for the farmer. There will be an allocated time frame. The average gestation period for a dog of 63 days plus seven days from the birth of the puppies is considered a reasonable time for a dog owner to apply for approval to breed. I think there is a reasonable time frame in place and it is not too complex for farmers. I thank the member for getting me on to that. It was a good question.

**Mr R.S. LOVE:** I appreciate the answer. I wonder whether seven days is really practical in a farming sense. Sometimes it is pretty hard to get to a local government or even to understand that there is a process that has to be launched. We have to remember that this is a new piece of legislation that will be out in the public arena. The nuances of some of its aspects will not be known to everybody immediately. I wonder whether there could not be more leniency to allow a longer time or some other consideration to be given when there is genuine situation of ignorance either of the impending birth or the requirement to rush off in seven days to get an approval. I am not talking about people

being caught out for doing some sort of commercial activity. We are talking about people who quite innocently find themselves potentially fined \$5 000 for something that has been happening since time began, and they probably had no idea that they would need to act with that degree of speed. It will be pretty hard to get the average person to understand all of the implications of this immediately.

**Mr J.N. CAREY:** I want to address three things. I deeply respect the farming community. I do not believe many farmers would not realise that their dog was pregnant. Maybe I am wrong. I understand it could happen in particular circumstances.

**Mr R.S. Love** interjected.

**Mr J.N. CAREY:** I am not having a go.

My mother's side of the family was a farming family and my grandfather was a farmer in Perenjori. They know the bush; they know their dogs.

**Mr W.J. Johnston:** Some of your best friends are farmers!

**Mr J.N. CAREY:** That is right! I am in inner-city hipster, but I do my best!

The point I am making is that I think most farmers would know that their dogs were pregnant. It is just a hunch. The member is right. I believe an education program will be needed across the state, and we will not roll out this legislation without a very strong education program. Also, this will be an online system, so a person can apply online. I appreciate that I said a person would have to go off to the local government, but they can also apply online. Overall, I agree with the member's assessment that we will have to do a strong education campaign, but remember that people only have to apply once. If they apply once, they get the approval to breed. Let us say that in the future a person's third dog mysteriously becomes pregnant but they are not aware it is carrying a litter and the dogs are born; that person already has approval to breed.

**Clause put and passed.**

**Clauses 25 to 41 put and passed.**

**Clause 42: Part X Division 2 inserted —**

**Mr R.S. LOVE:** I know that other clauses deal with approvals to breed, but I have chosen this point to talk about it. The minister mentioned in his second reading reply some of the concerns that constituents have raised with me, particularly in the earlier round of the legislation when a lot more consultation went on about it, of the prospect of some local governments viewing this as more akin to a home occupation, business or some such. I think we use the term "breeding kennel". It was specifically said to some people in the peri-urban shires that they would need to get such approval. Can we have an assurance that local government will be somewhat uniform in its application of these approval processes so there is an understanding across the sector? It is probably easier to educate local governments than everybody out there. Can the local governments have a uniform approach to the approval process? I understand there will be differences in geography and types of applications et cetera, but if they used the same lens to view what was going on in this legislation, I think it would be very helpful. If the Minister for Local Government could give some assurance that he will do what he can to assure that the industry has a fairly uniform approach, it would be greatly appreciated.

**Mr J.N. CAREY:** I want to address this. I understand that with any changes to legislation—I know this and the member knows this—in local government there can be some fears about implementation. I will say a couple of things. The legislation first stipulates the criteria for refusal, and I think that is really important. The legislation states the grounds on which a person can refuse. Another thing is that there will be an appeals process to the State Administrative Tribunal, and that is critical. If there were not an appeals process in place, I would have greater concern, but the SAT can be appealed to. In my experience of going to small regional, local governments, a lot of them are doing ripper stuff. They are already managing the Cat Act, which is very similar. Remember, the Cat Act that the former government brought in, which was supported, requires a consistent approach in the management of cats and the approval to breed cats. I am confident that overall we will see consistency in the local government sector. I promise that I will work as hard as I can to ensure that we get clear guidelines and very clear benchmarks about how we expect local government to operate. I have confidence in the local government sector, given the way it has been managing the Cat Act and those new reforms. There will be, like the member has identified before, the need for education, particularly of local government. The department will provide regular advice, guidelines and so forth about the implementation of the legislation.

**Clause put and passed.**

**Clauses 43 to 62 put and passed.**

**Title put and passed.**

[Leave granted to proceed forthwith to third reading.]

*Third Reading*

Bill read a third time, on motion by **Mr J.N. Carey (Minister for Local Government)**, and transmitted to the Council.

**ELECTORAL REFORM — REPRESENTATION — REGIONS***Motion*

**MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition)** [4.02 pm]: I move —

That this house condemns the Labor government's plan to reduce regional representation in the state Parliament and calls for a referendum to be held prior to any changes being legislated.

I start this debate by putting on the record what the opposition is not asking for. We are not asking for something that is unreasonable. We are not asking the government to break a promise to the electorate, because it absolutely did not make one before the election, and we are not supporting the continuation of a system that allows preference whisperers to game the system. We have been very up-front as an opposition about the proposals that have been put forward by the government. Given that there is no mandate for this government to pursue the types of reforms that it is asking for and proposes to bring into this house, and the impact this will have for years and years to come, I think a referendum for the people of Western Australia to make that decision with all the facts at their fingertips is a reasonable request. We are asking the government to go to the people of Western Australia to ask them to decide whether we should cut regional representation in this state's Parliament. That is the proposition of the opposition.

The Attorney General will no doubt revert to government talking points that suggest the catalyst for all this was the result that was achieved by the Daylight Saving Party. That has been a very consistent line from the government after it discovered that it had an absolute majority in both houses and could pursue its lifelong ambition to achieve one vote, one value in both houses of Parliament, unfettered by any ability of the opposition to change, amend or impact the outcome of the legislation, other than to bring in these points and put them in this house and in the Legislative Council. We will no doubt be regaled with comparisons of numerical weighting. I know that the government takes great delight in talking about the worth of a person's vote in Wundowie as compared with Wooroloo. Somehow, because everyone on the government side of the chamber seems to have well and truly drunk the Kool Aid, we will emphatically be told that the government has a mandate to pursue this change. That is just not correct. It is disingenuous. It is dishonest.

**Mr V.A. Catania:** It's an outright lie!

**Ms M.J. DAVIES:** To that claim, in my electorate we call bulldust. It is probably unparliamentary to say it.

**Mr V.A. Catania** interjected.

**Ms M.J. DAVIES:** That is right. We cannot say that in this place, member for North West Central, so I am trying to be somewhat polite.

In my electorate and all of regional Western Australia, we tend to call it like it is, and every person to whom we actually take the time to explain what this government is intending on doing looks at me with disbelief and says, "How could it be that this government intends to take our representation away when we have so many challenges and so many opportunities facing us that we need the assistance of that representation in the state's Parliament? Why are they doing this? Why are they pursuing this ideological view of the world when we know it will have real impacts on our family, our business and our community?" That is how it appears to them—that it is a numerical, ideological argument versus what the real impact of those changes will be.

The claims and the defence that will be mounted by the Attorney General and members of the government are disingenuous and should be called out for what they truly are. It is a massive breach of the public's trust. It is a massive overreach by a government that has so many other things on its plate to deal with. In the midst of the COVID pandemic, with a health system and housing sector in crisis and key industries unable to attract and retain the workers that they need, we have a government that put up its first piece of business in this house after the election to disenfranchise the people of Western Australia, particularly those in regional Western Australia. It is a policy position so deeply entrenched in the Labor Party that no matter what arguments are put forward by the opposition, and no matter what arguments are put forward by commentators or by the community, that it will pursue it relentlessly. I do not think there will be any hope for this Premier. He is drunk on power and knows that he can get away with it. He hopes that by the time 2025 comes around everyone will have forgotten, even those who represent regional constituencies.

We have asked the Premier twice now to consider giving his regional members at the very least a free vote so that they can come to this house and do what they have been elected to do, which is to put the issues and concerns and reflect the will of their electorates on the floor of this house in relation to legislation.

**Mr V.A. Catania:** Leader, even if the Premier allowed for a conscience vote on this matter —

**Ms M.J. DAVIES:** A free vote, yes.

**Mr V.A. Catania:** I'm sure that those members who wanted to exercise that free vote will have their preselections put in jeopardy if they vote one particular way.

**Ms M.J. DAVIES:** I have no doubt that would be the case. What we are very clear on now, because we have asked the Premier twice, is that whatever the decision is, whatever legislation comes forward—we know that it will include some form of reduction in regional representation—every regional member of Parliament on the Labor Party side

will be voting to support that. Regardless of their personal views—I know that there are some who do not agree with this; some of them have articulated that in public prior to the election—they will be lining up in this Parliament to vote on legislation that will reduce the number of representatives in regional WA and they will thereby disenfranchise some of the most vulnerable and isolated communities that deserve more attention, not less.

Most of these new members who we see in this chamber are riding high on getting elected on the coat-tails of the Premier. The Premier has made it crystal clear in this chamber, yesterday and today, that everyone knows the party rules, and, as the member for North West Central said, even if they got a rush of blood to the head and decided they were going to do what their electorate actually wanted them to do, that would be their last move. They would not be given a free vote.

I am asking members of the Labor Party in regional Western Australia whether, when the time comes, they will put their electorate or the party first. I just ask that everybody remembers what they are here to do. I cannot imagine that they want their legacy to be the disenfranchisement of those they seek to represent in this Parliament. They are the members for Kalgoorlie, Kimberley, Geraldton, Murray–Wellington, Pilbara, Albany, Bunbury—he is a minister, so he will not get a choice because it will be cabinet solidarity—Dawesville, Mandurah, who is also a minister, and Warren–Blackwood. I have no doubt those members are passionate about representing their electorates and are passionate about regional Western Australia, yet they are going to walk into this chamber and vote for legislation that will undoubtedly reduce the number of regional representatives in the Parliament. They have been given no option by the party. They will be voting to cut regional voices in this Parliament, and that is a great shame. I ask: is that what those members, as regional members of the Labor Party, want their legacy in this place to be? Do they want to be part of the team that makes it more difficult to bring to the fore the issues they know exist in our regional communities? As the Premier campaigned before the last election, he was asked on multiple occasions whether electoral reform was being considered. It was not that he was not asked. I return to my first statement: we are not asking the Premier or the government to break a promise because none was made. He said it was not on the agenda. He made no commitments. He could reconsider this and allow it to go to a referendum, as the opposition is asking. He was asked repeatedly about it by a number of journalists and his response was, “It’s not on our agenda.”

Here is the transcript, because I think it is worth having on the record in this place. An interview with Dan Mercer of the ABC in Albany reads, exactly as it was conducted —

**Mercer:** If Labor is returned next Saturday will you pursue electoral reform in the Upper House?

**Premier:** It’s not on our agenda, I’ve answered this question many times, it’s not on our agenda, we care deeply about country WA and the issues of jobs, health, education, important infrastructure other sorts of things that we will implement.

**Mercer:** There’s a difference between something not being on the agenda and committing not to doing something as Labor did with the gold royalty increase. So will you commit, are you committing?

**Premier:** Well I’ll be clear, I’ll be clear again, it’s not on our agenda enhanced regional representation will continue and this is just another smoke screen by the Liberals and Nationals. What the Liberals have shown today with their comments is if they don’t care about regional WA. If they don’t think the Premier of the state shouldn’t go to regional WA they don’t care about regions.

**Mercer:** Do you think that Electoral Reform in the Upper House is something that parties ought to take to an election before ever trying to implement it?

**Premier:** No like I said before it’s not on our agenda.

**Mercer:** So can I take from that the Labor Party isn’t going to be doing it?

**Premier:** It’s not on our agenda we support and enhance regional representation.

**Mercer:** To go back to the question, how significant is electoral reform in the Upper House is it a matter of such importance that a party would need to take it to the voters before trying to implement it do you think?

**Premier:** As I said it’s not on our agenda we support enhanced regional representation.

**Mercer:** The question is do you think it’s a matter that should be taken to voters before being implemented?

**Premier:** As I said it’s not on our agenda, we support enhanced regional representation.

That exchange took place in Albany five days before the election. Hear, hear, for Dan Mercer who kept asking the question, because he knew he was being fed a line by the Premier. He knew the government had anticipated those questions and he knew it would ultimately become a serious issue after the election if the Labor Party had the numbers in both houses of Parliament, because every time the Labor Party has had the opportunity in this place, going right back to before the sixties, it has taken the chance to change representation and it has never ended well for regional communities.

As I said, that interview was five days before the election: “Not on our agenda”. I want to quickly put to rest the idea that there seems to be a Trojan horse being built around this issue. There is a veneer of, “Well, we saw the outcome of the Daylight Saving Party and have to deal with all of that.” However, within that is what the Labor Party has been

pursuing doggedly for so long; that is, the process of introducing one vote, one value in both houses of Parliament. The fact is that the Daylight Saving Party was elected on a handful of votes, and there is absolutely no disagreement from anybody in this place or in the broader community that we need to look at sensible reforms. The opposition is on record as saying that it supports sensible reforms that target preference harvesters and the ability for people to end up in our Parliament who perhaps received only a very small handful of votes. The true agenda here, this Trojan horse that the Labor Party is building to try to confound the community that it is trying to do the public a favour with, is one vote, one value, and what that means in terms of the reduction of representation in the Legislative Council.

The peanut gallery is going well over there! It is like *The Two Ronnies* on the front bench.

**Mr J.R. Quigley** interjected.

**Ms M.J. DAVIES:** It is a constant chirp, chirp, chirp, chirp. When the Minister for Police is in the chamber, it is just constant. I hope he is going to get up and regale us with his view on this position. I would love to hear what he has to say, but if he does not, perhaps he could just let those of us who are on our feet deliver our views. If he then wants to respond, he can do that. That is how this house works, minister.

**Mr P. Papalia:** I'm hardly interjecting.

**Ms M.J. DAVIES:** He is not interjecting. It is a low-level snarking from the front bench.

If we go back over the comments in the transcript, the Premier said seven times that it was not on his agenda and three times that he supported enhanced regional representation. I have to say, at the time everyone was quite confounded about what "enhanced regional representation" meant. The journalists at the press conference asked us what that meant. I said, "You will have to ask the Premier; it sounds like weasel words to me. I am not quite sure what he is referring to." In the end, it turned out that the government did not intend making any changes to the weighting of regional seats in this place, even though the notion of one vote, one value had already been applied in the Legislative Assembly, but he was very careful to avoid any response that might relate back to any changes in the Legislative Council. Five days before the election, the Premier said seven times that it was not on the agenda and three times he talked about enhanced regional representation.

The first order of business with the newly minted majority in both houses of Parliament was to pretend that these words were never spoken and to forge on with the plan to reduce regional representation. And haven't they done it with the most extraordinary process—a hand-picked ministerial "expert" committee! I put that in inverted commas for Hansard's benefit. The committee was stacked with people who have publicly professed support for a pure form of one vote, one value being applied in the Legislative Council.

**Mr V.A. Catania** interjected.

**Ms M.J. DAVIES:** I am getting there, member. The government set up the terms of reference, which dictate that a certain result be delivered. It is nothing more than a charade and a farce. The Labor Party already knows what it wants to do; it just was not brave enough to do it before the election. I will give it that, because it knew there would be pushback—maybe not enough to change the outcome of the election. I am not sure that we are naive enough to think that, but there certainly would have been interest from certain parts of our community if the government had been up-front and put that on the agenda.

**Mr V.A. Catania** interjected.

**Ms M.J. DAVIES:** The government should have been honest with those communities. It certainly was not going to admit something like that before the election, because it would have set alarm bells ringing if it had done so.

Sorry, I thought I was going to get there. I read that last night, member for North West Central—three members on the ministerial committee have connections to the Labor Party. Let me get to that. Who are these esteemed committee members? Let me take members back to just before the election. On 20 February, I would say that all members of the previous Parliament received the same letter. The letter was signed by 10 academics, including members of what is now the ministerial expert committee—Associate Professor Martin Drum, Professor John Phillimore and Associate Professor Sarah Murray. The letter that we received outlines an argument for the necessity of reform for the way in which members of the Legislative Council are elected. On receipt of this letter, the Nationals WA spokesperson for electoral affairs at the time, Hon Martin Aldridge, wrote back. I do not know whether anyone else did, because it was in the midst of an election campaign, but this was within his portfolio, and he wanted to provide feedback to these individuals who had written this letter and invite them to understand why it is that we would not support the notion that they were putting forward. Anyone who knows Hon Martin Aldridge knows that he is very thorough and precise, and that stood him in good stead to respond to that letter. I am going to read in the response so that it is on the public record. Hon Martin Aldridge wrote back and said —

I refer to your correspondence of 20 February 2019 and apologise for the delay in my response. As you're aware, The Nationals WA oppose any measure that seeks to diminish regional representation in our State Parliament. It will come as little surprise that The Nationals WA reject your assertion that an equal weighting system for each region in the Legislative Council of Western Australia "fails the democratic fairness test".

It tends to be the case when the debate of one vote one value rears its head, that there are cries of protest from predominantly city-based academics and politicians. These cries are centred on the notion of equality. Yet at the same time there is a clear inequality in dearer fuel prices for country motorists, a lack of public transport and exorbitant regional airfares. Regional people are likely to achieve a lesser education standard and die earlier than their city counterparts.

The impact of proposed electoral reform in the Upper House—such as that presented at a New Zealand conference by the President of the Legislative Council last year—is to dilute country representation.

One vote one value was achieved in the Legislative Assembly with the passage of the *Constitution and Electoral Amendment Bill 2005*. The Bill recognised the need to compensate what are considered to be large districts by a weighting mechanism known as the Large District Allowance. Your proposal provides no detail on whether you believe our electoral system ought to recognise and respond to the challenges of representing regional and remote Western Australia.

Western Australia is unique. My electorate —

This is Hon Martin Aldridge writing —

of the Agricultural Region has a land mass comparable to Italy with nearly all of it populated. Yet my slice of country Western Australia is relatively tiny when compared to my upper house colleagues in the Mining and Pastoral Region. Spanning more than two million square kilometres, the total geographic area is more than 2656 times that of the South Metropolitan Region and includes Carnarvon, Kalgoorlie, Eucla and Wyndham.

In April 2005, then Professor Greg Craven, Executive Director of The John Curtin Institute of Public Policy and Professor of Government and Constitutional Law made a fair comment on the *One Vote One Value Bill*:

That bill was introduced by the previous Labor government. The letter continues —

*“I would respectfully argue that, once the Lower House of the Parliament is constituted on a more or less strict One Vote One Value basis, the case for constituting the Upper House differentially as a Chamber where regional interests receive moderately enhanced representation, is strong. This follows from the necessity to ensure that the diversity of interests contained within the State are adequately reflected in Parliament.”*

In the same vein, Dr Harry Phillips, Parliamentary Fellow, Adjunct Professor, Edith Cowan University and Curtin University of Technology said in April 2005:

*“In Western Australia the interpretations of the Canadian Courts have tended to be used as support for the ‘one vote one value’ argument. However, the Canadian Courts, have given thrust to a broader concept of ‘effective representation’. The latter provides scope for deviation (sometimes substantial) from voter parity. If one sought to do so I think there would be scope to argue that in many settings, other factors (such as geography), have to be considered for effective representation to prevail.”*

It is my view that those living in regional and remote Western Australia have an expectation and a democratic right to be able to reasonably access their Members of Parliament. The proposal advanced by you is incongruent with that expectation and right and would significantly diminish and disadvantage those people from being adequately represented in the State Parliament.

As individuals with expertise in democratic practice, I invite you and your cosignatories to spend some time with my colleagues in their regional constituencies. I think having walked a few days in our shoes will give you a deeper appreciation for the challenge of representing regional and remote Western Australia in a meaningful way. To that end, my Parliamentary National Party colleagues and I invite you to join any or all of us during our electorate travels.

Thank you for considering our views and I look forward to your response. Please don't hesitate to contact my office should you wish to arrange a visit to the electorate with one of our Members of Parliament.

That last sentence is very hopeful.

**Mr V.A. Catania:** They should come with me. I'll take them on a road trip!

**Ms M.J. DAVIES:** That is right. It was really not surprising that the honourable member received no response from the 10 academics who were promoting a reduction in regional representation.

Fast-forward to after the election, and Hon Martin Aldridge started asking questions in the Legislative Council about who the newly appointed panel members of that expert committee were. From the answers that we received, it would appear that they have links to the Labor Party and the government. Who would have thought? It would appear that some of them have worked for Labor governments, ministers and even Deputy Premiers. The question becomes: just how impartial, how unbiased, is this ministerial committee? There is no regional representation on



the committee. All the members live in Perth, and they have well-known and regularly articulated fixed views on electoral reform. The question is: how impartial, how unbiased, is this ministerial committee? I have to say that anyone with an ounce of common sense would look at that evidence and say that this committee has been put together to deliver the outcome that the government wants. It is trying to give it a veneer of decency, yet even the most basic interrogation proves that it is trying to dress something up because it knows that this will be deeply unpopular in regional Western Australia. The government needs that recommendation from a committee that already has a position on this. It would not surprise me if the legislation has already been drafted. It is a farce, and actually it is a waste of taxpayers' dollars.

The government already has a position on this. It continues with that farce, and it will accept the advice and recommendations as the Premier has outlined to the house over the last two days based on the feedback and the submissions that have been provided. Quite a significant number of submissions have been provided—people do take an interest in this—but I do not think it is broad enough for the general public to understand exactly what it is. Despite the fact that submissions have been made by various stakeholders, I can tell members that I am not sure that the person walking down the street who lives in a regional area and who is asked to once again go to the polls in 2025 actually understands that they will find that they have fewer people to vote for. I do not think that this government will do anything to try to educate that community about that fact. I think it will want to push this through Parliament as quickly as possible.

I can tell members how much stock the government is putting in the submissions that run contrary to its view. They have been filed in the round cabinet under the desk! I am sure that those contributors received a nice acknowledgement, but I have absolutely no confidence that those submissions will be reflected in any of the legislation.

The Attorney General can provide us with some feedback on how the process will run from here and when we are expecting to see the report from this expert committee that already has very fixed views about how one vote, one value and electoral reform should be conducted. They could at least have the decency to end that charade and put some of that back into Parliament today so that we can get on with critiquing what will happen as a result of these moves.

I just want to go back to demonstrate just how long the Labor Party has been pursuing this ideological bent. Mal Bryce wrote a paper in 1987 that shows that the pursuit of one vote, one value is engrained. I draw members' attention to the closing paragraph of this document titled *Electoral reform in Western Australia in the 1980s*. It is by Hon Mal Bryce, who was Deputy Premier and Minister for Industry and Technology; Defence Liaison, Communications; Parliamentary and Electoral Reform. It is a reasonably informative document. It goes through the progress of parliamentary and electoral reform processes from 1983 to 1987 when there seemed to be a significant push for the pursuit of electoral reform. My takeaway from reading this document was that this government—those who were involved in the government of the day when these reforms were going through—came to the conclusion that it would be better to take the reforms to an election. The conclusion was that it was not going to get anywhere by trying to hoodwink voters and it was better to argue its case and win over the voters than do it on the sly, which is what this government is doing. That is saying something because I think the then government involved the likes of Brian Burke and others. It came to the conclusion that, after trying to drive electoral reform over a number of years, it needed to be up-front with the electorate—something this government has not been. The final paragraph in this report states —

Our campaign for reform will continue until such time as vote weighting is removed and the system is capable of electing a Parliament which accurately reflects opinion in the community.

Mal Bryce says that the policy of gradualism is how it will be achieved. Let us look at what the government did. Page 64 of the document shows “Progress of parliamentary & electoral reform proposals 1983 to 1987”. It states that in 1983 —

- Burke Government elected on a platform which included comprehensive proposals for parliamentary and electoral reform.

The Labor Party took the policy to an election. The document continues —

- Legislative Council Reform Bill to introduce a single statewide electorate and proportional representation was defeated in the Legislative Council.
- Parliament Bill to establish means to resolve deadlocks between the Houses of Parliament was defeated in the Legislative Council.
- State/Commonwealth Joint Enrolment Act passed.
- A Bill to require MPs to make a Declaration of their financial interests ...

In 1984 —

- Fair Representation Bill to introduce approximately equal enrolments in Assembly districts and 4 multi-member regional electorates for the Legislative Council was defeated in the Legislative Council.

In 1985 —

- MPs Declaration of Financial Interests Bill was again defeated in the Legislative Council.
- A Bill for the Resolution of Disagreements between the Houses of Parliament ... was defeated ...
- Electoral Districts Act Amendment allowing more public participation in electoral redistributions was passed.

That was a good outcome. It continues —

- An Electoral Amendment Bill lapsed after a disagreement between the Houses when the Legislative Council would not permit the printing of party names on ballot papers.

It goes on. The final part refers to gradualism —

Fundamental to State Labor Party policy and the Fabian approach, is that for faith to be shown in the system of parliamentary democracy —

The Labor Party needs to keep working at it. We can see it is ingrained and ideological. It is ingrained and nowhere in that document is there a discussion about the impact that reducing the number of regional representatives would have. It is simply a mathematical equation for the Labor Party.

Let us go to the 2000s and look at more modern history. In 2005, there was a window of time between the change of government and the way that the Legislative Council used to be set up. The government took its moment to push through one vote, one value for the 2008 state election. As a result, we have one vote, one value here in the Legislative Assembly, albeit with some vote weighting —

**Dr A.D. Buti** interjected.

**Ms M.J. DAVIES:** One vote, one value was applied.

**Dr A.D. Buti:** It's not one vote, one value. How could it be when the member behind you has got all these phantom voters?

**Ms M.J. DAVIES:** Let us be clear: I do not agree with the concept of one vote, one value at all, but that is what we have.

**Dr A.D. Buti:** Then don't say we have it.

**Ms M.J. DAVIES:** We do. That was your legislation. You introduced it.

**Dr A.D. Buti:** Do we or do we not have it?

**Ms M.J. DAVIES:** You have one vote, one value. The government supports it. The Premier said "we support enhanced regional representation". I just read it out 16 times. He said it seven times in an interview with Dan Mercer—"we support enhanced regional representation". That is exactly what that is. That is the government's position.

**Dr A.D. Buti:** That is a different thing than what you're saying. No, you said we have one vote, one value.

**Ms M.J. DAVIES:** If the minister disagrees with his Premier, that is fine. I will tell the minister what impact of that legislation had. It increased the number of metropolitan seats from 34 to 42. It decreased the number of country MPs and seats from 23 to 17. That legislation, on the back of every other electoral reform that has been pushed by the Labor Party to reduce representation of regional WA, significantly altered the number of people who could represent the people of regional Western Australia and it will do it again now. It has a history of disenfranchising regional WA.

**Dr A.D. Buti** interjected.

*Point of Order*

**Mr R.S. LOVE:** Clearly, this member is taking over the debate. If he wants to debate, he should stand up.

**The ACTING SPEAKER (Ms R.S. Stephens):** There is no point of order.

*Debate Resumed*

Several members interjected.

**Ms M.J. DAVIES:** Proudly. Put simply, the Labor Party has a history of disenfranchising WA. What does that mean practically? My electorate of Central Wheatbelt is 100 000 square kilometres; it pales into insignificance when we talk about the size of North West Central and other members' electorates. But I can talk with authority because, from my perspective, I have people in my electorate who remember—before the reforms and one vote, one value was brought in in 2008—that there were two seats: Avon and Merredin. Members of those communities still say to me that they used to have such regular access to Hendy and Max as previous members of both those electorates because the electorates were a sensible size; the members could get around and ensure they were across the issues. They had multiple communities in the electorates whom they still had to service, but overnight that seat doubled. There are a significant number of communities in the electorate of Central Wheatbelt and although there might be similar themes, they are all communities that deserve attention. They are all people with individual issues.

Central Wheatbelt has very poor public transport links, as many of our regional communities do. It still has gaps in communications, so we do not have anywhere near equitable access to modern communications as our metropolitan counterparts do. Then we overlay some of the other disadvantages such as limited access to government services and infrastructure. That makes it even more challenging for vulnerable people in those communities to bring those issues to the fore. My electorate offices are in Northam and Merredin. I spend little time in either because when I am in my electorate, I try to go to those communities to afford them the opportunity to meet me face to face because that is important.

We talked about Hon Mick Gayfer this morning during the condolence motion. Our organisation and its members who seek to represent regional communities know the value of being seen and being in those communities. It takes an enormous amount of effort for someone to walk into an electorate office and raise an issue. I do not think we can be effective if people are not able to do that. The bigger we make these electorates, the more difficult we make it for people to engage with their members. It means less of those issues bubble to the top in this place, as we critique legislation and highlight issues in government. The government is talking about permanently changing that for an ideological bent.

Even with two electorate offices with one staff member in each, there is less opportunity for people to access my office than is the case with a centrally located and connected office in the metropolitan area. It is not unusual for me or one of our other regional members to travel for two hours for maybe a half-hour meeting. Compare that with a member in the metropolitan area or a major regional centre, who could potentially get to two or three events in one night. Anything that will make that more difficult is the wrong thing to do and the wrong direction for this government to pursue.

**Mr V.A. Catania:** If I can interject, you said that you have two offices in your 100 000-square-kilometre electorate.

**Ms M.J. DAVIES:** By legacy, yes.

**Mr V.A. Catania:** My understanding is that after a certain number of square kilometres, you are entitled to two offices. I have a million square kilometres, and I asked the Premier if I could have a second office, given the distance and vastness of the electorate, and it was a resounding no. That gives you a good understanding of what the Premier knows about regional Western Australia.

**Ms M.J. DAVIES:** It certainly makes it challenging. Every member in this place knows how valuable an electorate office and its staff are to the communities that they service. Whether we are present in that office or not, they are an amazing resource for their communities. Accessibility has to be a part of the conversation that we are about to have about electoral reform. It is incumbent on everyone to understand that there is very limited public transport and there are vast distances for people to travel, so there will be fewer people in those sparsely populated areas who will be able to bring issues to the fore. That will be further exacerbated in the Legislative Council, because those electoral regions are significant; they are big. I can speak with authority on that because I have been a member of the Legislative Council as well. I have represented the Agricultural Region. There is a significant variation in the issues that we are presented with in those regions, even within the Agricultural Region and the Mining and Pastoral Region. Therefore, the prospect of having fewer members to cover regional areas and to be available and accessible is daunting. It will have far-reaching impacts on policy, on focus and on the issues that are raised and debated by the government in the Parliament.

I hear the government members dismissing this, but this is something that we deal with on a daily basis. I cannot for the life of me understand why having fewer people to represent the people of regional Western Australia, when we are already seeing huge challenges in health, housing, education, community services and access to infrastructure, sometimes even the most basic infrastructure, will help bridge that gap. It is not just a regional versus metropolitan argument, because when the regions are thriving, the whole state thrives. The fact that we are having this debate based purely on some sort of mathematical notion of equity as opposed to what it means on the ground for community members is enormously distressing.

I think the government knows that the public will not tolerate its agenda. As I said at the beginning of this debate, the government has created a veneer. There is no argument about dealing with the issues that have arisen as a result of the Daylight Saving Party or other parties of that ilk that have been elected on a small number of votes. We are happy to work with the government on that and other sensible reforms. But we are not happy to support what we know will disenfranchise regional voters. I make the point that it is not about protecting National Party MPs or Liberal Party MPs or even Labor Party MPs.

**Dr A.D. Buti** interjected.

**Ms M.J. DAVIES:** The minister can bring his own cynicism to this chamber. It is swings and roundabouts, minister. Look how many regional MPs the government has.

**Dr A.D. Buti:** They are great representatives!

**Ms M.J. DAVIES:** That will not always be the case. The minister knows that; he has been around long enough. It is about making sure that there are enough members out there, of whatever colour political party, to give the

people of regional Western Australia, who contribute such a significant amount to our state's economy, the access, representation and advocacy that they deserve, just as much as everyone down here, if not more, because of the challenges they face. The government is talking about removing that democratic right. That is wrong.

I go back to what I said at the beginning of this debate. I urge the regional members in the Labor Party to start having the conversation now, because they will have to go back to their communities and explain why they are supporting something that will fundamentally change their representation in this Parliament. We need to bear in mind that there are two very different roles in this Parliament—one for the Legislative Assembly and one for the Legislative Council. Nowhere in any Westminster system anywhere in the world do we see the pursuit of one vote, one value, or that argument, in the house of review. It is a different house with a different purpose. That debate was had back in 2005 to make sure that our state's geography was reflected in the Parliament, as it should be, because we are such a vastly bigger state than some of the others in this nation. That should be reflected, and that was the compromise that was made at the time. The government is talking about changing that. That will have long-reaching implications. It is absolutely outrageous. That is why we think that the public of Western Australia ought to be given the chance to have its say and to critique what this government wants to do before it legislates to bring in what we know will ultimately be a reduction in regional representation in this state Parliament.

**MR D.A. TEMPLEMAN (Mandurah — Leader of the House)** [4.45 pm]: I am very happy to make a contribution early in the debate. I am a product of the system that was put in place during the time of the Gallop Labor government. I was elected to this place in 2001. I was elected when the seat of Mandurah had around 13 000 electors. That was the situation for me when I was elected to this place in 2001. The then seat of Murray, which was the seat adjoining and held by the now late Arthur Marshall, encompassed what is now Dawesville and stretched to just north of Lake Preston and across to Pinjarra and Dwellingup.

I remember very well the debates and discussions that took place about the enshrined values of the Labor Party, which was essentially that one vote, one value should be the basis upon which our democratic system is framed. The Labor Party has never been shy about that. That principle has been held for a significant time. There can be no argument from the other side that this is somehow a new opinion, view or value that is held by the Labor Party; it has been held for some time. Indeed, the issues around gerrymandering and voting malapportionment have been debated long and hard over many years. I remember that former Prime Minister Gough Whitlam used to rail against the fact that Western Australia was, in his view, the last bastion of gerrymandering and malapportionment.

In 2005, there was a process that included electoral reform. In that debate and discussion by the government, the principle of one vote, one value was put forward. In the case of this house, I went from an election in 2001 with about 13 000 voters to an electorate boundary that back then would have been around 20 000 voters in the 2005 election, which of course was a reflection of the legislation that had been put through this place by the former Attorney General in the Gallop government, Hon Jim McGinty. We had an interesting situation in Mandurah. Actually, I think it was in 2008 that the principle was imposed.

**Dr A.D. Buti** interjected.

**Mr D.A. TEMPLEMAN:** It was the 2008 election. I remember going to the election in 2005 after my original seat of Mandurah, which I contested in 2001, had been effectively cut in half because it was over the quota of about 13 000 or 14 000 voters. If the principle had continued, there probably would have been about four seats in Mandurah, and that would not have been fair.

Conversations about reforming representation in Parliament go back to when Parliament started. If we look at the returns for a number of seats in the Assembly when it was originally formed, it is interesting to see the seats that were dissolved, including Yilgarn, North Kalgoorlie, South Kalgoorlie and Coolgardie. In fact, during the late gold rush times and early last century, there were a handful of seats representing just the goldfields. The reason for that was that more people were living in regional WA and a lot of interstaters had come across to the goldfields in search of their fortune. Of course, they were Australians, and in this case new Western Australians, so they enrolled to vote. The history of this state shows that, in many respects, the goldfields played a key role in the proposal not to secede from the Federation in 1933. I remember having a conversation with the Governor of Western Australia, Kim Beazley, last year when he paid a visit to the City of Kalgoorlie–Boulder and the goldfields when he highlighted the role that the goldfields, and Kalgoorlie–Boulder in particular, played in the vote for Western Australia to be part of the Federation. The voters in the goldfields played a significant role.

**Mr V.A. Catania:** Was it signed in Kalgoorlie?

**Mr D.A. TEMPLEMAN:** Yes; from memory, I think the results from Kalgoorlie essentially tipped over the yes vote for joining the Federation.

Our state's history is littered with examples of when our democratic processes have played a significant role. In the late 1890s, there was a debate about Federation, and the role that voters, particularly those in regional Western Australia, played in agreeing to join the Federation was significant. Again, the decision to ultimately not support a motion to secede was also defeated in country areas, particularly around the goldfields.

Mandurah, like many other regional centres, has continued to grow. We need look only at the south west and places like Busselton, which is now a city, where the population continues to grow. That area is subject to the one vote, one value principle, as is Mandurah, the largest regional centre outside the metropolitan area, although no-one believes me anymore. We have seen good growth occurring in some of our regional centres.

From my perspective, it has always been not just about numbers, but about quality. Interestingly, the member for Balcatta highlighted—I had forgotten this—that I, as a then councillor, had made a submission to the Commission on Government process in the mid-1990s. I do not want to set a precedent of quoting myself, because I attacked the member for Moore last night for quoting his second reading contribution on the Dog Amendment (Stop Puppy Farming) Bill 2021, but I was quite impressed by my comment, so I am pleased that the member for Balcatta reminded me of these words of wisdom!

**Ms M.J. Davies** interjected.

**Mr D.A. TEMPLEMAN:** He found it and now I remember. The Commission on Government process included visits around the state. It was a bit like a parliamentary inquiry; people could make submissions. I made a submission, and it is quoted in the historical documents —

**Mr V.A. Catania:** Is this like the submission to get a fuel card for Mandurah?

**Mr D.A. TEMPLEMAN:** I lost that argument because we have public transport. I accepted the argument, even though I wrote to Brendon Grylls.

**Ms M.J. Davies:** I think you had a couple of cracks at it.

**Mr D.A. TEMPLEMAN:** I did; I came from different angles. But I was rebuffed smartly and logically for a reason. I think the Leader of the Opposition highlighted in her contribution the issues about members getting out and around in their electorates. I think it is important. I am from the country. I am from Northam. I was born and bred in Northam. I can remember the late Ken McIver, who was the member for Northam. He was preceded by Hon Mick Gayfer.

**Ms M.J. Davies:** Mick then Ken and then Max.

**Mr D.A. TEMPLEMAN:** Did Max defeat —

**Ms M.J. Davies:** Ken.

**Mr D.A. TEMPLEMAN:** Yes, Max defeated Ken. One of the things that I think all members will be aware of, and our regional members will know this very well, is that electors feel a great deal of ownership of members who represent regional communities. This is not a denigration of any metropolitan-based member, but the reality is that in many regional and remote seats, there is a strong identification with the local member; people sort of have this sense that they own those members.

**Ms M.J. Davies:** In the nicest possible way.

**Mr D.A. TEMPLEMAN:** That is right—in the nicest possible way.

**Ms M.J. Davies:** It can turn on a dime!

**Mr D.A. TEMPLEMAN:** If a member does not turn up to something, they want to know why. That is why I wanted to know why the Leader of the Opposition was not able to go to the centenary celebrations at Northam Senior High School. I was excited about seeing her there. I know she had another event somewhere else.

In August 1995, I was quoted, and I will do something that I try not to do —

**Ms M.J. Davies:** It was the year I finished school, minister.

**Mr D.A. TEMPLEMAN:** Did you?

**Mr D.R. Michael:** I was in year 10.

**Mr D.A. TEMPLEMAN:** I was a councillor at the City of Mandurah at the time. I will quote from this document —

Mr David Templeman argued for the increased resourcing of non-metropolitan members as opposed to the alternative of weighted rural votes:

How insightful. I am reported as saying —

... I think in regard to technology we can overcome that by resourcing parliamentarians who have a larger geographical seat with extra resources to ensure that their jobs can be done productively and that people in their seats are represented properly.

I thought that was quite insightful and worthy of quoting, member for Moore. I was not quoted anywhere else in the document, so obviously that was the pearler that they chose to enshrine in history!

One of the things that distresses me a lot in any debate is that this is not, and should not be, about country versus city. I think we have to get over the fact that all Western Australians are important wherever they live. There are times when governments will favour populations, or part populations, for a very good reason. For example, this government

recognised very early on in the current COVID situation the vulnerability of our remote Indigenous communities. The McGowan government recognised that key group within our population has particular vulnerabilities and needed to be protected and ensured that those communities were supported. In many respects, the boundaries of those communities, where people live and operate, were given enhanced protection, as they should, because there was a very good reason for it. It is evident in budgets, programs and initiatives that it is recognised there are parts of Western Australia that are different and require extra support. In my view, that is recognised through budgets. Whether it is regional schemes or programs in my portfolio areas, there is a response by government to need. Sometimes that need will be in the metropolitan area; sometimes that need will be in the regional areas. I think the premise that someone gets something but someone else misses out, of city against country, is the wrong approach. One of my criticisms of the Nationals WA is that that seems to be the narrative it articulates.

The Nationals WA is in a very interesting position. It now forms the opposition. It is the opposition's responsibility, as it is the government's responsibility, to represent the interests of all Western Australians. There are four Nationals members in this place. It is an undeniable fact that a significant proportion of Western Australians live in the metropolitan area. Those people have a right to be represented and have their interests represented by Nationals members, in this case as the opposition party. If the Nationals come at this with the approach —

**Ms M.J. Davies:** Do you think they are under-represented in this house?

**Mr D.A. TEMPLEMAN:** Who is that?

**Ms M.J. Davies:** Metropolitan members of the community.

**Mr D.A. TEMPLEMAN:** I think this house reflects broadly the representation of Western Australians. The Nationals have made it very clear that it opposes the Metronet program, for example.

[Member's time extended.]

**Mr D.A. TEMPLEMAN:** I will not talk for very long.

**Ms M.J. Davies:** That's not a fair representation of our position, minister.

**Mr D.A. TEMPLEMAN:** The Nationals have bumper stickers that say "Metrodebt". In this place, the Nationals have opposed —

Several members interjected.

**Mr D.A. TEMPLEMAN:** Nationals members cannot sit on the fence on this one. They cannot jump the fence when it suits them. Historically, the Nationals have opposed the expansion of our metropolitan transport system. The Leader of the Opposition knows I like her but she has opposed it. The Leader of the Opposition promoted throughout her electorate that the government's priority of expanding the metropolitan public transport system is something that she opposes. The Nationals say "they", as in the government in the metropolitan area, are spending all this money on Metronet to the detriment of their communities.

**Ms M.J. Davies:** That's a fair reflection of what's happening.

**Mr D.A. TEMPLEMAN:** That is not true. The fact of the matter is that it is an investment in infrastructure in the metropolitan area, which stretches out into the regions as well. There are plans to take it further in the longer term, down to Bunbury, which I support strongly, connecting communities, as a good public transport system should. In my home town of Northam, the Nationals did that with *AvonLink*. We have debated before in this house that when in government, the Nationals let the *AvonLink* fall over. The National Party, now in opposition, was going to sit back and allow —

Several members interjected.

**Mr D.A. TEMPLEMAN:** I want to try to truncate my comments because my family is coming and I am looking forward to having dinner with them —

**Mr R.S. Love:** You can finish now if you like!

**Mr D.A. TEMPLEMAN:** No. If the member keeps interrupting me, I might do an all-nighter. Like you did last night, my friend, without the lubrication!

The Nationals argue against a major expansion of the Perth metropolitan transport system that is focused on getting people out of cars and onto public transport, and enhanced developments around nodes at those stations. It is good policy. It is how to plan for a modern city that is continuing to grow. Whether we like it or not, a lot of people still choose to live in the Perth metropolitan area. Whether we like it or not, that is what is happening, and we have to plan for that. We also need to support developments and indeed population growth in the regions, and the government is all for that. We want to see the Broomes, Kununurra and Kalgoorlie-Boulders of the world, places down to the south west, thrive. No-one in this place does not want to see that happen. I am so proud that in this place we now have a swathe of people who represent and are from those communities. They are from Collie-Preston, Murray-Wellington, Margaret River, Warren-Blackwood, Albany and the goldfields. They are good people, first, and they happen to be Labor members of Parliament. They will continue to articulate the importance of the regions to Western Australia and argue for important services to be provided. That is their job. But they happen to be Labor

people. I am very proud that we have a record number of regional members. I think the Nationals members find that very difficult. I honestly think the Nationals members took for granted the regional people of Western Australia, because they thought they would always vote for them. They thought they would always come across and put the number one next to the National Party member and maybe the occasional number one next to the Liberal Party member. But look at the result of the last election—record numbers of people in the Leader of the Opposition’s own wheatbelt catchment voted for the Labor Party. They voted for the Labor Party because they understood, in my view, that this government had a range of policy areas that it was focused on.

Several members interjected.

**Mr D.A. TEMPLEMAN:** The Labor Party had a range of key priorities about services to local communities, about making sure that local jobs were created and that there needs to be an opportunity for industries to restart. Nationals members did not like that, and they are still not over the fact that lots of people—who they would have sat around with at public meetings; knocked on their doors and talked to them as business people—did not vote for them.

**Ms M.J. Davies:** My vote went up.

**Mr D.A. TEMPLEMAN:** I am talking about the broader wheatbelt.

**Ms M.J. Davies:** You were pointing at me, so let’s be clear.

**Mr D.A. TEMPLEMAN:** My vote went up, too, actually, and I had a broken leg!

I think the Nationals are on the wrong beam with this us-and-them thing. The Nationals try to drive this wedge between country people and city people whenever they can. Do not forget: there are lots of places in the metropolitan area where people from the country now reside. They reside here for a range of reasons. I know a lot of people who came to Mandurah to live so that they would be closer to Perth because of their health needs. They want to be closer to family. I know lots of people from Albany who live here. They love Albany, but for various reasons they choose to live in a different place.

**Mr P. Papalia** interjected.

**Mr D.A. TEMPLEMAN:** Well, there you are!

I just want to, because it is important, finish on the hypocrisy of the definitions around fairness. The member for Cottesloe is here and I am sure that he will make a contribution. We know the member for Cottesloe’s views on this issue, as they date right back to the 1990s when this debate was going on within the Liberal Party. His comments were very much in response to problems and challenges that existed between the Liberal Party and the then National Party at the time. We know about his comments that supported the principle of one vote, one value because they are documented in a range of newspaper articles and statements on a whole range of matters. For example, back in 1994, the member railed against the new boundaries that were being drawn up by the Western Australian Electoral Commission. I refer to a newspaper article of 5 December 1994 in which the member said that the Labor Party needed to win only six seats with a two per cent swing—Bunbury, Joondalup, Wanneroo, Yokine, Innaloo and Ballajura. The article states —

“Outside those seats, the ALP won’t even bother campaigning,” he said.

Then this big debate took place between the member for Cottesloe and senior Liberals at the time, including Richard Court and the then Minister for Parliamentary and Electoral Affairs, Hon Norman Moore. Then the Leader of the National Party and Deputy Premier at the time, Hendy Cowan, weighed into the debate on these issues, and a view was then formed by the Liberal Party. I quote another article of 25 September 1995 —

Some Liberals see one vote, one value as inevitable and believe it would be better to bring it in themselves than to have it imposed when the Labor Party might be in office.

We know about all the conversations that used to go on in the lead-up to the previous voting reform. In fact, I think it was the honourable Cadby, I think his name was —

**Ms M.J. Davies:** It was Alan Cadby. He was an Independent.

**Mr D.A. TEMPLEMAN:** It was Hon Alan Cadby—he eventually became an Independent, but was a member of the conservatives prior to that—who essentially tipped the vote that way. The article also states —

Some Liberals favour accepting the COG’s recommendation to end vote-weighting in favour of rural electorates.

But a move towards the so-called one vote, one value system would draw opposition from the National Party ...

The member for Cottesloe admitted that, in his heart, he agreed with the huge issue of the principle of one vote, one value. He will stand up now and probably say that he has changed his spots or, suddenly, he has changed his mind, but the member knows that the Liberal Party has always seen that one way it can address issues around its problems with the National Party historically is to reform the voting system in a fair way. That is how the member opposite has always argued. I may not be in the chamber when the member for Cottesloe makes his contribution, because I will be with my family, but I needed to highlight that to him.

In terms of the whisperer issue, there is huge evidence that Mr Druery, for example, simply exposed and exploited loopholes in the existing legislation. The result was the most unfair situation that we have seen: a person can get elected to a seat with fewer than 100 votes, essentially because of the sequencing of votes and the leakage from one candidate to another tipping someone over. In a modern democracy, that is not fair. It is important that we always consider the importance of democratic representation—absolutely. Let us not be blinded by unfairness. When there is unfairness, it should be addressed.

My final comments are this. As members know, a process has been completed, and the government will consider its response to that process. Those three people highlighted by members opposite who are part of the task force are very good Western Australians; they are good people. They were given a job to make recommendations, which the government is considering. Decisions based on the report and its recommendations will be made in the best interests of Western Australians, and they will be based, I am sure, and I hope, on fairness. That is an important consideration when we change anything relating to how we represent. I am very proud to have represented Mandurah for the last 20-plus years, and I look forward to continuing that into the future.

**DR D.J. HONEY (Cottesloe — Leader of the Liberal Party)** [5.15 pm]: I rise to strongly support this motion. As departure from precedent in this place, not only did the Labor Party not want to be honest with the people of Western Australia about its intentions on this matter before the election, but also, quite clearly, the Labor Party does not even want members on this side to articulate concerns. We all know that the convention during private members' business is that the opposition is largely allowed to utilise the time and that typically the responsible government minister responds; clearly, that is not the case here.

I stand to support this motion because, quite frankly, the Labor Party and this Premier were completely dishonest with the people of Western Australia prior to the election about their intentions on electoral reform. It is interesting to note that the Premier clearly sees himself as some great statesperson who is guiding not only this state, but also Australia. We increasingly hear the sanctimonious lectures of this Premier to other state Premiers, and, in fact, to his federal party colleagues dictating to them how they should be running the Labor Party and configuring their policies in the lead-up to the election—yet this Premier is using the shabbiest ruse to justify this despicable action. It is a despicable action because he has been utterly dishonest with the people of Western Australia leading into the election and subsequently. To say that the concerns about the ticket voting is a sudden revelation is utter rubbish! It is beneath the Premier, who considers himself to be some statesperson now, to use such a shabby, shallow argument to justify what is a betrayal of voters in Western Australia. We know that the Labor Party at least has had a long-term agenda to significantly reduce representation in the upper house. We know that this Labor government has no mandate whatsoever to go through this process. The real question is: how are regional Labor Party members going to vote in this debate? This is a serious matter. This is a fundamental change. Given the way that upper house elections normally go whereby the government of the day does not have control of the upper house, this change is likely to be an everlasting change; it is a profound change to the electoral system in Western Australia.

This process has a range of stakeholders concerned, including the Western Australian Local Government Association. The president of WALGA, whom the Labor Party has seen fit to appoint as its candidate for the seat of Pearce—someone it clearly thinks is a reasonable person—put out this statement. WALGA put out an advertisement in *The West Australian* titled, “Simplistic Solutions Ignore What Makes our State Unique”. I quote —

The WA State Government is undertaking a review of the electoral system, even though leading up to the election such a move was repeatedly claimed not to be on their agenda.

While the government has taken submissions, and is yet to release its position, it is expected that proposed changes will return to the argument for one-vote-one-value in the Upper House. The principle is that the number of electors that select an MLC in the country should be the same as for the city. It sounds fair, but only mathematically.

If you think such a system only affects regional communities, think again. The one-vote-one-value argument has a logic that works only if one is prepared to consider the most blinkered interpretation of democracy.

The concept that every person's vote should have equal weight proposes that population size is the only variable that should be taken into consideration when determining what is fair. It ignores economic contribution, challenges of distance or even if the resultant representation will actually deliver on the promise of democracy.

I will not quote the entire advertisement, but it is an excellent contribution. As I said, this view is endorsed by the new Labor Party candidate for Pearce. It is not only a concern expressed by people on this side of the house and vast numbers of Western Australians, but also clearly one that the Labor Party's candidate for Pearce endorses. I will read the last point made in the advertisement. I quote —

One-vote-one-value is an argument that works on a whiteboard but fails to recognise the unique aspects of living in Western Australia. To champion such a move, says that one either does not understand WA or does not care.



What I hate to believe, but I think is the case, is that this government does not care. This decision is purely about the government's brutal use of numbers in Parliament. It has no mandate whatsoever for this most serious matter—probably the most serious matter this Parliament will consider. No care is given for the fact that a completely illegitimate process is being brought before this house. There is no mandate for this. Let me be clear: there is absolutely no mandate for this. It is not that the Premier was silent on this and, by virtue of that, all members opposite were. In fact, the Premier was asked about it repeatedly. The Leader of the Opposition went through it. The Attorney General would at least understand the whole story of the pieces of silver and the rooster crowing three times after the betrayal of Jesus was denied. The rooster would have crowed two-and-a-bit times in an interview with the Premier because the Premier denied seven times in one interview that any of this was on the agenda. What happened when we came into this Parliament? Surely, it was not a thought bubble that just occurred after the election. This Attorney General suddenly thought, "Here's our chance. We've got the numbers and this Premier. We're going to come in and rip regional representation away from people in Western Australia."

As I have said in this place before, I think *The West Australian* has given this government a pretty good run. It has certainly given the government a lot of accolades for what it has done about the COVID pandemic. In an excellent article in *The West Australian* from 6 May, Peter Law has written about electoral reform. It is perhaps the clearest condemnation of this government that I have read in that newspaper. The article is titled, "Mark McGowan should have been upfront about electoral reform plans during campaign". It starts —

It's not on our agenda."

That must have been the most repeated phrase Mark McGowan uttered on the election campaign trail, aside from the Labor slogan to "keep WA safe and strong".

The reason we heard it so often is because it was the Premier's carefully worded response when asked if his Government would pursue electoral reform of the Upper House in a second term.

Specifically, he was asked repeatedly whether Labor would overhaul the city-country weighting that means a vote cast in some parts of the bush are worth six votes in Perth.

It continues —

It's about McGowan not being honest with the people of WA about Labor's true intentions if the party won total control of Parliament.

As he criss-crossed the State to win votes ahead of the poll, my colleagues and I repeatedly pressed him about this otherwise extremely unsexy topic.

We did so because changing the State's democratic process is an issue of such significance that it should be taken to the people first, as I argued on February 18.

I will not go through the rest of the article, but that is the clearest condemnation of an action of this government that I have read. I thoroughly and totally agree with Peter Law in that article. This government, this Attorney General and this Premier have no mandate whatsoever for any proposal to fundamentally change representation in the regions. In fact, it is quite the opposite. They deliberately and knowingly misled, I believe, the people of Western Australia about their true intentions. I want to go to this because the Leader of the House wasted a half-hour of debate saying essentially nothing, but one point he was keen to make was that this reform is not an attack by the Labor Party on regional Western Australia. However, we have heard exactly the opposite from this government. It has consistently attacked regional Western Australia. What happened at the start of the last term of this government? It tried to close the Schools of the Air. That is like selling Bambi for pet meat! The Schools of the Air is probably one of the most iconic educational institutions in the history of Australia. A Labor cabinet with this Attorney General and this Premier, and the other cabinet ministers who were there at the time, had agreed to shut down the Schools of the Air. Then they tried to close down Moora Residential College. It was only when there was an enormous outcry that the government backed down on those utterly cruel and stupid decisions that attacked regional Western Australians.

Here we are at the start of another term of this government and the first thing it does is attack regional Western Australians by trying to reduce their representation. I want to be very clear about this. We hear about the great and resounding victory for Labor Party members and the seats that they won. How many of those seats would Labor Party members have won if they had been honest? If the Premier had had a shred of decency and been honest with the people of Western Australia—not just regional Western Australia, but all of Western Australia—about his intentions to slash regional representation, would the Labor Party have won the Kimberley? Would the Labor Party have won Geraldton, Kalgoorlie, Albany or Murray-Wellington? I tell you what: I have visited every one of those communities and the people there feel utterly betrayed. During the campaign, the member for Kimberley said that she would fight like a "chi-chuana" to retain regional representation.

Several members interjected.

**Dr D.J. HONEY:** She said she would fight like a "chi-chuana" to fight for regional representation.

Several members interjected.

**Dr D.J. HONEY:** A “chi-chua”. I stand corrected on the pronunciation of the dog. She would fight like a “chi-chua”; they are fierce fighters!

Several members interjected.

**Dr D.J. HONEY:** That is her words; do not blame me! They are her words, members, if not her pronunciation. She was going to fight like a “chi-chua” —

Several members interjected.

**Dr D.J. HONEY:** A Chihuahua!

Several members interjected.

**Dr D.J. HONEY:** Thank you!

**Mr D.R. Michael** interjected.

**Dr D.J. HONEY:** No, I did not do the puppy farming bill. She would fight like a Chihuahua for regional representation! Despite the merriment, members—I understand your merriment; no doubt I will live to hear it again—she said she would fight for that. Where is that member? I know with absolute certainty that those Labor regional members in the upper house would not have won as many seats if this plan had been known to the voters of Western Australia. That is why it is very important; those voters did not have the chance to make the decision on this matter because although voters were happy to reward this government for its performance in managing COVID in this state—that was widely across the state and I have recognised that in this chamber—they did not vote for this government to change regional representation. It is not just regional voters. During my by-election, my electorate had a couple of big issues, including traffic density. The third-largest issue in my electorate during my by-election was the closure of Moora Residential College and the attempted closure of the Schools of the Air. That is how important people in the city regard people in the regions, and there is a good reason for that. Inside part of a day, I can walk from this place to any household in my electorate. I can do that. I can walk from this Parliament to any house in my electorate, and that means that my electors have good representation.

A government member: A “chi-chua”!

**Dr D.J. HONEY:** I tell you what: if you get fixated on the pronunciation of a dog’s name, that is the measure of your care about this, because this is a serious matter, members. This is a serious matter about people in Western Australia having their representation reduced. Their opportunity to have their issues heard is diminished and it is this Labor government that is intending to do it. Again, let us be very clear about this legislation: if all members of the Labor Party who are members of the upper house who are representing regional electorates oppose this legislation, it will not pass. This is within the control of the Labor members of the Legislative Council. The Labor MLCs have the opportunity to defeat this legislation.

**Mr J.R. Quigley:** What legislation?

**Dr D.J. HONEY:** The legislation that the Attorney General is bringing forward. Do you know what, Attorney General? We know that you have prewritten it. We know that you have selected a committee that is absolutely hand-picked to come out with the result that you want. You have selected the three members of that committee who, as late as February this year, put out a joint paper decrying what they call the malapportionment within the upper house and recommending that that be reduced. They put down six models for the reduction of regional representation. You know that, Attorney General. You know that because you know all these people personally and well. You know their views on this particular matter, and that is what they are bringing back to you. You hand-picked them to bring back the result that you wanted. It is shameful!

Imagine if we on this side of the house did that. Imagine if we were looking at any other issue and we hand-picked people like you have hand-picked those people for this. You would be screaming the house down, and saying it is a completely improper process.

[Member’s time extended.]

**Dr D.J. HONEY:** This is a sham process, and the Attorney General should be honest with the public of Western Australia. If we look at the process that the Attorney General has put forward, as I said, he has his expert panel. He has chosen the people that he wants in there. He knows all those people personally. He knows that they have views that are utterly opposed to the current electoral system in the upper house and he knows that they will come back with recommendations to reduce that representation. The Attorney General knows that they have already put forward six models for that, all of which reduce representation in the regions. Therefore, this is a sham process that does the Attorney General and the Premier no good. I will not go through that any more. I think that point has been well made.

Why is it important that we have regional representation? Why is it important that we have a good number of members representing regional Western Australia in the upper house? The reason is that people cannot get a proper representation of their issues and ideas if they do not have someone they can talk to or present them to, if they cannot go into someone’s office to talk to them and if they cannot get a response to a letter. In all the models that we have seen, that is made harder.

We can look at the issues that face this state. Let us look at power prices. The other day I asked the Minister for Energy a question that he did not bother giving a proper response to. In July—the coldest, wettest month of the year—Horizon Power, which has only 48 000 customers, disconnected 606 customers. It disconnected 1.3 per cent of its customers. Synergy, which has a million customers, disconnected 587 customers. The Minister for Energy responded, “Oh, well, that’s because they’ve got different types of metering. That’s because it’s easy to cut them off and so on.” The point is: there has always been a difference and that is about four times—this is 20 times. How do those people get those issues represented in this Parliament if I am not representing them and, more particularly, if they do not have other people who they can go to? We know that a large number of the communities that were affected by those power cut-offs were Aboriginal communities out in those areas, and it should concern any member in this house. When the government talks about reducing regional representation, it is talking about reducing representation for all those isolated Aboriginal communities, all through the Kimberley, the Pilbara and the north west of this state and other areas. Therefore, that is the sort of issue that we need to have represented in this Parliament.

Look at the housing crisis that this state faces. I have been to pretty well every part of the state since I was elected as the Leader of the Liberal Party. I have been from Kununurra to Esperance and a great majority of the points in between. In every one of those communities, they have the most enormous issue with the supply of housing. They have the most enormous issue with social housing in those areas. It is an issue that is causing the most enormous hardship. In Esperance, on any given night, about a dozen people are sleeping rough because they cannot get housing. Businesses cannot expand or, in fact, operate because they cannot get labourers in because there is nowhere for those people to live. How do we expect those issues to get proper representation when the Attorney General and the Premier are determined to cut representation for regional voters?

We highlighted the issue in Geraldton where there is a massive housing shortage. Around a thousand people are looking for public housing in that area. Currently, 130 houses are boarded up in that town, and we have had no satisfactory answer from the Minister for Housing on resolving that matter. Again, why do we need representation in the Parliament from regional representatives? Today, the Minister for Housing attacked the Leader of the Opposition about the fact that, apparently, she oversaw the sale of 40 houses. I have an article here from *The West Australian* of Friday, 13 August 2021, which states that the state government—that is your Labor government—has shed more than 600 homes reserved for police officers and teachers over four years. That is in this term of government. The Minister for Housing attacked the Leader of the Opposition over 40 houses being sold, apparently, when she was a minister. Under this Labor government, over 600 homes reserved for police officers and teachers have been shed over four years. There were 5 512 Government Regional Officers’ Housing abodes as of June 2016; however, as of mid-last year, that number had sunk to 4 911 under the McGowan government. The biggest decline was seen in the south west, from Harvey to Pemberton, where Government Regional Officers’ Housing plummeted by 23 per cent, from 242 properties in 2016 to 186 properties in 2020. That is the sort of issue that will get even less airing and be covered even less. The people suffering that hardship will have less of a voice in this Parliament if this government reduces regional representation. We will have a situation in which it will be impossible for the MLCs in a reduced Parliament to properly represent and cover their areas.

**Mr J.R. Quigley:** Might I ask a question?

**Dr D.J. HONEY:** You may, Attorney General.

**Mr J.R. Quigley:** Do you support the notion that there be a referendum?

**Dr D.J. HONEY:** I absolutely support the notion. If the Attorney General is using the excuse and saying that this government has a mandate from the people of Western Australian to reduce regional representation, it is patently clear that it does not. It is patently clear. Not only was this issue not raised before the election, but also the Premier on numerous occasions went out of his way to mislead the public of Western Australia that there was no intention whatsoever to do this.

If the government is going to do this, I see only two honourable and decent choices for it to follow. If the government is determined to do this soon, the most immediate choice is to hold a referendum and ask the people of Western Australia, because I am confident that the people of Western Australia will not support that. I am confident that the majority of city voters will not support the reduction of regional representation in the upper house, but put it to a test. If the government does that, at least it will have a mandate to do it. Otherwise, go to the next election with this as a policy, because I know as a matter of fact that there are a number of regional Labor Party members sitting in this house who would not be re-elected and would lose their seat over this issue alone. The government should do one of those two: make the immediate choice and go to a referendum; otherwise, take it to the next election and get its mandate.

I have said in this place that this Premier has an absolute mandate for the way he has been handling the COVID crisis. There is no doubt whatsoever. That was the sole issue of the election, and the Premier had a resounding mandate. At my polling booth, people told me that. People who would normally vote Liberal but did not vote Liberal this time came and saw me and were quite up-front about it. They said, “I’m voting for Mark McGowan”—not the Labor Party—“because he has done a good job of protecting this state from COVID.” That was it. That was the mandate.

**Mr P. Papalia** interjected.

**Dr D.J. HONEY:** There were lots of mentions of it, can I say, overwhelmingly positive, in my electorate, minister.

**Mr P. Papalia:** What was your swing?

**Dr D.J. HONEY:** I did have a swing against me, which was six per cent, but I tell the minister that it was half of the next swing, so clearly my electors liked that. I take no pride in that. I would have liked no swing at all; in fact, I would have loved a swing towards me on my two-party preferred vote, but next time.

We have major health issues right across this state. Our health system is in absolute crisis, and, again, how do we have representation for regional communities on these issues? I find out the issues in Geraldton only because I go there. This government spent \$2 million on a new driveway into the emergency department unit. It has bollards on it. It is blocked off, because there is nothing behind it. There is no department for people to go into behind it. No money has been spent on that. Money has been spent on a car park and a driveway. That is typically the problem that the regions have. Their issues are not taken as seriously. Their problems are not taken as seriously. We are seeing it right now. It has taken this government all this time—here we are, more than 18 months into this COVID crisis—before it has recognised the need to have purpose-built facilities to bring workers into this state. People in regional Western Australia from Kununurra to Esperance are experiencing hardship because they cannot get workers into those communities, and that has been ignored by this government. For over a year, we have been calling for purpose-built quarantine facilities to safely bring workers who are needed into this state. We have a Premier who is in the national cabinet. We have a Premier with a \$5 billion surplus that he can spend for the people of Western Australia. This government has absolutely no mandate for this sham process that has commenced. It clearly has an outcome in mind. As I said, if this Attorney General and the Premier have any decency or honesty, they will take the change to an election process or to a referendum before the next election to get a decision.

**MR P.J. RUNDLE (Roe)** [5.45 pm]: I certainly rise to support the motion moved by the Leader of the Opposition. It is very much a case of “take it to the people”. That is all we want. Take it to the people; take it to a referendum. If the people vote that way and decide that they want less regional representation, then the people have spoken.

I am very curious to see how our regional members within the Labor Party react, because I actually feel sorry for them. They are going to be squeezed between what they are meant to be doing—representing their regional constituents—and a career-limiting vote. If they vote in favour of reducing regional representation, it will be career limiting, as we know. We know the way the Labor Party works.

As has been pointed out by the Leader of the Opposition and the leader of the Liberal Party, “It’s not on our agenda.” These were the comments of the Premier prior to the election. Journalist Dan Mercer asked the Premier seven times. He used to sit up there in the gallery. He knows how the Premier works. He knows the questions to ask. He asked those questions seven times in that interview, and the Premier would not answer the question. Then he tried to tell us that this was a smokescreen being put up by the Nationals WA and the Liberals.

I also refer to the article written by Peter Law on 6 May. I thought it was a very good article and a very accurate article. He refers to the Labor slogan to “keep WA safe and strong”. He wrote —

The reason we heard it so often is because it was the Premier’s carefully worded response when asked if his Government would pursue electoral reform of the Upper House in a second term.

Specifically, he was asked repeatedly whether Labor would overhaul the city-country weighting that means a vote cast in some parts of the bush are worth six votes in Perth.

As Peter Law pointed out, his comment was not about whether such rebalance of the voting system would see more metropolitan MPs at the expense of regional representation; it was about McGowan not being honest with the people of WA about Labor’s true intentions.

I am very disappointed in the Attorney General that this has been brought on as almost the first order of business. The Attorney General brought on 59 bills, I think it was, in the previous Parliament. I am sure he has another 59 stashed away there. He has already read in quite a few, and put a couple through, but—lo and behold—the first item of business was to bring this out. The day after the opening of Parliament, the Attorney General brought this up as part of the business that he is going to rollout. To be honest, as a member of the opposition, I cannot believe it. I do not know how many members of the government were aware of it, either, or those regional members who were out there in their electorates saying, “Vote for me, I’ll represent you, I’ll do a great job.” As Peter Law points out, it was sensitive, because the prospect of reducing regional representation could have cost Labor support at a time when it was campaigning to win the marginal seats of Kalgoorlie, Albany and Geraldton, as well as boost its vote in the upper house. This is the deceit. Peter Law also pointed out that in the leaders debate the Premier looked down the barrel of the camera and said —

“But I just want to make the point, it’s a democracy, people can vote and they shouldn’t have these sort of scaremongering ... ideas put forward. People can vote and, if in four years time they don’t like the government ... they can vote again.”

What about telling the truth? What about giving the voters of Western Australia the truth before they go to the polling booth on 13 March 2021? That was all that was required. That was the smokescreen. The smokescreen

was not the Liberals and the Nationals. The smokescreen was the Premier and the Attorney General who brought it on as the first order of the day after Parliament started. I absolutely agree with Peter Law's final comment, which is —

... I'd also argue politicians who mislead the public before an election are also guilty of harming trust in our democracy.

I think that sums it up very well. The classic case has been pointed out once again. The decisions on Schools of the Air and the Moora Residential College were two of the most disappointing and deceitful things that were done in the previous term of government, and we saw the response. We saw the response in not only the regions but also the metropolitan area, to the point at which within three weeks, the Premier and the Minister for Education and Training were backing away as fast as they could. The people of Western Australia do not appreciate deceit. They do not appreciate being misled. I fully support the Leader of the Opposition's call for a referendum. Let the people of Western Australia have the opportunity. All of us have agreed to a reform of the ticket voting system to eliminate preference harvesting; we are quite in agreement with that. This is part of the smokescreen.

I must hand it to the Attorney General for the way that the Labor government goes about this. The smokescreen is all about the Daylight Saving Party and its 98 votes and all those associated issues. That is about five per cent of it. The other 95 per cent of it is reducing regional representation. As it goes, our regional members in the lower house all work hard and do a massive amount of miles. I just cannot begin to tell members how difficult it is to cover the electorate. It is disappointing that the member for Mount Lawley is not here because, as I like to say, my electorate is 5 912 times the size of the member for Mount Lawley's electorate. It is similar to the member for Central Wheatbelt's electorate. The member for Mount Lawley can probably drive across his electorate in 10 minutes and it takes about nine to 10 hours to drive across mine. It is a challenge.

**Ms S.F. McGurk:** How many voters has the member for Mount Lawley got?

**Mr P.J. RUNDLE:** It is a challenge to say the least, member for Fremantle. There is such a range of diverse issues. I can see what will happen. The proposal will probably have one great big area for the whole state; it will have 36 members of the Legislative Council, mainly focused in the metropolitan area. I notice quite a few of them are starting to move their offices towards the metropolitan area. We need those members of the Legislative Council, especially the regional ones, to get out there and help us cover those issues. I will be at the Newdegate field days in a couple of weeks; a lot of the information that is put out there by regional constituents is gathered by our Legislative Council members because it is almost impossible for a lower house member to cover it all. We just cannot underestimate the challenges.

We had a massive amount of submissions. We had 16 individual shire submissions. We had the Western Australian Local Government Association's Great Eastern Country Zone submission and the WALGA submission, which represents the collective 137 local government areas in WA and is led by its president, who is now a Labor Party candidate in the federal election. They all rejected the option of members of the Legislative Council being elected from an electorate comprising the entire state. I would like to see what the Attorney General thinks about this. The Mayor of Karratha, Peter Long, wrote —

I wish to express my strong opposition to the Western Australian Attorney General's expressed preference to have one-person/one-vote election to the WA Legislative Council. This approach is contrary to the bicameral system of government Australia has enjoyed from its inception—a system which requires that the two houses of the legislature be constituted on different bases to be properly representative, and to be an effective check upon each other.

...

In the Commonwealth of Australia, the lower house forms government and enjoys the powers and responsibilities that involves. But to protect the disparate States and the enormous, sparsely populated regional areas, which suffer lower outcomes on nearly every liveability scale, the upper house—the Senate—is given equal representation for each State.

The number of senators for Tasmania and Western Australia is the same. I am very curious to see the argument that the Attorney General can form on that basis. Peter Long also points out —

Yet the half a million people spread over regional WA suffer all sorts of difficulties and deprivation due to their remoteness and far fewer facilities and services.

“Adequate representation of a modern society, with its geographic, social and economic variety, can be realised only by a variety of modes of election. This is best achieved by a bicameral parliament in which each house is constituted by distinctive electoral process.

...

The current system whereby the house of review has equal numbers of city and country/regional representatives provides representation to all: it avoids the tyranny of the majority and oppression of the minority in the regions. It models Australia's Federal system and provides some protection to those who give so much—and so often receive so little. It should be retained.

I could not agree more with Peter Long. I think that sums it up perfectly. As I said, I am very curious to see how the Attorney General can justify one system but not the other.

**Mr D.R. Michael** interjected.

**Mr P.J. RUNDLE:** Another submission was received from Hon Andrew Murray, who originally wrote some of the GST legislation, by the way, member for Balcatta. He said —

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

**Mr D.R. Michael** interjected.

**Mr P.J. RUNDLE:** He is a Rhodes scholar, member for Balcatta, and I think he has a pretty good handle on things. He understands that we need enhanced regional representation in order to understand the issues in the regions. When I look at my electorate and at places like Esperance or Ravensthorpe, I agree that some of those issues will not be picked up.

The Leader of the House summed it up pretty well when he said that being a regional representative brings with it an expectation that if there is an event such as a football grand final, a school concert, a hockey grand final or a swimming final, we will turn up and listen to our constituents. From my perspective, when I look at the 50-odd schools in my electorate, I realise I have picked up so much information from them over the years because I have had the opportunity to talk to my regional constituents. When I think about Hon Colin de Grussa and Hon Martin Aldridge, our members in the other place for the Agricultural Region, I think of the hundreds of schools to cover. We have a roster, and we conscientiously try to make sure that we get to as many of them as we can. We are there to not only turn up and watch the school concert and the like, but also listen to the issues. This is where we pick up information about what is happening. Whether it is a school or a sporting club, these are the opportunities that we have as regional members. Our regional members of the Legislative Council are incredibly important because they bring back those issues to not only our lower house members but also our party room and the like.

I want to refer to what Trevor Whittington from WAFarmers pointed out in his article in *Farm Weekly* about High Court decisions. This was back in the days of Hon Jim McGinty. He states —

The majority findings in the case McGinty V Western Australia that the interpretation of sections 7 and 24 of the Australian Constitution did not require that all votes hold the same value should be referenced in the Commissions final recommendations.

It is coming from any number of areas that the one vote, one value scenario that the then Attorney General was getting ready to roll into town is not the way to go. Much of this state's income comes from the regions. But that seems to have been forgotten in the argument.

One of the biggest things that I want to point out is the, I guess, inequality in the likes of our education system. This is probably the main point that I would like to make today. I am the shadow Minister for Education. Some of the education outcomes in our regional and remote areas are nowhere near good enough. What I want to know from the Attorney General is: who in the Labor Party is going to look after the remote Indigenous communities?

**Ms S.F. McGurk** interjected.

**Mr P.J. RUNDLE:** Who is going to go out there and look at the National Assessment Program — Literacy and Numeracy results? The mean scale in the NAPLAN results for year 3 reading is major city, 433.7; remote, 392.4; and very remote, 346.7. There we are.

[Member's time extended.]

**Mr P.J. RUNDLE:** I am very curious about the attention that will be focused on remote communities. I am very concerned. I know what is happening. I have seen it already. I have seen some of those Mining and Pastoral Region Labor members of Parliament. They are already starting to move their offices up to central areas in the metropolitan region in preparation for the Attorney General's legislation. They will be propped up here in West Perth, and the remote Indigenous communities will get very little attention from this government. Those educational outcomes —

**Ms S.F. McGurk** interjected.

**Mr P.J. RUNDLE:** This government has been in office for nearly five years. It is struggling to get teachers in remote communities. I want to know what the government is going to do about that. I am quite disturbed about the equity and access for our remote communities and for those children. We have talked about the housing and health crisis. We cannot seem to get housing for our teachers out there, and we cannot even get teachers out there. What is this government doing about it? It is seeking to centralise the members of the Legislative Council into the metropolitan region. This is about equity. This is also about deceit. The voters of Western Australia have not had any opportunity to consider this issue. The Premier said prior to the election, "It's not on the agenda. It's not an issue. It's a smokescreen by the Liberals and the Nationals." What did we get? The first day back after the opening of Parliament, the Attorney General wheeled it out.

**MR R.S. LOVE (Moore — Deputy Leader of the Opposition)** [6.06 pm]: I was not ready for the member for Roe to terminate his speech! It was very quick. I would like to make a contribution to this important motion that the Leader of the Opposition has brought to the house. The motion states —

That this house condemns the Labor government's plan to reduce regional representation in the state Parliament ...

We know that this plan was hatched before the election. We know that there was a level of concern about that plan. We know that the Premier was quizzed about this several times, and we heard the same retort that the idea of reduced regional representation was not on the agenda. However, as soon as the election concluded, we heard that we need to have so-called electoral reform. Lo and behold, as we will see as we go through some of this, key to that is reduced regional representation. There is no doubt about that.

The other part of this important motion states —

and calls for a referendum to be held prior to any changes being legislated.

Why that is important in our view is that the people of Western Australia were deceived at the election into believing that electoral reform was not on the agenda. We had repeated assurances from the Premier that it was not on the agenda. That would have led regional people to cast their vote in the knowledge that a vote for Labor would not be a vote for a reduction in their voice to Parliament. However, we found immediately after the election that that is not the case, and that there is a push by the government to engage in developing legislation that will ultimately lead to reduced representation for regional Western Australians.

For that reason, we believe that there must be a referendum. There must be an opportunity for the people of WA to have a direct say on this matter. There is very good reason for the government to take this back to the people. If the government thinks this is something that the people of Western Australia wholeheartedly support, why would it not seek a mandate for that action? We are talking about a remarkably important piece of legislation.

It is probably being crafted at the moment—in fact, it was probably written before the expert panel had its so-called consultation rounds. We know the government has a predetermined outcome in mind. We know that because there are very tight terms of reference outlined in the electoral reform discussion paper that was put out when submissions were sought from people in the community. There are two main branches: the first is how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council and the second is about the distribution of preferences in the Legislative Council's proportional representation system. We know that there was an extremely short period in which people could make submissions and that a quick outcome was expected from this inquiry. The website that contains this discussion paper also has what is called the minister's opinion, which is actually the opinion piece that was printed in *The West Australian* of 3 May. That opinion piece is attributed as the minister's opinion on the website.

As the Leader of the Opposition has said, the opinion piece starts with this Trojan Horse or smokescreen that it is all about the election of the member of the Daylight Saving Party and that being some sort of affront to democracy that needed a reaction. We know this because the minister's opinion piece refers very much to that. In fact, most of the words in the minister's opinion piece are devoted to discussion of the surprise election of one person in the other place. Then it gets to the heart of what the government really wants—a discussion about so-called equality of the electoral power of voters in the different regions. It refers to votes and their worth. I assume that the only measure of worth that is being referred to is the relative number of voters needed to elect an MP. The opinion piece then refers to the formation of a committee that was expected to report by the end of June. Members should bear in mind that this was printed on 3 May, so I think anyone would see that as being rushed. If that is not something that is predetermined and planned, I will eat my hat. It was a short time frame and the government already had the terms of reference that it wanted.

It seems to me from reading the discussion paper that it was an exercise in nudging people into putting in submissions of a particular nature. It virtually outlines what people should say, how they should say it and what the committee would listen to. It even refers to particular models that exist in other places in Australia and to the merits of those models. Very clearly, the committee was seeking submissions on which model—the whole-of-state model or the region-based model—would be preferable to achieve electoral equality. That is a choice of A or B, guys—tick one or the other. It is hardly a meaningful call for submissions. The committee was also seeking submissions on the strengths and drawbacks of each model; whether any other electoral models not covered in the discussion paper would be better to achieve electoral equality, despite the way that people were nudged along to do exactly what the government wanted to happen; and what changes should be made to the distribution of preferences in the Legislative Council's proportional representation system, including group voting tickets.

We know that the issue of group voting tickets has been addressed in a number of other legislatures, and it is not controversial to anybody, except the preference whisperers out there. It extends from an election in the late 1970s or early 1980s when the voting paper was said to be the size of a tablecloth and was confusing for electors. In a way, it was based on trying to ensure that the system did not make casting a vote into a marathon and did not penalise

people if they got it wrong. It was expected that that system would reduce the number of informal votes and, to a good extent, it succeeded, as I recall, but the unintended consequence of it was that the preference harvesting system developed. Obviously, there needs to be some tinkering of that, and we are not opposed to that at all.

The fundamental thing we are opposed to is the move to effectively reduce regional representation in Parliament. Why is that important? It is important because it is pretty hard for some people in the regions to have their voices heard. We heard the member for Roe talk about the issues that he faces in his electorate. It is not just the number of kilometres that he has to drive around his electorate; he has a substantial drive just to get to his electorate offices. His home and his offices are located a long way away from each other. It is not a daily commute; it is a lengthy exercise for him. That limits the amount of time he can spend in his electorate. That becomes exponentially more difficult in some of the bigger electorates.

The Mining and Pastoral Region is a huge area to cover, even with six MPs in places like Kalgoorlie, Broome, Karratha, Port Hedland and a couple of other major centres in the region. They are very necessary to ensure that the people in that vast area have access to an MP's office. If people do not have that access, they will find it very difficult to discuss their issues and concerns with someone. As we know, there are only four lower house seats in that region. Only six MPs from the upper house represent that vast region, which starts at Kalbarri and goes down to the other side of Southern Cross and takes in the vast majority of the rest of the state. Yes, they are relatively few in number, but they cover a vast area that makes a large contribution to the economy of this state and this nation. We have heard the Premier talk about the importance of Western Australia during the COVID recovery in keeping the economy of the whole country going. Guess what? Most of that comes from the Mining and Pastoral Region, yet this government apparently begrudges its constituents having a reasonable level of access to MPs so that they can have a voice in Parliament about the problems that occur in that region. A huge amount of wealth comes out of the Mining and Pastoral Region; it is keeping this country going.

I am holding a document that was published by the Western Australian Country Health Service, which covers all of regional WA, with the exception of some of the more remote areas of the Peel. It indicates that the life expectancy of WA country people is two years lower than those in the Western Australian metropolitan area, but in remote and very remote communities—this is the Mining and Pastoral Region, which the government wants to particularly target in stripping away representation—the mortality rate is 30 per cent higher than it is in cities. Life expectancy is also much lower for Western Australian Aboriginal people and people suffering from chronic and persistent mental health conditions. The burden of disease is higher. I am saying this because despite the vast amount of wealth that exists in that area, the socio-economic indicators for people right across that area are disastrously low. In fact, six per cent of residents in the whole of the WACHS area, which is most of regional WA, live in the least disadvantaged areas—in other words, the best serviced, the richest and the most amenable places—as opposed to 57 per cent of residents in the metropolitan area living in those places. Conversely, 39 per cent of country residents live in areas of highest disadvantage—that is, those areas that are classified as one or two on the index. This measure is common not just in Western Australia but across the whole nation, and 39 per cent of people who reside mainly in the area from which the government wants to take away representation are living in disadvantage. They have the ability to vote and that is probably the only way that they will be able to have their stories heard and get some change and not be forgotten. What will happen to these people into the future if they have less representation in Parliament and fewer people to stand up and argue on their behalf?

This disparity is not just about health and socio-economic indicators. Some of the differences across the goldfields, the great southern, the Kimberley, the Gascoyne and the wheatbelt lay out the disadvantages for country people, and very good reasons why those people deserve to have a voice, not least of which is that the region they live in is propping up the city and the country, and deserves a strong level of support.

I will return to the issue of mandates. A report in *The West Australian* of 10 July by Paul Murray references those discussions that the members for Roe, Central Wheatbelt and Cottesloe spoke about—that is, the Premier's denial of electoral reform being on the Labor Party's radar. The article states —

“Well, I'll be clear, I'll be clear again,” McGowan said under questioning just days before the election. “It's not on our agenda. Enhanced regional representation will continue and this is just another smoke screen by the Liberals and Nationals.”

The only smokescreen is the reference to regional representation being enhanced. I think that refers to the continuation of the large district allowances in the lower house—that is about all it will mean in the future. Certainly, that will be the only level of enhancement for any regional representation when this lot have finished their work.

How do we know what the final model will be? One only has to look at the history of the people involved. I am not referring to the chair of the committee in any way; I am talking about the academics involved. I have no doubt that they are eminent people in their field, but they have a preconceived idea of what the problems are and what the solutions might be. I refer to an article published in *National Affairs* of 23 February 2021, titled “An affront to anyone who believes in democracy”, with the sub-headline —

Former Labor leader Jim McGinty isn't the only one concerned about Western Australia's electoral system



Three of the four authors of this piece are members of the committee—John Phillipmore, Sarah Murray and Martin Drum. The article goes on to say —

A combination of premier Mark McGowan’s record popularity levels —

This was written just before the election —

... the highest in Newspoll history) and the turmoil among the Liberals ... makes victory for Labor at the 13 March state election close to certain.

... attempts to update the electoral system—described by former WA Labor leader Jim McGinty as “an absolute affront to anyone who believes in democracy”—continue to fall victim to the non-government majority in the state’s upper house, the Legislative Council, and its own lack of ambition.

[Member’s time extended.]

**Mr R.S. LOVE:** The article then falsely claims —

Modest changes to the political donation and campaign expenditure rules failed to pass the Legislative Council in December 2020, just before parliament was prorogued.

On the basis that that was somehow the fault of parties in the other place when, in fact, the government did not bring on the bill. It did not come on, so it could not go through. It was not that the bill failed to pass; it was not in a position to be passed. It is a bit of a misrepresentation of the facts. The article continues —

The structural imbalance—or “malapportionment”—between city and country in the upper house ...

This is their view of the world —

Following the last major attempt to tackle the issue ...

The article talks about the formation of the regions and goes on to say —

Also like the Senate, these metropolitan and country regions were allocated the same number of representatives despite vast differences in their voter numbers, just as Tasmania receives the same number of senators as New South Wales despite having less than one-tenth its population.

I will say that again: it is not unique for an upper house to have a different voter base and a different method of being elected from the lower house. It is not all that unusual; look at Canada, the United Kingdom and the United States. There is not necessarily a view that the type of electorate determinations that lead to the vote for upper and lower house members should be exactly the same. It is only in the view of the world put out by three of the four members of the government’s committee—surprise, surprise that they were selected! I think they are saying exactly what the government would like to see happen. Again, the government is heading towards a predetermined outcome by selectively stacking the committee with people whom it knows think a certain way because they have put out papers on the subject. In fact, one of the papers was published while the committee was undertaking deliberations. It is not in any way an unbiased view of the world; it accords very much with what the government wants to achieve.

Interestingly, by doing that, the government has denied the committee the opportunity to look at some more fundamental differences between the two houses, and what their roles might be, and to look at other changes that could get to the heart of what the government wants to achieve. If the government wants to continue to have the upper house as a house of review, in my view, and that of others I have read or discussed this matter with, there is a very good case for that house to have a different electorate base and selection method from the lower house. Having it simply as a mirror of the lower house does not enable it to review the functions of executive government terribly well. It is probably better to be a bit remote from government. There could be an opportunity to look at other ways of achieving a house of review that does not necessarily have that same voter base, but may have a different range of powers. For instance, the Legislative Council cannot institute money bills. Maybe there needs to be more discussion of other matters to do with the different roles of the houses, rather than worrying about whether people in poor, disadvantaged communities in remote areas of the state have someone to represent them in a way that they can gain reasonable access.

It seems to me that is a rather negative, nasty and quite limited view that comes from the fact the government has jumped to one off-the-shelf product after reading the opinions of these three academics. Therefore, it knows what they think and I believe the government is going to bring in legislation in line with their thinking. The question is whether it goes with A or B—whether there is one house or a number of regions and how that would work. I believe that is what we will see the government come up with. When that happens, for the reasons that I have outlined already, it is my view that the government needs to go back to the people of Western Australia and seek a proper mandate to undertake this work. The Attorney General will probably get up and say that there are legal reasons why or whatever. We are asking the government to seek a mandate. A referendum is a way to go to the people. The government could outline a number of options or a variety of ways in which the roles of the houses could be enhanced. But it has not done that.

The government has held such a narrow line of inquiry in such a short period of time. It already knew the thoughts of the academics it employed on this matter because they have published paper after paper as a group; they work together in a group! I read a publication put out by the University of Western Australia entitled, *Going further, faster*. Again, Benjamin Reilly, who is one of the cohort that wrote the article titled “An affront to anyone who believes in democracy”, virtually outlines the same arguments in this publication. He then said, “Lo and behold, we have a paper coming out shortly”, which he has written with the other three experts and is the same paper that showed up during the time of this so-called consideration being undertaken by this so-called expert committee. I do not doubt that they are experts, and I do not doubt what they are going to tell government—a person could just pick it off the shelf. I do not think that government members are going to listen to much else because that group’s expert opinions are well known. The members of that group publish their expert opinions over and again. Government members have read them and that is why they were selected. The government knows exactly what it is getting. It set out to get it from the very start. This is a sham of a consultation process. The terms of reference are so narrow and the time to respond is so short that there could not possibly be a proper consideration of the issues.

Actually, what are the underlying issues? Members opposite have already determined in their opinion what the issues are. I do not think that they have done anything more than a very shallow reading of the range of opportunities that might be available to make some changes. They have not really delved down to look more fully at what could be done to ensure that the houses can have not only separate roles, but also separate points of view that do not unnecessarily frustrate the government but enable legislation to be properly reviewed and for other views to be heard.

There is a case for members other than those of the major parties to have a place in a Parliament. I am afraid that this government is going to bring in other changes that will lead to, if you like, a two-party system entrenched forever in both houses. I do not think that the people of Western Australia actually want that. I think that the people of Western Australia and the people of Australia are quite happy to see a diversity of opinion in the upper houses of their Parliaments. If this government brings in a system that threatens that diversity, the Parliament and the process of making law will be all the poorer for that change. When the Attorney General brings legislation into this house, in which his party has a majority, he gives scant regard to the inquiries made by opposition members about the legislation and why it is drafted in a particular way and suggestions that we might make on how to improve it. For this term of government, the situation in the other place is exactly the same as this place in terms of its make-up—who’s who in the zoo—and we have already seen a restriction on the speaking time that members in that house have to scrutinise legislation. Some of the earlier suggestions were to restrict the members to shorter speaking times than we are entitled to in this house, which is ridiculous. There are 36 members there. There are not that many of them and they need to be able to properly interrogate the legislation. What they do is vitally important to the making of good law.

**Mr P. Papalia** interjected.

**Mr R.S. LOVE:** The Attorney General knows full well what I am talking about. The other place goes through a proper process with the legislation to ensure that there are no unintended consequences. There are people in that place who are very skilled at reading legislation in the same way that we in this place spend our time thinking more about politics than the nitty-gritty of lawmaking and the review of law. We do not actually provide that level of scrutiny. We trust the judgements of executive government because we have to; that is the way this Parliament is structured. We will end up with the other house doing exactly the same as this house. That is not advancing democracy. This is a failed attempt to reform not only the electoral system, but also the operation of Parliament. It is a sham and it should go back to the people of Western Australia for their judgement.

**MR J.R. QUIGLEY (Butler — Minister for Electoral Affairs)** [6.35 pm]: I will start by going to the motion itself, Madam Acting Speaker. It states —

That this house condemns the Labor government’s plan to reduce regional representation in the state Parliament and calls for a referendum to be held prior to any changes being legislated.

My criticism of the motion is this: members opposite are presupposing that it is Labor’s plan to reduce regional representation, and they are presupposing this before the report of the McCusker Ministerial Expert Committee on Electoral Reform has even been tabled in this Parliament. As the Minister for Electoral Affairs and Attorney General, I give an undertaking that that report will be published for debate in here in advance of legislation. That is our plan. How can the opposition speak to a plan, when the report has not even been tabled, and demand that the Labor government be condemned for something that is not even on the table? This is fatuous nonsense. They have shot too early. They should wait until the report comes and then go to the plan or possible plans contained in the report. Secondly, I caution the opposition to recall what it should have learnt as children: that is, be careful what you wish for, it might come true. Each member opposite has demanded that there be a referendum in advance of any legislative change. In Western Australia there are about 1.3 million or 1.4 million voters on the roll in the metropolitan area and about 420 000 voters on the roll in regional areas.

Does anyone in this chamber doubt that if this government took to a referendum the proposition “Should your vote at an election be equal to every other citizen’s vote?”, when we have 1.32 million people in the metropolitan area

and 425 000 in the regions voting on that question, that there would not likely be an overwhelming response with everyone saying, “We want our vote to be equal”? The opposition would probably like a referendum that had vote weighting in itself and therefore would not be a true referendum of the people. If members opposite recall what they should have been taught—be careful what you wish for, it might come true—this system would blow up because it would be overwhelmed in a referendum by people in the metropolitan area. At the election the Premier promised to maintain and enhance regional voting. Why would we want to go to a referendum when the result would almost be inevitable? Then we would be forced to abide by the people’s will and introduce equal voting for every seat in both houses of Parliament, as instructed by the people in a referendum. Electoral reform is far more nuanced than that. I will come to that in a moment.

The member for Moore said that there should have been a longer discussion with the people about electoral reform and the way that the two houses of Parliament operate in respect of each other. That is a good point because what happens in situations of deadlock when legislation has passed here but is rejected in the upper house? Should that not be discussed? There was an attempt by this Parliament to do just that—to have a wideranging and lengthy debate. In 1984, a royal commission was established for the very purpose of discussing the relationship between the chambers and discuss how it should work. The royal commissioner was Professor Eric Edwards, and his counsel assisting was a constitutional expert, Mr Jim Thomson, SC. What happened? The Liberal Party and the National Party boycotted the royal commission. They would not attend and would not make a submission to it. They would not engage with it. They stood it up because they knew the upper house could block any reform that was recommended by a royal commission. They were not fair dinkum. The member for Moore was not fair dinkum when he came forward and said there should be broader debate. An attempt was made to have such a broad debate, but the National Party and the Liberal Party stood it up and would not participate in it.

It was reported in yesterday’s *The West Australian* that the Leader of the Opposition said —

“West Australians deserve to have their say on laws which would ultimately affect how they are represented in the Legislative Council and the Parliament,” ...

That is exactly what we have done. We commissioned a ministerial expert committee and gave it terms of reference. The terms of reference are as follows —

At the 2021 election for the Legislative Council:

The Daylight Saving Party won one seat in the Mining and Pastoral region, having received 98 first preference votes, which is equivalent to just 0.2% of all formal votes in that region;

AND

The Greens in the North Metropolitan Region received 27,077 first preference votes, or 7.4% of all formal votes in that region, but did not win a seat;

How could that be? The terms of reference go on —

AND

In the Agricultural Region, the Nationals received 22,999 votes and won two seats;

AND

In the South Metropolitan Region, the Liberal Party —

It won three times that number! —

received 67,000 votes but won only one seat;

How could that be? —

**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.

The members were to be Hon Malcolm McCusker, QC, AO, a former Governor of Western Australia; Professor John Phillimore; Professor Martin Drum; and Dr Sarah Murray. The term of appointment was for seven weeks. It advertised and sought submissions. In other words, it was exactly what the Leader of the Opposition asked to be done—that Western Australians deserve to have their say on laws that will ultimately affect how they are represented in the Legislative Council and Parliament.

But that has not always been the position of the conservative members of this Parliament. For example, in 1977, Sir Charles Court introduced the Constitution Acts Amendment Act—I will call it the Court bill. It lapsed but was reintroduced in 1978 with one amendment about the timing of the referendum. The amendments entrenched: for the Office of the Governor and the houses of Parliament, members must be chosen directly by the people; there could be no reduction in the number of members in either house; and that certain provisions of the Constitution Act 1889—including section 73, the embedding provision—is required to amend any of these entrenched positions. This included section 73 itself, requiring a referendum. In other words, Sir Charles Court amended the Constitution and then amended the Constitution Act without the need for a referendum. He entered our Constitution and changed it, then, when he left, he locked the door behind him so that no further amendment could ever be entrenched in the way he had done it.

Did he go to the people and seek a referendum? No, he did not. They controlled both houses of Parliament and passed it. Western Australian electors were not consulted on any of these constitutional amendments and Parliament cannot change these entrenching rules introduced by the Court bill without first going to a referendum. All these amendments benefited the conservative parties and were all done without a referendum.

At this point, members might be interested to know that Western Australia has held 11 referendums since 1900. One was split on three questions asked, and two of the 11 had a clear vote in favour of the questions that were posed. However, if all Western Australians voted on the proposition, “Do you want your vote to be equal with everybody else’s vote?”, I posit that the vote would be overwhelmingly in favour of, “Yes, we do want our votes to be equal.” We do not want the situation to exist any longer like that which exists in North West Central whereby the electorate has about 10 900 real voters, but with a large district allowance—because the electorate comprises 800 000 square kilometres—it is multiplied by 1.5 per centum to come up with 12 000 phantom voters! When working out whether that seat is equal to the other seats, the real voters are added to the phantom voters and we ask whether it equates to something like a metropolitan seat. It is just an enhanced voting to the limit, and the Premier has promised to maintain enhanced voting for the regions. Therefore, member for North West Central, thou shalt not tremble in your boots. The member for North West Central has the Premier’s promise that he will have his 1.5 per cent multiplier, over his large district allowance, and he will be protected.

The member for Moore says, “Look, these regional seats are the economic engine room of the country and the economic engine room of the state.” In districts like Karratha, South Headland, Onslow—this is where the wealth is produced. Where those workers and their families live is overwhelmingly in my electorate of Butler.

**Mr P. Papalia:** And mine!

**Mr J.R. QUIGLEY:** And in Warnbro, the electorate of my colleague the Minister for Police.

The electorate of Butler has the largest —

**Ms M.J. Davies** interjected.

**Mr J.R. QUIGLEY:** At least you are not a hypocrite. You are not going away; you are coming out there, calling across the chamber. We did not do that, member.

**Ms M.J. Davies:** Yes, you did!

**Mr J.R. QUIGLEY:** No, we did not! You said that we were not interjecting; we were talking to ourselves. Once the spotlight goes on what you are saying, you squeal, and that is what you are doing at the moment. Once the spotlight is turned to your argument, you squirm and you squeal.

The electorate of Butler is the largest constituency in this chamber, and the member for Warnbro has the second largest constituency. In my electorate, I am well over quota. Even with the last district allowance, when we add together the real voters and the phantom voters of the electorate of North West Central, it comes to about 24 000 voters—over half of them being phantoms. In Butler, there are 33 000 real people and they get up regularly and fly up to the regions to produce the wealth of this state whilst their families are back here in Butler. Why should they not have an equal vote?

We recognise that electoral reform is more nuanced than that and that there has to be sufficient number of regional members to look after the people in the regions. We are not arguing with that. The question was put to us, rhetorically: who will look after the people in those remote communities? I tell members who will look after the people in the remote communities: the Labor member for Kimberley will look after the people right throughout the Kimberley and down to the East Pilbara. Who will look after the people right out into the Martu country, beyond Newman? The Labor member for Pilbara will look after them, and does look after them. The honourable Kevin Michel, the Labor member for Pilbara, does a terrific job at looking after them. Who will look after those people out to Laverton and east of Kalgoorlie? The Labor member for Kalgoorlie will look after them, and she does a fantastic job. We are not seeking to diminish their role at all. Why are there so many Labor members in the regions? It is because people know that we respect the regions. They know that we look after services in the regions.

**Mr R.S. Love** interjected.

**Mr J.R. QUIGLEY:** I did not interrupt you once, member for Moore, during what was your pollywaffle—not once! Back to your pollywaffle bar, member. I did not interrupt you once.

The people who look after these people in the remote communities —

Several members interjected.

**The ACTING SPEAKER:** Members!

**Mr J.R. QUIGLEY:** Those erstwhile Labor members who have been elected by the people in these remote communities entrust that the McGowan Labor government will deliver services to them and deliver safety to them. The government will keep them safe from COVID. We will not be like New South Wales where remote or regional Indigenous communities are now being infected with COVID-19, and just letting it run wild. No! We went to the regions on two promises: we are going to keep WA safe—and is that not the truth! We saw that at the Dockers game last weekend. Not only did 51 000 people attend, shoulder to shoulder, we kept it strong and the Dockers won. What a strong performance they put in—fantastic! What are we to make of these self-serving pollywaffle arguments? Let us go to the comments of Mr Dave Grills, a former National Party member for the Mining and Pastoral Region.

**Mr P. Papalia:** Former.

**Mr J.R. QUIGLEY:** Former, that is right. He said —

“Under this system, you don’t get the best candidate available. You get the candidate who’s been able to manipulate preferences.”

That was the National Party member. What about the number one National Party candidate, “Big Nick”? Its standard bearer out there in the goldfields was “Big Nick” Fardell in the Mining and Pastoral Region. He was the number one candidate. He is closely aligned with the member for North West Central. On Monday, 3 May, “Big Nick” was asked on ABC Goldfields–Esperance radio about the review into electoral reform. “Big Nick” said that the review does not go far enough because it has ruled out abolishing the Legislative Council!

Several members interjected.

**Mr J.R. QUIGLEY:** That was the number one ticket holder for the Legislative Council for the Nationals. The Nationals candidate said —

I’m a fan of actually scrapping it.

That is not what Labor has in mind. Labor has in its mind what question was asked of the ministerial expert panel. This is what “Big Nick” says —

It works in other places. We’re the most over represented population ...

...

I’m going to do a petition to say who wants to save \$50 million and get rid of 36 politicians altogether.

That is the National Party spokesperson for the Mining and Pastoral Region. He also said —

A lot of the people in the upper house are nameless people and faceless people. So we don’t know about them.

“Big Nick” was the National Party’s spokesperson out there and he did not get elected because he wanted to abolish the upper house. We do not want to do that. We respect the regions, as I have already said. That is why if we look around the regions of Western Australia, we can see that the party the people turned to in these times of challenge is the Australian Labor Party. People from the regions elected overwhelming numbers of members in this chamber and in the other chamber.

As I said, when we go through further reforms, we see that the Barnett government did not hold a referendum in 2011 when it introduced the Electoral and Constitution Amendment Bill 2011 to fix the date for general elections, nor in 2014, when it introduced the Electoral Amendment Bill to change the powers of Electoral Distribution Commissioners and include matters for their consideration when fixing boundaries. It did not go back to the people and say that it wanted a referendum on this. The Barnett government introduced the legislation and passed it.

Much has been said by members of the opposition in trying to demean and diminish the people who made up the ministerial expert panel, calling them academics. Name one electoral commentator who does not say that the current system needs reform. Malcolm Mackerras, Antony Green and local journalists all say that it needs reform; it is just a matter of what sort of reform. The McGowan government went to the people and asked them to put in their submissions. Sir Charles Court did not do it and Colin Barnett did not do it. Not only did we go to the people and ask for their ideas, but also we published them all on the website so that everyone could see what people were submitting. We could not have been more transparent.

The member said, “Oh, the Attorney General.” It was not until I was given this portfolio that I came to realise or was introduced to the fact that the people in Kalgoorlie have a vote that is three and a half times more than the

value of the vote of the people in Albany. What is so special about Kalgoorlie that it should outvote Albany? A train goes to Kalgoorlie every day. Big aircraft fly in there once or twice a day. It has a big hospital. It has more services than Albany does, but the votes are worth three and a half times more. Why should the people of Kalgoorlie, which has all those services I described, have one and a half times more votes than the people of Esperance? The people in Esperance are in a remote area; they are down in the member for Roe's electorate. Why should his electors have a much smaller vote than the electors in Kalgoorlie? He has not even approached that. Why do the people in Wundowie on the Great Eastern Highway on the way to Northam have a vote that is four times the vote of the people in Wooroloo, which is 8.9 kilometres away? Where is this big driving distance from Wooroloo to Wundowie that justifies this malapportionment? It is just not there. It is a fiction.

Debate adjourned, pursuant to standing orders.

### **BILLS**

#### *Returned*

1. Financial Legislation Amendment Bill 2021.
2. Legislation Bill 2021.
3. Aquatic Resources Management Amendment Bill 2021.

Bills returned from the Council without amendment.

*House adjourned at 7.01 pm*

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