



Parliamentary Debates

(HANSARD)

FORTIETH PARLIAMENT
FIRST SESSION
2018

LEGISLATIVE ASSEMBLY

Thursday, 11 October 2018

Legislative Assembly

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THE SPEAKER (Mr P.B. Watson) took the chair at 9.00 am, acknowledged country and read prayers.

SPEAKER'S CHAIR — COFFEE CUPS

Statement by Speaker

THE SPEAKER (Mr P.B. Watson): Members, as I was walking into the chamber this morning, I noticed that people are putting coffee cups at the back of the chair. I hope that they will remove them. Anyone who is moving now, we know who you are, but it is a sacred spot at the back of my chair.

Mr D.A. Templeman: Where do you put yours, Mr Speaker?

The SPEAKER: I keep mine up here.

MENTAL HEALTH STEP-UP, STEP-DOWN SERVICES — PILBARA

Petition

MR K.J.J. MICHEL (Pilbara) [9.02 am]: I have a petition that has been certified as conforming with the standing orders of the Assembly. It has eight signatures. The petition states —

To the Honourable Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled:

The petition of the undersigned shows: Residents and Businesses of the Pilbara, seeking urgent action from the State and Federal Government to revise the location proposed for the development of the Community Mental Health Step Up/Step Down Services.

Your petitioners from the Karratha Community and surrounds respectfully request that the location within very close proximity to houses be revised.

We thank you for your consideration of this matter.

[See petition 106.]

Nonconforming Petition

MR K.J.J. MICHEL (Pilbara) [9.03 am]: I also have a nonconforming petition, with 324 signatures, on the same issue, which I will hand over to the Minister for Mental Health.

PAPERS TABLED

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

DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY — “ANNUAL REPORT 2017–18”

Correction — Statement by Speaker

THE SPEAKER (Mr P.B. Watson): I have received a letter from the Minister for Mines and Petroleum requesting that an erratum be added to the Department of Mines, Industry Regulation and Safety “Annual Report 2017–18”, which was tabled on 19 September 2018. The erratum provides additional information on page 17 about the legislation administered by the department and corrects the number of key performance indicators summarised on page 26. Under the provisions of standing order 156, I authorise the necessary correction to be attached as an erratum to the tabled paper.

[See paper 1928.]

RAMS — SCREENWEST PRODUCTION — MT BARKER

Statement by Minister for Culture and the Arts

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [9.05 am]: I rise to inform the house that last Monday, 1 October, filming for *Rams*, starring Sam Neil and Michael Caton, began in Mt Barker, bringing to the region an energy and a buzz of excitement. The production is one of WA's latest big-name feature films to showcase great home-grown talent both in front of and behind the camera. *Rams* received major production investment support from the Western Australian Regional Film Fund, administered by Screenwest, with direct support from the state government of \$1 million. The film also received Screenwest production funding via support from Lotterywest of \$550 000. This support from the McGowan government allows the film to be shot entirely in our state's magnificent great southern region, employing a great number of WA creatives and crew for the duration

of production. As part of this government's commitment to a creative Western Australia, this funding continues to encourage investment in the unique and talented people of this state and to provide the opportunity to create more jobs within creative industries. I met with producers Janelle Landers and Aiden O'Bryan, Screenwest head of production and development Matthew Horrocks, director Jeremy Sims and a raft of cast in the beautiful Plantagenet Hotel in Mt Barker.

Rams is the next in a long line of feature films to be shot in the southern part of Western Australia, which includes *Breath* in Denmark, *Go Karts* in Busselton, *Jasper Jones* in Pemberton, and *Drift* in Margaret River and Nannup. It is vital that we continue investing in our local film and screen industry. We must acknowledge the economic benefit that local film and screen productions bring to local people and their communities and how it encourages and builds skill development and ensures a stronger future for our state. The recent success that the screen industry has enjoyed in Western Australia is a testament to our local talent, who continue to drive our uniqueness, and also the commitment by the McGowan government to ensure that our Western Australian stories and voices are heard around the world.

FIELD OF LIGHT: AVENUE OF HONOUR — ALBANY

Statement by Minister for Culture and the Arts

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [9.07 am]: Mr Speaker, I am very pleased to talk this morning about the Anzac story and, more specifically, your city, Albany, and its very special place within that larger story. Last week, Mr Speaker, you were generous enough to host me, along with my colleagues the Ministers for Veterans Issues and Tourism, in your electorate. We were in Albany for the opening night of renowned artist Bruce Munro's *Field of Light: Avenue of Honour*, a breathtaking immersive art installation of over 16 000 lights planted along both sides of the Avenue of Honour at Mt Clarence, glowing in the colours of the national floral emblems of Australia and New Zealand in homage to the Anzacs who departed from Albany for the First World War a century ago.

It was an incredibly moving experience that led all of us, as Australians, to reflect on the enormity of the Anzac story as a central theme in the cultural histories of both Australia and New Zealand. Albany, as many members would know, was the point at which the fleets from both countries combined and set course for the Great War. This was the starting point for the Anzac story. The coastline around Albany and the town itself—a town of just 4 000 people at the time—was the last glimpse of Australian soil that some of the over 41 000 departing soldiers would ever have. It struck us that over the years, thousands of Australians and New Zealanders have made a pilgrimage to Gallipoli, such is the importance of the Anzac story to our identity. However, thousands more who would like to do so simply do not have the resources to make such a trip. Albany is the logical first bookend to the Anzac story, and with this incredible light display running right through until Anzac Day 2019, there is now a genuine second option for a pilgrimage to a region sacred to the Anzac story that is far closer to home and far more accessible for all Australians and New Zealanders. Albany is also home to the acclaimed National Anzac Centre.

With this in mind, I would encourage all members—indeed all Australians and New Zealanders—to make a point of visiting Albany and taking in the incredible experience that is the field of light, and to fulfil a spiritual journey to better understand the story of Anzac and to pay their respects to those who went before us.

Lest we forget.

AUSTRALASIAN ROAD SAFETY CONFERENCE TRAUMA 2018

Statement by Minister for Road Safety

MRS M.H. ROBERTS (Midland — Minister for Road Safety) [9.10 am]: Last week I had the pleasure of both participating in the Australasian Road Safety Conference in Sydney as an invited plenary speaker and opening Trauma 2018, the twenty-second Annual Scientific Meeting of the Australasian Trauma Society in Perth on behalf of my ministerial colleague Hon Roger Cook, the Minister for Health. Both occasions presented fantastic opportunities to meet those working to prevent trauma and those who treat it when it occurs.

With 700 attendees at the Australasian Road Safety Conference, I shared the progress that Western Australia is making in road safety. With a 27 per cent reduction in the number of people killed or seriously injured on our roads each year since the Towards Zero strategy began, we are on the right track with the safe system approach. However, with hundreds of people still experiencing serious road trauma each year, we cannot be complacent and we will continue to do more.

This conference brought together road safety leaders from across the country and internationally, notably Lauchlan McIntosh, president of the Australasian College of Road Safety, and Associate Professor Jeremy Woolley, co-author of the recently released "Inquiry into the National Road Safety Strategy 2011–2020". We were especially fortunate to have with us Hon Dr T. Bella Dinh-Zarr, of the United States National Transportation Safety Board.

At Trauma 2018, I was delighted to accept, on behalf of the McGowan government, a certificate awarding Royal Perth Hospital level 1 trauma verification by the Royal Australasian College of Surgeons. RPH is the first hospital in Australia to have received this recognition four times. It is a real recognition that our state is at the forefront of trauma care in Australia. The award was presented by Dr John Crozier, chair of the trauma committee of the Royal Australasian College of Surgeons and the other co-author of the “Inquiry into the National Road Safety Strategy 2011–2020”. The certificate was received in the presence of Dr Sudhakar Rao, director of the State Trauma Centre at RPH, who has done so much in our state for the cause of road safety.

Significant local and international figures in the field of trauma surgery also attended, including Professor Fiona Lecky, from the United Kingdom; Dr David Zonies, from the USA; Professor Michael Parr, past president of the Australasian Trauma Society; Liz Macleod, chief executive of the East Metropolitan Health Service; and Dr Lesley Bennett, acting executive director of Royal Perth Hospital.

It is quite clear from both conferences that there is far too much trauma and perhaps our society has become accustomed to trauma being a part of everyday life when it does not have to be that way. Our trauma professionals see far too much trauma that is preventable and is a terrible burden for our community. Road safety is a work in progress. We must continue to educate, enforce our road laws, and build and operate a road transport system that acknowledges that people make mistakes and minimises the consequences of those mistakes.

GIRLS TAKEOVER PARLIAMENT

Statement by Minister for Women’s Interests

MS S.F. McGURK (Fremantle — Minister for Women’s Interests) [9.13 am]: I rise to speak about Girls Takeover Parliament, an event that is happening around the country today, the International Day of the Girl Child. Almost 20 members of Parliament, from all sides and across both chambers, are today hosting a young woman or girl to offer them an insight into political life. These girls, many of whom are joining us this morning in the public gallery, will gain a unique opportunity to shadow a parliamentarian. The girls will be co-chairing meetings, attending events, writing briefings and speeches, and learning more about the way Parliament operates. In opening the door to the way Parliament works, we invite the next generation of female leaders to consider a career in politics. Perhaps more importantly, Girls Takeover Parliament will give those members participating, including myself, the opportunity to hear the voices of young women and to listen to their hopes and aspirations and their concerns, and allow us to better serve our communities and plan for the future.

Girls Takeover Parliament demonstrates our commitment to gender equality and lays the foundations to get more women into our Parliaments. The fortieth Parliament of Western Australia comprises a total of 30 women across both houses, representing around 31 per cent of the seats. This figure has been achieved through dedicated and focused efforts to ensure that women are supported to overcome the barriers they often encounter in their pursuit of leadership roles. There is obviously a lot of room for improvement. Our Parliament should look like our community and we must achieve parity. Today, girls taking over Parliament is a good start. We are sending a message that women and girls are welcome in this place and that the future for leadership is one of equality and diversity. I take this opportunity to welcome the girls participating and wish them the best for the day.

YOUTH AFFAIRS COUNCIL OF WESTERN AUSTRALIA FAIRGROUND CONFERENCE

Statement by Minister for Child Protection

MS S.F. McGURK (Fremantle — Minister for Child Protection) [9.15 am]: I rise on behalf of my colleague the Minister for Youth, who is currently delivering the opening speech at the Youth Affairs Council of Western Australia Fairground Conference, to inform the house of a variety of events for young people that are happening this week. In fact, shadowing him today is one of our girl guides, Ms Lucy Jakob-Boyle. Lucy has joined him to open the Youth Sector Conference this morning and is getting a great insight into what it is like to be a minister and parliamentarian. I understand that Minister Tinley has also handed his social media over to Lucy today so expect some “different” posts from him.

The Fairground conference takes place every two years as an opportunity for the youth sector to network, share ideas and discuss common experiences, while focusing on issues of importance to young people. This year the format has been changed to an “Un-Fair ground” conference, with the intention to change the conversation from information giving to sharing, the aim being to challenge our thinking and speak directly about the challenges young people face. Tonight the Awards WA youth awards will be announced, which will recognise some of the great young people of Western Australia. Tomorrow night we will have the Youth Affairs Council of Western Australia WA Youth Awards, which is another showcase of the great pool of talented young people in this state.

These events are an excellent opportunity to identify our state’s future leaders. Once again, it is a busy week in the youth space that reflects the capacity of our young people and the drive in the community to achieve outcomes that will allow our future leaders to thrive.

ASIAN BUSINESS COUNCIL*Statement by Minister for Asian Engagement*

MR W.J. JOHNSTON (Cannington — Minister for Asian Engagement) [9.16 am]: It is with great pleasure that I advise the house that I will be attending the inaugural Asian Business Council workshop on Friday, 12 October 2018. In 2017–18, around 90 per cent of Western Australia's merchandise exports were to Asia and nine of the state's top 10 export markets were also in Asia. Within our generation, the key Asian markets of China, India and Indonesia, backed up by the growing Association of South-East Asian Nations markets, will dominate the global economy. Western Australia needs to prepare for this significant change. Our multibillion-dollar trade relationships with Asia should not provide any reason for complacency or assumptions that Western Australia will always be relevant in Asia. In order to succeed, the state government will support Western Australian businesses to compete energetically in the world's fastest growing and most dynamic economic region. Western Australia's Asian business councils are perfectly positioned to support companies to succeed in Asia through their market intelligence, business networks and cultural knowledge. The Asian business councils are representative of the importance of the diaspora communities in Western Australia, which I believe will play their role in securing the economic prosperity of the state. The state government is looking for Asian business councils to leverage our economic opportunities and advance our trade and investment outcomes across Asia to even greater levels. At the forum, Asian business councils will be shaping a strategy for how they will work across business and government, how they can support the diversification of the state's economy and how they can generate more jobs for Western Australians. I am strongly committed to Western Australia's Asian business councils. I acknowledge their important role and look forward to supporting their contribution to job creation, trade, investment and the diversification of the State's economy.

GIRLS TAKEOVER PARLIAMENT*Statement by Acting Speaker*

THE ACTING SPEAKER (Mr S.J. Price): I echo the words of support from the Minister for Women's Interests for Girls Takeover Parliament today. I welcome all the young ladies in the gallery, especially Alicia Ross-Adams who is taking over the seat of Forrestfield today. Welcome Alicia, and everyone else. I hope you have a very insightful day and it leads you to pursue an interest in politics and does not turn you off it.

WHEATBELT SECONDARY FREIGHT ROUTES PROJECT*Grievance*

MS M.J. DAVIES (Central Wheatbelt — Leader of the Nationals WA) [9.19 am]: I add my welcome to the girls who have come along to Parliament House today, and to Catherine, who is taking over the electorate of Central Wheatbelt. I look forward to catching up with her this afternoon.

My grievance is to the Minister for Transport, and I thank her for taking the time to consider the matters that I am raising today. I would like to discuss the wheatbelt secondary freight routes project, a proposed road network comprising 4 400 kilometres of local government-managed roads that connect with state and national highways to provide access for heavy vehicles into the region.

The wheatbelt region produces 41 per cent of the state's total gross value of agriculture production, which was worth \$3.35 billion in 2016–17 alone. There has been a significant change in the freight task in the wheatbelt over the past decade. Deregulation of the wheat market, changes to Co-operative Bulk Handling Ltd's grain receival network, changes to soil management and increased lime application, and larger and more frequent machinery and truck movements have all contributed to putting pressure on a network of roads that are now managing a transport task they were never really designed for. We rely on an efficient transport network to support this important sector that benefits local, state and national economies, as well as providing safe thoroughfare for a wide range of other road users.

The aim of the project is to identify and prioritise continuous routes on local government-managed roads to optimise the network. The roads identified as part of the secondary freight network are essentially our weakest link in the network; they are no longer fit for purpose and restrict the size and type of vehicle that can be used to carry out the required transport task. Further, the burden of managing these roads falls to local governments, and not necessarily in a fair or equitable way. For example, lime is carted through some coastal shires, but they may not be the direct beneficiaries of the increased agricultural production as a result of lime application.

To the great credit of the 42 local governments involved, they have identified the issue and a project group was formed in 2016 to work on solutions. It is no small feat, as I am sure the minister would appreciate, to have 42 local governments working together on one project. They have collaborated to identify priority routes and to collect data. They have contributed funding to a pre-feasibility study and a cost-benefit analysis to support the planning process thus far. It is estimated that, to date, the in-kind investment by local government is more than \$750 000.

Having worked on this project for two years, the local governments are understandably keen to progress the project. Although the project group appreciates the fact that the state is undertaking the Revitalising Agricultural Region Freight strategy, significant work has already been undertaken on the wheatbelt secondary freight routes network plan. The project group acknowledges the informal advice provided by the Department of Transport, which has been working with it, that the project priorities and work done to date broadly align with work being done by the department and Main Roads Western Australia, albeit it is obviously a subset of the broader strategy the government is working on.

No doubt the minister is aware that the project group's long-term goal is to secure funding support from the federal government of approximately \$500 million for staged capital works over a 10 to 20-year time frame. Of course, in order to be considered for funding by the federal government, the project needs to be listed as an Infrastructure Australia priority, which requires a stage 4 business case submission, which does not come cheaply. The group has for some time been investigating funding options to progress this business case, which it believes will cost up to \$5 million. An opportunity to secure funding from the Building Better Regions fund is currently available, with submissions required to be submitted by 15 November 2018. The minister would be aware that these applications require in-principle support of the state government, as well as funding from other sources, and these co-contributions need to be confirmed in writing at the time of the application.

Minister, I understand in November 2017 the group sought \$1.25 million from the state government Department of Primary Industries and Regional Development through, I think, royalties for regions, and was unsuccessful with that application. The group was advised at that point that any work done on this project would need to be done in the context of the RARF strategy, and that any funding from royalties for regions was not appropriate at that time. The group has been directed to deal with the team undertaking the RARF strategy; however, the majority of the consultation to date has been via Main Roads WA, the Wheatbelt Development Commission and the Western Australian Local Government Association. Although the group has received informal updates from the Wheatbelt Development Commission, it has had no formal correspondence or follow-up consultation from the RARF strategy team apart from one face-to-face meeting.

The project team is seeking to ensure that its work is supported by the state government. It also supports other project work being undertaken in WA analysing strategic freight issues. An indication from the minister of when the RARF strategy will be completed would assist the project group better plan its activities. It has been suggested that perhaps a formal project group within Main Roads and the Department of Transport could work with the wheatbelt strategy network to ensure ongoing co-ordination of this work and also to assist in keeping lines of communication open. The minister's advice on this would be very much appreciated.

Clearly, the group does not want to miss an opportunity to secure federal funding to support the development of a full business case and to have the project listed as an Infrastructure Australia priority. Without that funding, the project group and local government road groups involved will be unable to do more than just play at the edges of implementing much-needed change. There is an opportunity now, and a letter of in-principle support, along with a financial contribution to accompany the project's Building Better Region fund submission, would be very much appreciated and welcomed by those local governments that have been involved in putting together such a significant project over the last two years.

I raise this grievance in good faith. The group recognises that it has had input and assistance from Main Roads and the Department of Transport, and certainly it is not trying to create trouble; it is just aware that there are opportunities to secure funding from the federal government that it obviously cannot succeed in securing without WA government support. Given the information I have been provided with and the work I have seen done over the past two years, I know the group is very much trying to align what it is doing with the state government, and it appreciates that the project could be an important cog in a broader strategy. I look forward to the minister's advice on this important matter.

MS R. SAFFIOTI (West Swan — Minister for Transport) [9.25 am]: I know the member for Victoria Park is very excited by his booking, but maybe he could keep it down! I also acknowledge Lara, who has taken over the electorate of West Swan in the program today.

I thank the member for the grievance. I sought further advice from my agencies and today I spoke to some relevant people to get up-to-date information on what is happening in relation to the strategy. As the member outlined, the wheatbelt secondary freight routes strategy is being undertaken by a number of councils—I think it is 42—across the wheatbelt looking at the priorities for upgrading freight routes and working together. As the member said, that is always a challenge, but always very productive when it does happen, because all these issues can be addressed up-front and many of the issues raised in one council area will affect the next one. Of course, throughout the wheatbelt and regional WA—and the metropolitan area, frankly—it is very, very important for councils to work together to address transport challenges.

I understand the project group has been working away with assistance from Regional Development Australia and helped by Main Roads through its work in the regions. I understand that the group went to Infrastructure Australia and was told that without in-principle state government support, it would not look at or prioritise the project. The

federal Minister for Infrastructure, Transport and Regional Development is interested in the project, and I urge the group to continue to communicate through every possible channel to make sure that he is aware of the challenge in managing our freight movements across regional WA.

That is work that has been done. Then, of course, we have also launched the broader Revitalising Agricultural Region Freight strategy. As the member said, freight route work is really a subset of the Revitalising Agricultural Region Freight strategy that looks at inter-modal transport across roads, rail and ports. The strategy is broader in scope and picks up parts of the midwest, Gascoyne and south west. I have been advised that the work that has been undertaken on the secondary freight routes has directly fed into the Revitalising Agricultural Region Freight strategy, and Main Roads has made sure that it has brought the information done by the 42 regional councils into the major freight strategy. It was outlined to me that a big part of the freight strategy will be roads. That work is underway.

In relation to the timing, again, I have been advised that the Revitalising Agricultural Region Freight strategy will be released by the end of the year. However, I want to meet with the Minister for Regional Development in the next two or three weeks to go through all potential requests and how the Department of Transport and the Department of Primary Industries and Regional Development will work together to deliver and respond to these requests.

The issue here is that, as we all know, a federal election is coming soon and I think people are seeing time lines in particular and a window within which to try to request funding from the federal government. In response to making representations to the federal government, I will liaise with the Minister for Regional Development. I urge the councils and the group to go directly to the federal government. I know that they have done that through Infrastructure Australia, but it is probably also worthwhile continuing to go directly to the federal Minister for Infrastructure, Transport and Regional Development in the meantime to see what can be secured from the federal government.

Ms M.J. Davies: We are meeting with the Deputy Prime Minister on the weekend.

Ms R. SAFFIOTI: That is what I thought. Is he coming over here?

Ms M.J. Davies: Yes.

Ms R. SAFFIOTI: That is great. I have said that the window is open now. In the meantime, I will work with the Minister for Regional Development. I will get a draft of the report and do what I can to support more road funding for WA. I have made that pretty clear. Despite comments that are sometimes made by my colleagues, I really like securing road funding. I will do what I can to support requests for road funding from the commonwealth and make sure that it is part of our overall strategy. But the feedback so far is that, basically, the road strategy is part of the supply program. It will work really well with the overall strategy and it will not clash in any way, so that is the good part of what is being done. A lot of the work that has been done by those 42 councils has fed directly into the Revitalising Agricultural Region Freight strategy. There has been significant consultation on that strategy across industry. The feedback so far on the Revitalising Agricultural Region Freight strategy has been positive in relation to whom they consulted with and the scope of the work. Again, the advice I have is that the wheatbelt secondary freight route network feeds directly into that and is not inconsistent with the overall strategy.

I will get the report and feedback on the overall strategy soon, I hope. I will talk to the minister. In the meantime, the member should continue to lobby the federal minister, the Deputy Prime Minister, directly and I will see what I can do about supporting further requests for road funding.

MOSMAN PARK PRIMARY SCHOOL

Grievance

DR D.J. HONEY (Cottesloe) [9.33 am]: My grievance is to the minister representing the Minister for Education and Training. I thank the minister very much for taking my grievance. My grievance is about substandard housing for students at the co-located Mosman Park Primary School and the Mosman Park School for Deaf Children, which is located in Victoria Street, Mosman Park. Both these local state schools are highly valued and have undergone significant change over the past decade. I make it very clear in this grievance that I hold the staff at both schools in absolutely the highest regard. I am very impressed by their achievements and the resilience that they have shown given the conditions that they have to teach in.

The original schools date from when the school was opened in 1906. The most recent buildings that have been added are the undercover area, which was installed 20 years ago, and a newer library and early education building, which were part of the 2010 commonwealth Building the Education Revolution program. The co-located schools are housed on an extremely compact site of only about 1.57 hectares. That is contrary to the Department of Education's recommendation that schools should be located on at least a four-hectare site if they do not have an adjoining government oval. There is an oval adjacent to the site, but the school has only part access to it because another school in the area has the majority of access to that park. I think primarily because of the esteem in which the staff and particularly the heads of both schools are held, there has been a massive increase in enrolment at the school in the last 10 years, which has gone from about 200 to 400 students. The deaf school caters for

22 profoundly deaf students. These students have no hearing at all and, in fact, need one-on-one teaching staff who primarily teach them Auslan and interpret lessons. These students participate in other school lessons where they are able to. Student accommodation is well and truly above full capacity despite the installation of six demountables on the site. In fact, the local council is so concerned about congestion on the site that it has asked that the school not install any more.

Classes are being run with student numbers greater than the department's recommended number and there is just not enough space. I might say that because this school is located in the southern part of Mosman Park, it has a very high number of disadvantaged students and an unusually high number of Aboriginal students. Some six per cent of students are Aboriginal. A number of those students are also profoundly deaf so there is a compounded disadvantage for those students. The primary school is congested. It has not been able to participate in the excellent new program to introduce science labs simply because the school does not have enough space. The staff of the school for deaf children are very frustrated that they cannot offer the full range of programs that they would like to because they do not have sufficient space for profoundly deaf students.

The administration areas are like something out of a police movie set in the Bronx in the 1960s. It is enormously congested. Staff have to carry out meetings with parents in the staff room while other staff members are present. It is really highly congested. Staff toilets are in extremely short supply. There is only one female and one disabled toilet available for 61 female staff members. That is well below the minimum standard of four toilets for a staff grouping of that number. I might say that I have had a chance to speak with the minister and she has indicated that some work may be going ahead to deal with the toilet issue. Staff parking is extremely limited. Only 19 bays are available for a staff that is considerably greater than that number. Also, visitor parking bays are very inadequate.

When I visited the school in July I observed one particular example. There was a new student to the school, a darling little six-year-old, profoundly deaf boy. He had no idea what was going on around him. He obviously had profound issues and he was the sort of kid you would just want to cuddle up and protect from the world. This little boy was having to do his lesson with his teacher on the verandah in the middle of winter simply because there was no other space for the teacher to have one-on-one time with the child. It was upsetting to see. Again, I admire the resilience of the staff to cope with that environment. It was clear that both the student and teacher were distressed and it was difficult for the child to receive proper tuition in that area.

There is space in the area. There are a number of council ovals and facilities in the area, but I might also say, importantly, that the Western Knights Soccer Club is located there. I am keen to reinforce that any solution to the issues at the school should take into account the Western Knights Soccer Club. It has over 200 junior players and 300 senior players and the only nearby soccer fields are located in Nedlands or Fremantle. It is a very important facility that caters for a wide range of local residents and residents from other parts of Perth, and we hope that it will not be impacted by this.

I am really aware this issue is not of the government's making. In fact, members would be aware that the previous Premier was the member for this area. I can say that the 17 other schools in my electorate are outstanding, but that for some reason this school has fallen between the cracks. I am very grateful that Minister Ellery set aside time so I could discuss this issue with her. I understand that the acting director general of the Department of Education visited the school either yesterday or the day before to talk to the principal, maybe because the issue had been raised. However, much more work needs to be done on this issue in the short and long term. I will continue to work with Minister Ellery and the local council.

One of the reasons for raising this issue is that I am certain Minister Ellery will come to the Minister for Tourism with some solutions. I am asking that the minister, the Treasurer, the Premier and their colleagues in the cabinet give this matter very serious consideration. I do not think any of them would accept the standards at this school and I am definitely asking for their support.

MR P. PAPALIA (Warnbro — Minister for Tourism) [9.39 am]: I thank the member for Cottesloe for his grievance and for his ongoing support of schools in his electorate. He is obviously a passionate advocate for not just this school, but all the schools that he represents. I am responding today on behalf of the Minister for Education and Training. In pursuing this response, I will stick pretty rigidly to the briefing I have been given to make sure that the member gets the information directly from the minister.

I understand that the member met with the minister this week to discuss the accommodation issues at Mosman Park Primary School and Mosman Park School for Deaf Children and early notice of this grievance is appreciated by the minister. She visited the school in February this year for a tour of the facilities and a discussion with the principals, parents and citizens association and school board representatives. The previous member for Cottesloe raised accommodation issues at Mosman Park school with Minister Ellery before he left Parliament. Of course, as the member observed, he had the capacity to address this himself but chose not to.

The member said that Mosman Park Primary School is located on a 1.57-hectare site; the briefing note I have says that it is 1.8 hectares. Nevertheless, it is not a big space. The school is co-located with Mosman Park School for Deaf Children. In semester 1 of 2018, Mosman Park Primary School had an enrolment of 410 students, with

capacity for 425 students. Mosman Park School for Deaf Children had 19 students as at 31 January 2018. It has three allocated classrooms. The school for deaf children relocated from Cottesloe to the Mosman Park Primary School site because the facility in which it was housed at Cottesloe was not fit for purpose and was in poor condition. There was willingness and room at Mosman Park Primary School at the time to enable the move, which met the expectations of families and staff who wanted children to learn in a mainstream school environment. Research shows that the academic, social and emotional behaviour of deaf and hard-of-hearing children improves significantly in a regular classroom and begins to follow the patterns of development of hearing children.

Mosman Park Primary School is reaching its accommodation capacity. Based on current projections and enrolment practices, the school is expected to exceed its current accommodation capacity by 2019. The placement of an additional transportable classroom on site will assist in the short term to manage enrolments. The department has met with the principals of the two schools to discuss medium and longer-term options for managing enrolment growth. The primary school does not have a local intake area. The gazettal of a local intake area is a critical planning element when enrolments grow to ensure that there is an equitable distribution of students across neighbouring schools. The introduction of a local intake area for Mosman Park Primary School is being investigated. The department has been working with the Town of Mosman Park to jointly plan for optimum use of the precinct around Mosman Park Primary School and to explore opportunities for the school to expand. This work is continuing, as the member indicated.

There are over 800 schools in Western Australia, from the brand-new to those over 100 years old. Funding for maintenance and upgrades is limited and the department prioritises funding based on a school's need. The department identifies a school's need for maintenance and upgrades through the building condition assessment report. The BCA report provides a strategic overview of building maintenance needs. A BCA was recently undertaken on the Mosman Park Primary School site. Overall, the condition of the permanent buildings was rated as fair and the visible defects that were identified across the site were estimated to cost around \$200 000 to repair. A significant proportion of the defects related to plaster glass ceilings. These will be remediated as part of the 2018–19 plaster glass remediation program. In 2017–18, \$138 136 was spent on fixing breakdowns and routine maintenance. So far this year in 2018–19, \$24 263 has been spent on maintenance.

The school community has raised concerns about the condition of the administration area, and student and staff toilets, and the lack of staff, parent and Kiss 'n' Ride parking. An audit of the administration area, staff and student toilets, and car parking has been undertaken by the department. An amount of \$270 000 for a toilet upgrade was allocated to the school under the 2017–18 toilet refreshment program. The student's toilets have been refurbished and additional female staff toilets are being constructed, according to the minister's brief, which will hopefully address the very dire problem that the member indicated. Funding to upgrade the administration area will be considered as future capital works programs are formed. A traffic management study for the site has been undertaken by an independent consultant. The report has outlined measures to ease traffic congestion, including the construction of additional parking, staggering start and finish times, encouraging staff to use other nearby public parking and the formalisation of a Kiss 'n' Ride facility on Victoria Street. These options will be discussed with the school principals.

This government has committed \$1.2 billion over four years for new schools and to improve older schools. With over 800 schools, there is great demand and need must be balanced with other competing priorities across government and the amount of resources available. It is noted that the age of the school is not the measure of the quality of the school. This is better seen in the dedication of teachers, the involvement of the community and the performance of the students.

I thank the member for his grievance and hope that the information will provide some reassurance to the communities of these two schools. I also commend the member for Cottesloe for his engagement with the Minister for Education and Training. As he has witnessed, she is a very good minister. She responds to requests regardless of whom they come from and her priority is always the best outcomes for students and families across the state. I think the member would have garnered some reassurance that she is engaged on this matter and she will do her best to respond and support schools as best she can.

AMAZON FROGBIT

Grievance

MS L.L. BAKER (Maylands — Deputy Speaker) [9.46 am]: This morning, I rise to address the minister representing our Minister for Regional Development; Agriculture and Food, and I believe that would be Minister Templeman.

Mr D.A. Templeman: Yes, it is!

Ms L.L. BAKER: Jolly good. Minister Templeman, today I rise to bring to the attention of the house a significant threat to Western Australian waterways, especially our iconic Swan River. *Limnobium laevigatum*, which has the benign and slightly amusing name of Amazon frogbit, is a floating aquatic weed originating from Central and South America. It may sound neutral, but it is actually pretty awful. Frogbit has been distributed for use in private ponds and aquariums, and is promoted as an easy-to-maintain plant. However, when allowed to enter waterways,

this destructive weed is a highly invasive species, with a rapid growth rate and high reproduction potential. In other words, it spreads really quickly. Frogbit can form dense mats across the surface of water, congest drains and waterways, displace native vegetation and greatly impact water quality and habitat for native wildlife. This species has the potential to result in significant environmental damage and, accordingly, economic cost.

The species has naturalised in a number of locations overseas and at several locations along the eastern Australian coastline. I understand that Amazon frogbit was initially discovered in Western Australian waterways back in 2013 and there have been a number of detections since, including, unfortunately, recently in my electorate. Each infestation has been an isolated incident thought to result from residents inappropriately disposing of their aquarium into the stormwater network or directly into the waterway. In December 2017, plant fragments were collected from the precious Bayswater Brook by officers of the Department of Biodiversity, Conservation and Attractions and were positively identified as the invasive Amazon frogbit. The site was just 500 metres upstream from the confluence with the Swan River and close to our very valuable, delicate and much-loved wetland in the Eric Singleton Bird Sanctuary.

Through the swift work of officers from DBCA, the Water Corporation, the City of Bayswater and the South East Regional Centre for Urban Landcare, the infestation was removed and plant fragments were contained before they could spread into the Swan River—we hope. Frogbit has been declared a prohibited matter in New South Wales, a C-class weed in the Northern Territory and an environmental weed by the Brisbane City Council. Minister, I understand that at the moment Amazon frogbit is not a declared pest under the Western Australian Biosecurity and Agriculture Management Act 2007. Groups such as Environment House in my electorate of Bayswater and the amazing South East Regional Centre for Urban Landcare have been seeking to get it listed for some time to make sure it is appropriately controlled. I urge the minister to please take the necessary steps to ensure this potentially devastating weed is effectively controlled before there can be further damage to our environment. Thank you, minister.

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [9.50 am]: Thank you, member for Maylands, for your grievance. This is a very serious matter. I was practising my David Attenborough impression earlier today, but I will not do that now!

Several members interjected.

Mr D.A. TEMPLEMAN: I will save that.

Mr I.C. Blayney: Why not try?

Mr D.A. TEMPLEMAN: It is pretty good. As the member for Maylands said, *Limnobium laevigatum*, which is known more commonly as Amazon frogbit, is a highly invasive weed. As has been highlighted, it is a weed that can double its biomass in a few days, and that means, of course, that the spread is rapid. It does that both vegetatively and by seed—two methods by which the spread can take place rapidly. As the member highlighted, it has been predominantly sold as an aquarium species. I think this underpins the importance of issues with koi carp and other species of aquatic fauna. This is, of course, a floral, if you like, plant life that can have a devastating effect on our system. Indeed, it is a real threat to the wetlands and the Swan River catchment, as the member highlighted. I understand that outbreaks occurred in Bannister Creek in the City of Canning in 2014. I am not sure whether the member is aware of that. They also occurred in the Balannup drain, in the City of Armadale, in 2016, member for Armadale, and in Yangebup Lake in 2016, member for Jandakot, in the City of Cockburn. Through some good and effective responses by state and local government authorities and SERCUL, those outbreaks were discovered and controlled. But it highlights the ever-existing need to make sure that we are monitoring it and responding as quickly as possible. The member for Maylands highlighted the Bayswater outbreak and the response. I acknowledge also the work of the officers of the Department of Biodiversity, Conservation and Attractions with regard to its identification. I acknowledge also the responses of other government agencies, including the Water Corporation and the Department of Primary Industries and Regional Development.

As the member highlighted, currently, Amazon frogbit does not have a declared pest status. She is right; representations have been made by a number of local government authorities and land care organisations such as SERCUL, seeking that it be declared a pest under the BAM act. The Department of Primary Industries and Regional Development has completed a technical assessment to inform decision-makers about that potential declaration of the species under that assessment. I am very pleased to highlight to the member that that extensive assessment—a range of elements need to be included in such an assessment—has identified that Amazon frogbit meets the requirements for declaration as a pest species, and that is wonderful. The Department of Primary Industries and Regional Development has consulted with the relevant stakeholders to identify the most appropriate declaration status. This has been an important process of consideration. The process commenced in April this year and involved a four-week consultation period, followed by a four-week period to collate responses. It has been agreed that Amazon frogbit, or *Limnobium laevigatum*, its biological name, should be declared a pest under the BAM act.

Ms L.L. Baker: Well done, minister!

Mr D.A. TEMPLEMAN: As the representative of the Minister for Agriculture and Food in this place, and with my eminent experience in the field of agriculture, having had grandparents—the Bates family—who farmed in Narrogin very successfully —

Mr I.C. Blayney: You taught in Three Springs.

Mr D.A. TEMPLEMAN: Yes, and I was born in Northam. Credentials—throw me more credentials; more bouquets my way!

I mean this very seriously because it is very important. Effective from tomorrow, Friday, 12 October 2018, Amazon frogbit will be registered and declared a pest under the BAM act. I think the member for Maylands should take due credit for this announcement, as well as I do in announcing it. It is important. In a serious sense, this underpins the importance of our biosecurity in Western Australia. We are always under threat from invasive species that can, as we know, have a destructive and detrimental effect on agriculture and the environment. I am really pleased that as of tomorrow, Amazon frogbit will be a declared pest. It underpins the importance of the fact, as the member for Maylands highlights on many occasions, that we are all responsible for being vigilant. When we are purchasing aquariums and those sorts of aquatic things, we need to be well aware of the lasting impact it can have if we do not dispose of or deal with what we are purchasing in an appropriate manner. It can have a devastating effect on our native fauna and flora, our wetlands and our river systems.

Well done, member for Maylands. What a great achievement today in our first hour of Parliament sitting. You have secured the declaration of another pest.

TAB — PRIVATISATION

Grievance

MS C.M. ROWE (Belmont) [9.57 am]: Today I would like direct my grievance to the Minister for Racing and Gaming. We have received the welcome and long-awaited news from the Treasurer on Tuesday of a comprehensive and generous package that will result from both the introduction of the point-of-consumption tax, on which he spoke yesterday in the house, and the sale of the WA TAB. The feedback on this package has been tremendous so far, and I would like to congratulate the minister, and, of course, our colleague, Hon Ben Wyatt, the Treasurer, on reaching such an incredibly positive outcome for our racing industry right across Western Australia.

I am sure though that, like me, members of this house would like to understand in more detail how the McGowan government's whole-of-industry reform will assist all three racing codes and stakeholders such as the TAB agents, who have battled for some time under a changing wagering environment, with significant movement to online wagering, and under the previous government, which created an intense period of uncertainty for all in this industry. I am acutely aware that some of my constituents have invested their lives into a TAB agency, racehorse ownership, training or club ownership, and for too long have lived in limbo on whether a sale of the TAB would go ahead; and, if so, what the industry would stand to gain. I am very mindful that these people rely on the government to do the right thing and protect their interests wherever possible.

Unfortunately, they have lacked clear government direction for some time. I am aware that the McGowan government inherited the uncertainty from the previous Liberal government. I am also mindful that the code's longevity and sustainability rely on more than just money. Integrity, and in particular how the welfare and wellbeing of the animals involved is ensured, is of the utmost importance. We have seen in other states the devastation of the industry when integrity is not maintained at all times. A case in point is the disaster exposed in greyhound racing by *Four Corners* in 2015. The residual pain of this episode continues to be felt in WA, even though our industry was not shown to be party to live baiting in greyhound training. Our greyhound racing trainers, owners and advocacy groups have come under increased public scrutiny due to these revelations. The entire industry was thrown into disrepute and I am interested to know what the minister has done since his appointment to ensure that the WA industry upholds the highest integrity standards and therefore the highest standards in welfare for the animals involved in these codes.

As members know, my electorate of Belmont is a racing hub and I am sure everyone knows that I am an avid supporter of the racing industry. I want to ensure that the racing industry in Western Australia is well taken care of by the McGowan government so that I, and all members, can support this long-awaited racing industry reform.

MR P. PAPALIA (Warnbro — Minister for Racing and Gaming) [10.00 am]: I thank the member for her agreement and acknowledge that she is well known not only as an avid supporter of industry, but also as a very knowledgeable supporter who is directly engaged with the constituents within her electorate who derive their income and wellbeing from the industry. I appreciate the observations she has made about this package being more than just about the things that have garnered the most attention, those being the share of the infrastructure fund and the point-of-consumption tax.

I will refer to the history of what has happened. The member identified and confirmed the degree of uncertainty and anxiety associated with the industry hearing the announcement of a sale of the TAB as far back as 2014. It was in the 2014 budget. I think the former Premier announced in 2013, shortly after the election, that he was considering a sale.

Ms C.M. Rowe: Without any consultation.

Mr P. PAPALIA: Yes, and that created a degree of uncertainty. The sale was confirmed in the 2014 budget without a plan, without a process and without consultation. That threw the entire industry into uncertainty and there was subsequently no action. Having said it would sell the TAB, the former government took no action.

Several members interjected.

The ACTING SPEAKER (Mr S.J. Price): Member for North West Central, do not walk in here and start interrupting straightaway. Grievances will be heard in silence, please. Member for Dawesville, that goes for you as well, thank you.

Mr P. PAPALIA: Given that the former government controlled both houses of Parliament for the duration of both of its terms, we have to ask why it took no action to resolve the problem it created. The former government created the problem by announcing without any consultation or process that it would sell the TAB and it took no action. That was entirely down to the former government and the opposition cannot walk away from that. Subsequently, in the time between the announcement and the election in March last year, there was an erosion in the value of the TAB as a consequence of that uncertainty. The former government holds some degree of responsibility for the drop of the value of the TAB in that time as a consequence of uncertainty. I do not know what that level is, but it made a contribution. Other than that, there has been the subsequent significant impact of the growth in both online betting and sports betting as a proportion of overall betting. I think about 50 per cent of betting is online now and about 10 per cent is sports betting. That also has contributed to a significant erosion of the traditional revenue base of the TAB. That all happened between the first announcement of the sale and when we took office.

Within months of us taking office, the Treasurer initiated a due diligence process. I confirm that, before the election, we gave a commitment to the industry that we would not sell the TAB unless it supported the sale. After taking office, the Treasurer commenced a due diligence process and engaged a consultant. The information from that process was shared through a thorough consultative process with the industry, firstly, to the Racing and Wagering Western Australia executive and board, then to the codes committees and beyond that to the community consultation and discussion paper. There were 106 or so responses, and they have been published. The industry overwhelmingly wanted to pursue a sale, but that was decided upon in conjunction with the consideration of the point-of-consumption tax. That was going to be introduced into every jurisdiction by next year anyway, so the industry asked that we consider both things as a package. That is what happened. As part of this package we have provided the most generous point-of-consumption revenue sharing measures in the country. Thirty per cent of point-of-consumption revenue will be given to the industry. The largest share anywhere else in the country is 20 per cent. In some places, such as Queensland, nothing is given. That is a significant ongoing revenue stream. Beyond that, 35 per cent of net sale proceeds will be given to establish an infrastructure fund to support the ongoing sustainment and maintenance of infrastructure improvements in the industry.

The member for Belmont raised the issue of TAB outlets. No-one on the other side has even raised those. Every member in this place has probably been approached by TAB outlets with concerns that in 2016, under the previous government, the measures agreed to that they would be given an option for a buyback of a certain amount were removed. We have reinstituted that for three years after the sale. If a TAB outlet is compelled to leave the industry, it will be afforded the opportunity to get a buyback of up to 50 per cent of its net revenue for a year up to \$100 000. I know that is not exactly what the outlets would like and it is not necessarily what some of them paid, but it is far more than what they currently have, given the agreement ended in 2016.

Mr V.A. Catania interjected.

Mr P. PAPALIA: I am sorry; I have to try to get to everything in. I am happy to talk about it afterwards if the member wants to.

I am glad that the member for Belmont raised the issue of greyhounds, because our greyhound industry has the highest standards of anywhere in the country, if not the world. The greyhound industry was suffering from the appalling behaviour on the east coast. When I took office, I told the industry that the best measure we have for preserving it and preserving incomes and livelihoods was to ensure that we were absolutely gold standard. We have worked since then with RWWA. Under the leadership of the honourable Lisa Baker—that is, Lisa Baker, MLA, member for Maylands; she is honourable, but not officially!—who has been doing an excellent job, a working group, with advocates from the industry, owners, trainers, breeders, GreyhoundAngels of WA, Greyhound Adoptions WA and Free the Hounds, is doing a tremendous job developing policy for the industry to ensure the absolute best standards for greyhounds. That is the best thing we can do to ensure certainty and an ongoing robust future for the industry.

PUBLIC ACCOUNTS COMMITTEE*Sixth Report — “No (More) Time to Waste:
The ongoing implementation of Western Australia’s Waste Strategy” — Tabling*

DR A.D. BUTI (Armadale) [10.07 am]: I present for tabling the sixth report of the Public Accounts Committee entitled “No (More) Time to Waste: The ongoing implementation of Western Australia’s Waste Strategy”.

[See paper 1929.]

Dr A.D. BUTI: Put simply, the Public Accounts Committee scrutinises value for money—the economy, efficiency and effectiveness of public spending—and generally holds public servants and statutory bodies to account for delivery of public services. PAC, which is the colloquial term for the Public Accounts Committee, has the power to examine the financial affairs and accounts of government agencies, statutory bodies and government trading enterprises. We also have the power to inquire into and report to the Assembly on any question that we deem necessary to investigate, is referred to us by a minister or is referred to us by the Auditor General. PAC and the Office of the Auditor General have demonstrated a shared commitment towards improving the quality of public administration in Western Australia. We have a good working relationship with the Office of the Auditor General. This is necessary and sensible, as the Office of the Auditor General plays a critical role in public administration by examining how effectively public sector agencies implement government policies and programs. As part of this role, the Auditor General’s team routinely conducts performance audits that can highlight examples of good practice or identify deficiencies in an agency’s operations and procedures. Performance audit reports generally include recommendations designed to help the audited agency address identified shortcomings, thereby facilitating a more efficient use of public money. Yet, there is no formal requirement for agencies to provide a response to these recommendations, and the Auditor General has no authority to demand one. Consequently, public accounts committees across most commonwealth jurisdictions usually provide some form of support to their audit officers to ensure performance audit recommendations receive due consideration.

In Western Australia, the Public Accounts Committee has undertaken an agency follow-up process since 1996, although the approach has varied in accordance with the preference of the committee members over the six parliamentary sessions that have ensued. Our approach is based on a triage methodology that assigns a follow-up rating based on the following five criteria: one, program or policy cost; two, public interest; three, criticality of audit findings; four, level of urgency; and, five, level of commitment and detail provided by the audited agency in its initial response, which is usually included in the audit report. In March this year, we triaged 24 performance audit reports from 2015 and 2016. Out of this process, nine reports fell within what we call the low priority triage range. For these reports, we opted to conclude our follow-up while reserving the right to open correspondence with the audited agencies should circumstances warrant interrogation in the future. Nine other reports fell within our medium priority range. With one of these reports, we chose to conclude our follow-up. For the remaining eight, we have sought and received written responses from the audited agencies. These follow-ups remain open while we consider the adequacy of the responses. Seven reports received the high priority triage score. For one of these, we decided to write to the audited agency; it appears to have already addressed the most pressing issues identified by the Auditor General. For the other six reports we thought it appropriate to call the audited agencies in for a public hearing to discuss in depth their responses to the audit reports. These hearings occurred over three sitting weeks in June, and we followed up each agency with a series of further written questions. Over the next few months we hope to deliver a series of reports highlighting follow-ups where we retain concern over the adequacy of the agency responses or where we see opportunities to build on some encouraging actions.

The report I have just tabled summarises our follow-up on the responses of the Waste Authority and the Department of Water and Environmental Regulation to the recommendations in the Auditor General’s twenty-third report of 2016, “Western Australian Waste Strategy: Rethinking Waste”. This was one of the six audit reports from across 2015 and 2016 for which we felt the findings were significantly serious enough to warrant follow-up by way of a public hearing and a series of further questions. Before continuing, I would like to make it clear that this report does not evaluate the overall merit of the waste strategy, nor the merit and effectiveness of the numerous programs and initiatives that are now emanating from it. Instead, we focused on the extent to which the Waste Authority and the Department of Water and Environmental Regulation have addressed the audit report’s recommendations. These recommendations sought to address a significant number of shortcomings involving the early implementation of the waste strategy.

We are dealing with a very important area of public policy here. Waste management is important, because improperly stored refuse can cause health, safety and economic problems. To prevent damaging the environment and to maintain a high quality of life, we must manage and store waste efficiently and safely. Even more importantly, we need to reduce the amount of waste we are producing. The Western Australian waste strategy was developed by the Waste Authority and launched on 6 March 2012 by the then Minister for Environment, Hon Bill Marmion, MLA, the current member for Nedlands. The strategy aimed to reduce the amount of waste generated while simultaneously increasing the proportion of unavoidable waste diverted from landfill through improved resource recovery and recycling processes.

The Waste Authority has primary responsibility for implementing the waste strategy and plays a critical financial oversight role by preparing an annual business plan for approval by the Minister for Environment. The business plan outlines the Waste Authority's objectives and recommends priorities for the next five years. It also provides a breakdown of proposed expenditure for all waste strategy programs and administrative services for the year ahead. If approved by the minister, the Waste Authority then oversees the implementation of the programs and services in accordance with the business plan. The Waste Authority has numerous other functions enshrined in the Waste Avoidance and Resource Recovery Act 2007. These include advising the minister on matters relating to the act and advising the departmental CEO on matters relating to the regulation of waste services. In addition to providing support to the Waste Authority, the Department of Water and Environmental Regulation has numerous other roles and responsibilities under the state's waste management and environmental protection legislation. These include regulatory activities such as issuing licences to waste management sites and monitoring compliance with the licensing conditions.

Ongoing ambiguity regarding the respective roles and responsibilities of the department and the Waste Authority led both entities to renegotiate the terms for a reviewed service level agreement throughout 2015 and 2016. These negotiations continued unresolved throughout the period of the audit—a point the Auditor General noted in what was ultimately a highly critical assessment of the waste strategy's early implementation. Unfortunately, we have found that the agencies have been slow to complete the 16 separate actions recommended by the Auditor General. In our view, the Waste Authority and the Department of Water and Environmental Regulation have completed just five of the 16 recommended actions to a satisfactory level. The failure to address these recommendations in a timely manner arguably extends from a significant legacy issue; that is, the inability of the Waste Authority and the Department of Water and Environmental Regulation's predecessor—the former Department of Environmental Regulation—to confirm their roles and responsibilities through an agreed governance structure. We believe this has undermined the effective implementation of the waste strategy and has likely contributed to the failure of the strategy to meet all its 2015 landfill diversion targets.

The legacy issue cannot be underestimated. It has been a significant and enduring problem. When any entity, program or strategy commences on the wrong foot or without clarity of identity, purpose, role or responsibility, it can be difficult to turn the ship around to get back on an even keel and perform to an acceptable standard. However, history cannot remain an enduring inhibitor to improving performance. One's history needs to be acknowledged and evaluated, but then one must quickly move on to right the wrongs of the past and ensure the public of Western Australia has been serviced to the standard we should all expect in a developed, sophisticated and civil society.

On 1 June 2017, the new Minister for Environment, Hon Stephen Dawson, MLC, issued a ministerial statement of expectation to the Waste Authority. In this document, the minister outlined his expectation that the Waste Authority and department would —

... work collaboratively to ensure the Waste Authority's business is managed in an efficient, effective, economical and ethical manner.

Notable was his further comment, and I quote again —

I expect the Waste Authority will enter into a service level agreement with the department responsible for the administration of the WARR Act ...

On 1 July 2017, the former Department of Environmental Regulation was subsumed into the new Department of Water and Environmental Regulation under the McGowan government's machinery-of-government changes. The Waste Authority advised us that the following month, the director general of the Department of Water and Environmental Regulation endorsed a temporary service level agreement with the agreement that it be reviewed within 12 months of adopting a new governance charter to ensure no gaps or conflicts in both complementary documents. The director general of the Department of Water and Environmental Regulation expects that the revised governance framework will be finalised by the end of 2018. Similarly, the Waste Authority is now confident that the service level agreement and governance arrangement will be properly prepared and agreed to in a reasonably short time frame.

It appears that working relations between the two key entities have improved following the appointment of a new director general and the establishment of the Department of Water and Environmental Regulation midway through 2017. Since that time, both entities have demonstrated a renewed commitment to establishing an agreed governance structure, addressing the outstanding audit report recommendations and working together to improve Waste Strategy outcomes. However, there remains much to be done to overcome what has been an unsatisfactory commencement to the rollout of the waste strategy. The Waste Authority and Department of Water and Environmental Regulation have numerous actions underway that aim to address most of the concerns highlighted in the performance audit report. To avoid further unacceptable delays, it is crucial that both entities finish these tasks promptly. We are pleased that both the Waste Authority and the Department of Water and Environmental Regulation have demonstrated to our committee a commitment to address the issues that have plagued the early

years of the waste strategy. In their interactions with us, each has conveyed a sense of optimism regarding the future administration of the Waste Strategy. They conveyed a level of confidence that most of the issues will be resolved and the Auditor General's recommendations fully actioned, including the imminent completion of the following major tasks. Firstly, finalising the governance framework; secondly, attending to any subsequent revision of the current service level agreement that may come out of a review scheduled to take place within 12 months of the governance framework being finalised; thirdly, reviewing the Water Avoidance and Resource Recovery Act; fourthly, developing a waste data information strategy; and fifthly and last, making regulatory amendments to mandate waste and recycling data collection. Let us hope that our optimism is well placed.

Our report makes seven recommendations for action by the Minister for Environment, the Department of Water and Environmental Regulation and the Waste Authority. We believe these recommendations, if enacted, will go a long way to ensuring the expectation of the Minister for Environment—as noted in his ministerial statement of 1 June 2017—is achieved and, more importantly, this state has a waste strategy that delivers high quality results for the public of Western Australia.

In concluding, I would like to thank the Waste Authority and the Department of Water and Environmental Regulation for their cooperation throughout this follow-up process. I would also like to thank the Auditor General, Ms Caroline Spencer, and her team for their assistance throughout the follow-up process, which we very much valued. I must stress, however, that we have acted independently in conducting our analysis and framing our conclusions. I also acknowledge the collaborative working relationship of our committee and thank my fellow committee members: Mr Dean Nalder, MLA and Deputy Chair; Mrs Lisa O'Malley, MLA; Mr Simon Millman, MLA; and Mr Vince Catania, MLA for their diligence and hard work. Further, on behalf of the committee, I would like to thank our secretariat principal research officer Mr Timothy Hughes and research officer Mr Michael Burton for their excellent assistance and dedication throughout this inquiry. Before sitting down, I also acknowledge that the Minister for Environment, Hon Stephen Dawson, has just released a new waste strategy. I have only had a very quick look at it, and I must say that the new waste strategy appears to be ambitious, innovative and long overdue. Hopefully, it will go some way to addressing many of the issues that we have outlined in our report.

MR D.C. NALDER (Bateman) [10.25 am]: With the Chair of the Public Accounts Committee, the member for Armadale, I would also like to acknowledge the collaborative work undertaken by my colleagues on the committee: Lisa O'Malley, Simon Millman and Vince Catania—I should say the member for Bicton, the member for Mount Lawley, the member for North West Central and obviously the chair, the member for Armadale. Firstly, in establishing a response to the sixth report of the Public Accounts Committee, I would like to frame the work and reiterate some of the points the chair has mentioned today.

In March 2012, a waste strategy was developed and announced by the former minister, the member for Nedlands, Bill Marmion. The Auditor General undertook an audit and found some quite adverse findings of the work that had been undertaken. However, in saying so, I acknowledge that the Auditor General found that there had been an improvement in the management of waste since 2012 and that waste generation and recycling figures were trending in the right direction. But the report went on to list 17 key findings, almost all of which were critical of both the Waste Authority and the then Department of Environment Regulation. The issues seemed to stem from cooperation between the agencies. If we look at the waste strategy that was implemented in 2012 there were improvements; however, there were the 17 adverse findings by the Auditor General in October 2016. The work of the committee and the findings today are the subsequent work that the Waste Authority and the department have undertaken since that audit of 2016. It would appear on the surface that there have been improvements in the relationship and cooperation between the Waste Authority and the department, but the reality of that matter will be the proof in the pudding. What we have to be interested in as a government and as members of Parliament on both sides is the betterment of our waste strategies for Western Australia and particularly with the recycling of our waste. I would like to highlight some concerns on page 7 of our tabled report that show that we are still a long way behind the set targets. Our diversion ratio away from landfill is at 36 per cent for metropolitan municipal solid waste, when we have a target of 50 per cent by 2015 and 65 per cent by 2020. That shows that we need to improve drastically on the outcomes that we have achieved with the diversion to landfill, particularly in our metropolitan municipal solid waste that is delivered to our waste management facilities.

The report illustrates the need to improve the relationship, and it appears on the surface to be an improved focus on both the Waste Authority and the department to work together on the recommendations that have been put forth by the Auditor General, but this is what we need to focus on as an outcome delivered to ensure improved recycling of our waste in Western Australia. It would appear on the surface that there is still a lot of opportunity to improve and enhance the sorting out of our general waste to ensure better outcomes of recycling for Western Australia.

As was pointed out by the chairman, only five out of the 16 recommended actions have been completed to a satisfactory level. That has been the primary concern and it is great to hear that the Department of Water and Environmental Regulation and the Waste Authority focused on those other 11 outstanding recommendations from the Auditor General. Delivering on those recommendations is important, but they have to follow through with improved outcomes for diversion of landfill.

I will briefly look at some comments that were made by the Auditor General. The report states —

The lack of cooperation and uncertainty around roles meant that departmental staff assigned to the Waste Authority were ‘subject to the competing priorities’ of the respective agencies. In this environment, the Waste Authority was ‘unable to require the assigned staff [to] give priority to projects it regards of most importance.’

As part of the commitments that have been given by the agencies in discussions with the committee, it would appear that they are now focusing on that to ensure that they deliver on the 11 outstanding items. Finding 3 of our report notes —

There now appears to be an improved working relationship between the current Waste Authority Board and the Director General of the new Department of Water and Environmental Regulation.

As I said, though, the proof will be in the pudding.

Looking at other activities that have been undertaken, it is pretty clear from this report that we have been quite comprehensive in the expectations that we have set for the department. I really appreciate the work of this committee and I look forward to following up in the future to ensure that the department has delivered on the expectations that I believe exist on both sides of this house. Again, I thank the members of the committee for their diligence in this report. I thank the principal research officer, Mr Tim Hughes, and the research officer, Mr Michael Burton, for their work in supporting our committee. To be honest, without their help and assistance we would not have been able to achieve the outcomes that we have.

MRS L.M. O'MALLEY (Bicton) [10.32 am]: I rise to add my contribution in speaking to the sixth report of the Public Accounts Committee, “No (more) time to waste; The ongoing implementation of Western Australia’s Waste Strategy”. I would like to begin by thanking the Chairman of the Public Accounts Committee, the member for Armadale, for his ongoing guidance and leadership, and my fellow committee members for their contribution to this report. I join the chairman in expressing my thanks to the secretariat, the principal research officer, Mr Tim Hughes, and the research officer, Mr Michael Burton, for their invaluable work. I also sincerely thank the agency representatives who met with us during the preparation of this report for their openness and willingness to engage so fully.

In part, the job of the Public Accounts Committee is to inquire into and report to the Assembly on any proposal, matter or thing it considers necessary, connected with the receipt and expenditure of public moneys; and to consider whether the objectives of public expenditure are being achieved, or may be achieved more economically. It can be said that identifying where waste exists and recommending ways to reduce waste is fundamental in what we do as a committee. In examining cost versus effectiveness we can effect important changes in waste reduction. The waste that we examine as a committee is fiscal in nature and in this report, “No (more) time to waste” our aim is unchanged, as we examine the ongoing implementation of Western Australia’s waste strategy as a follow-up of agency responses to the Auditor General’s Report twenty-third report of 2016, “Western Australian Waste Strategy: Rethinking Waste”. In this report there is a natural connection between purpose and point of interest. This point of interest being the waste we create by our very existence as we go about the activities of life and the strategies applied to managing this waste in the local context by the responsible agencies. Waste management may not be at the top of everyone’s priority list and we can choose not to engage in conversation about it, but we cannot choose not to be impacted by it. Waste and the implications of waste management impact on us where we live, work and recreate, and we must do a better job. There really is no more time to waste.

The focus of this report is agency effectiveness, but this can only be made stronger when partnered with personal responsibility. With that in mind I would like to set the scene with a quote by *Zero Waste Home* author Bea Johnson. She states —

Refuse what you do not need; reduce what you do need; reuse what you consume; recycle what you cannot refuse, reduce, or reuse; and rot (compost) the rest.

This report is the result of the committee’s follow-up of the commitments previously made by the two responsible agencies—that is, the Waste Authority and the Department of Water and Environmental Regulation. Commitments were made at the introduction of the waste strategy back in 2012 and restated in the 2016 Auditor General’s report. Improvements have been made, but these have been slow and although the management of waste has gotten better, this report finds that there has been a failure up to this point to address recommendations in a timely manner, with, as stated previously by the other members, only five of the 16 actions recommended by the Auditor General being completed to a satisfactory level. An inability to complete a greater number of recommended actions appears to have been influenced by the absence of an agreed governance structure between the two responsible agencies. This historic lack of clarity of identity, purpose, role or responsibility appears to have greatly contributed to the less than ideal commencement of the waste strategy. The committee has been advised of efforts being made to formalise the relationship between the Waste Authority and DWER with the revision of the service level agreement leading to the signing of a temporary SLA, the agencies have expressed confidence that these issues will be resolved by the end of 2018. It is encouraging that on becoming the new Minister for Environment,

Hon Stephen Dawson, MLC, issued a letter of expectation to the Waste Authority outlining his expectation of greater collaboration between the authority and the department, as well as the two agencies entering into a service level agreement.

Central to the waste strategy is the reduction of waste generation running alongside increasing levels of landfill diversion through improved resource recovery and recycling processes. Great landfill diversion initiatives are currently being trialled in partnership with some metropolitan local government authorities, such as the “Food Organics Garden Organics”—or FOGO—3-bin system, which recently resulted in one local government succeeding in a 65 per cent landfill diversion rate. With the current diversion rate for Perth being around 40 per cent, the results of the FOGO trial represent a significant achievement and are an important example of what can be accomplished. It is important to note that to get a true picture of landfill diversion rates we must have reliable and consistent data. I would like to end by highlighting one particularly important finding and recommendation in this area which can be found on page 26 of the report. It states —

Finding 15

The Waste Authority and the department have changed the methodology around how two landfill diversion targets are calculated and reported without clearly explaining the rationale behind these changes, or resetting the respective targets. This serves to undermine confidence in the quality of reporting on progress against Waste Strategy targets.

Recommendation 6

The Waste Authority, in its next Annual Report, clearly explain any changes it has made around how it defines its four landfill diversion categories and the impact these changes have had on the targets and rates for each category.

This report concludes that improvements are apparent but that there is still much to be done. I am hopeful that the changes and improvements outlined by the Waste Authority and DWER, along with the findings and recommendations in this report, may serve as a turning point for the Waste Strategy. I commend this report to the house.

MR V.A. CATANIA (North West Central) [10.39 am]: In speaking to the sixth report of the Public Accounts Committee, I would first like to acknowledge and congratulate my colleagues on the committee—the chair, Tony Buti, the member for Armadale; the deputy chair, Dean Nalder, the member for Bateman; Lisa O’Malley, the member for Bicton; and Simon Millman, the member for Mount Lawley—for their fantastic contribution to this report. As the chair said, the Public Accounts Committee has the power to examine the financial affairs and accounts of government agencies in this state, including statutory bodies and government-trading enterprises, and to inquire into and report on any question which it deems necessary to investigate or which is referred to it by a minister or the Auditor General. The Public Accounts Committee and the Attorney General take a collaborative approach in their task of ensuring that government agencies fulfil their obligations in implementing the recommendations in the Auditor General reports. That is critical to holding our agencies to account and ensuring they fulfil their roles and responsibilities on behalf of the public of Western Australia.

The purpose of this report, which is titled “No (More) Time to Waste”, is to examine the implementation of Western Australia’s waste strategy. The report does not seek to evaluate that strategy, but rather looks at how agencies are working together to deliver what the waste strategy sets out to achieve. The report finds that, unfortunately, agencies have been slow in completing the 16 separate actions recommended by the Auditor General. The Department of Environment Regulation has completed just five of those 16 recommendations. Therefore, the role of the Public Account Committee has been to keep an eye on that agency to ensure that the implementation of those five recommendations is underway and it is delivering the objective of the waste management strategy, which was started under the previous government by the previous Minister for Environment, Hon Bill Marmion.

Finding 3 of the report, which was highlighted by the member for Bateman, states —

There now appears to be an improved working relationship between the current Waste Authority Board and the Director General of the Department of Water and Environmental Regulation. Since April 17, both entities have demonstrated a renewed commitment to establishing an agreed governance structure and removing any remaining ambiguities about their roles under the *Waste Avoidance and Resource Recovery Act 2017*. These are positive developments.

It is still early days. As the member for Bateman said, only time will tell—as the report says, there is no more time to waste—how these agencies are working together efficiently and collaboratively to deliver on the waste management strategy.

The other members of the committee have highlighted the report and what the Public Accounts Committee has been able to deliver. As I said, this is the first of many Public Accounts Committee reports that will be tabled in Parliament as we examine the Auditor General reports to ensure that government agencies are doing what they should be doing on behalf of the public of Western Australia.

As the member for Bateman said, the committee cannot do its work without our committee secretariat. I thank our principal research officer, Mr Timothy Hughes, and research officer, Mr Michael Burton. They do an amazing job behind the scenes to ensure that the committee is able to table reports such as this in Parliament—as I said, there will be many more to come—in which the committee will be holding to account the agencies of the Western Australian government to ensure they are doing their job and representing the people of Western Australia and the wishes of the government.

MR S.A. MILLMAN (Mount Lawley) [10.44 am]: Like my colleagues on the Public Accounts Committee, I stand this morning to contribute to the tabling of the committee's sixth and most recent report, "No (More) Time to Waste". I thank my fellow members for their contributions this morning. I would like to pick up where the member for North West Central finished off, and that is with the role of the Public Accounts Committee. Members may or may not be aware that the Public Accounts Committee is an essential attribute of the Westminster system of Parliament. The Public Accounts Committee was one of the first committees established in the Westminster system in the nineteenth century in the House of Commons. The committee has an important function to fulfil. The executive summary of the report summarises that function with the following quote from the Canadian Audit and Accountability Foundation —

PACs can close the accountability loop by holding follow-up hearings and by monitoring the implementation of [Auditor General's report] recommendations.

The executive summary goes on to state —

For more than two decades, the Public Accounts Committee and the Auditor General have demonstrated a shared commitment towards improving the quality of public administration in WA ...

The Office of the Auditor General conducts performance audits —

This had been referred to by other members —

which provide key insights into how well public sector agencies implement and oversee various government programs and policies. Performance audit reports often include recommendations aimed at improving agency operations and remedying any deficient practices identified during the audit.

That outlines the role of the Auditor General. The report goes on to state that the role of the Public Accounts Committee is as follows —

The Public Accounts Committee enhances the impact of this work by following up with audited agencies—usually after a minimum of twelve months—to find out what actions they have taken in response to the audit recommendations. Depending on the adequacy of these responses, the committee can issue a report with its own recommendations requesting further action around issues raised in the audit or the follow-up.

That is precisely what this report does. I now want to quote from the chair of the committee's excellent foreword. He states —

In conducting follow-ups of performance audit reports, our approach is based on a triage methodology that assigns a follow-up rating based on five criteria.

The report goes on to state that those five criteria are program or policy cost; public interest; criticality of audit findings; level of urgency; and level of commitment and detail provided by the audited agency in its initial response. The committee believed that having applied those five criteria, it was necessary to do a follow-up of the implementation of Western Australia's waste strategy. The member for Bicton said that waste management may not be at the top of everyone's list. That is probably right. However, what should be at, or near, the top of everyone's list is good governance. That is exactly what the Public Accounts Committee has directed its attention to in this report. We cannot be ambivalent about this issue when there are so many people in our community who are diligent about reducing their waste. I use as an example the City of Stirling, which covers most of my electorate of Mount Lawley. The City of Stirling has implemented an excellent three-bin waste management system, with a yellow bin for recycling, a green bin for garden waste from the many beautiful gardens in Mt Lawley, Coolbinia and Menora, and a red bin for the household waste that goes into landfill. That system is used diligently by many people in my electorate. When that is combined with the way in which the people in our neighbourhood have taken to the single-use plastic bag ban, we can see automatically that waste minimisation, and reduction and re-use, is prevalent and has been adopted and embraced by people in our community. I suspect that part of the reason for that is the excellent efforts being undertaken by the educational institutions in the electorate of Mount Lawley. I commend the excellent work of particularly the five public primary schools in my electorate—West Morley, Yokine, Mount Lawley, Coolbinia and Sutherland Dianella.

As I have gone to these schools and as I have attended P&C meetings at these schools, I have noticed how much of a commitment to our environment there is in the education being delivered. Particularly, I want to commend some of the school principals: Peter Harty at West Morley Primary School, Jenny Hirsch at Yokine Primary School,

Cavelle Monck at Mount Lawley Primary School, Paul Wescott at Coolbinia Primary School and Jenn Allsopp at Sutherland Dianella Primary School—all of whom are excellent educators and educational leaders who are focused on shaping the minds of future generations, so that we can all live in harmony with our environment and do our bit to reduce and minimise waste.

I will just touch on a couple of things. I commend Peter Harty, who is the principal at West Morley Primary School, for being an assiduous supporter of the River Rangers program. Members may be aware of the River Rangers program that encourages students to get out into the natural environment to see how beautiful it is around the Swan and Canning Rivers, to relish and enjoy that and to reflect on how important it is to preserve and protect our natural environment. I also commend Mount Lawley Primary School, which, under the watch of the principal, Ms Cavelle Monck, has implemented a program for young students to raise awareness of the importance of reducing, reusing and recycling. This year the school has implemented a separate bin system. I also commend Coolbinia Primary School, which next week will have an incursion from Captain Cleanup. Hopefully members in the chamber will be aware of Captain Cleanup. For those members who are not aware of Captain Cleanup, I will introduce him by reading from the webpage titled “Meet the Captain” —

The Captain Cleanup Story

In the late 1970s the Keep Australia Beautiful Council of Western Australia created an Australian environmental superhero, Captain Cleanup, to help educate young Western Australians about keeping Australia beautiful. The Captain encouraged everyone in schools and at festivals to clean up their own mess, bin their rubbish and take care of the environment.

Over the years the Captain has changed his look but not his message.

In 2003 Quintin George took over the Captain Cleanup program.

Today Captain Cleanup appears and performs sustainability shows at schools, universities and festivals to more than 15,000 Western Australians a year.

His trusty, well-worn and one in a million 1976 HX Holden Clean Machine is recognised by generations of Western Australians.

Mr D.R. Michael: Member, you’d be pleased to know that I still have my three Captain Cleanup awards from 1997.

Mr S.A. MILLMAN: As a fellow resident of the City of Stirling, we enjoy our three-bin system and we know how useful it is for us.

Let me regale members with Captain Cleanup’s mission —

“Together we will create a more sustainable, healthier and happier environment to live in and enjoy.”

Every day people send billions of tonnes of waste, toxic gases and pollution into the environment and atmosphere.

This pollution is accelerating the natural global warming process. Our world climate has changed and is more severe as a result.

Captain Cleanup needs your help to turn the tide of pollution and keep the environment healthy.

Activities such as recycling, composting, growing veggie gardens, using solar or wind energy or even having a few chickens in the backyard can all help the environment.

Join Captain Cleanup and do your bit!

“Be part of the solution and not the problem.”

Captain Cleanup

Members can see just how important this issue is. The Public Accounts Committee is taking this message and making sure that the necessary governance structures are in place in Western Australia to ensure that the efforts of residents, citizens, students and schoolchildren to make sure that our waste is minimised—and, whenever it can be, recycled—are worthwhile, vindicated and supported.

I thank my fellow committee members. I thank the chair of the committee, the member for Armadale, who is erudite and assiduous, and makes sure that the committee stays on point and delivers reports such as this. I thank the members for Bateman and North West Central. I pay particular thanks to the member for Bicton. Her interest in and commitment to this particular area of public policy was unparalleled. I will finish by sharing the sentiment expressed by my fellow committee members in expressing our gratitude to the committee secretariat, principal research officer Tim Hughes and research officer Mike Burton. I recommend this report to members and to the public generally. Thank you.

COURTS LEGISLATION AMENDMENT BILL 2017*Third Reading*

MR J.R. QUIGLEY (Butler — Attorney General) [10.54 am]: I move —

That the bill be now read a third time.

MR P.A. KATSAMBANIS (Hillarys) [10.54 am]: I rise to speak very briefly on the third reading of the Courts Legislation Amendment Bill. I think the issues were well canvassed by all the speakers who contributed to the second reading debate. The Attorney General in his summing up of the second reading debate answered some of the queries that were posed and gave a full explanation of why the government is proposing amendments, which were subsequently accepted in consideration in detail. I think it goes to show how we can work well in this place and get through the legislation we need to get through without undue delay. As I said in my contribution to the second reading debate, I wish the processes had worked better from the outset, but I accept there are competing legislative priorities and perhaps this bill was left on the shelf for a bit too long in the other place, but we are getting there now.

I point out once more, for those magistrates who are nearing the age of 65, that the commencement date of the operative clauses of the bill is the day after the day on which the new act receives the royal assent, so it will come into operation straightaway and they will not need to wait for proclamation to get the protections that they are seeking. I know that magistrates have reached the age of 65 in this period of flux between August 2017, when this legislation was first introduced in the other place, and now. I take on board the Attorney General's assurance that he will work within the constructs and the confines of the legislation to ensure that none of those magistrates who have hit the age of 65 in the last year or so will be disadvantaged if they wish to continue for either a shorter period or all the way up to the age of 70. We will take the Attorney General's assurances on that. Obviously, the Attorney General has to work within the confines of the legislation, so he will have to consult. First of all, he will have to determine whether there was a need for the acting magistrate. Upon determining the need, he could then consult with the Chief Magistrate and then make a decision. We know the workload of our Magistrates Court is often very heavy, so I do not think it would be a difficult task to make the case that additional or acting magistrates were required.

Again, I think the process, although delayed, at least has the Attorney General on the record indicating that none of the magistrates nearing the old retirement age will be disadvantaged. I think that will be of particular comfort to some of the member for Nedlands' constituents; he highlighted their concerns in his speech yesterday. We will finally have parity in the retirement age of magistrates and other judicial officers—judges in the District and Supreme Courts. I hope we, as a Parliament and a community, address the other issue I raised about whether 70 years is still an appropriate cut-off mark, because clearly 65 years is not. With changes in work and the way we view the contribution that people of some experience can make on an ongoing basis, and simply changes in longevity—which actuaries sit and scratch their heads about—perhaps an age over 70 years could be appropriate.

I take on board the Attorney General's comments that the retirement age ought to be balanced with a refreshing of the bench. I think it is important that we continue to refresh the bench with new people, new blood and new ideas, but I do not think that needs to take place at the expense of good experienced public servants who are continuing to do a good job and still have a contribution to make. I dare say whether it is this Attorney General or future Attorneys General, they would be able to balance that need, whether the retirement age is 65 years, as it was; 70 years, as it is going to be; or some higher age of 72 or 73 years that some of the other Australian jurisdictions have implemented over the last few years. I do not support an unlimited time period within which judges can be appointed—I hesitate to use the words “in perpetuity”, because we will all die—for the term of their natural lives. As I highlighted yesterday and as the member for Mount Lawley also highlighted, there are some extremely elderly judges, particularly in the Supreme Court of the United States, which gets a lot of television coverage. We have seen them nodding off from time to time. There is a cut-off time; we accept that. I think 70 years is much better than 65 years, but perhaps in the future we can look at extending that. With those words, I indicate once more that the Liberal Party supports the passage of the Courts Legislation Amendment Bill 2017 and the third reading.

MR J.R. QUIGLEY (Butler — Attorney General) [11.00 am] — in reply: Once again, I thank the opposition for its support of the Court Legislation Amendment Bill 2017. Of course, this bill is not driven by political ideology, but rather, it has come before this Parliament to effect three reforms. Not only is there the extension of the statutory retirement age from 65 years to 70 years for magistrates, which I will come to in a moment, but also it will refer a power to the commonwealth to allow it to make regulations under the Service and Execution of Process Act to charge fees on interstate judgements registered in this jurisdiction for enforcement. Given that that has been happening de facto—not de jure—for the last many years, it will validate ex post facto those fees that had been charged. Thirdly, it will delete from the Supreme Court Act section 31(2) to do with the payment of interest under contract and otherwise, subsection (1) having been deleted many years ago.

I will turn to the retirement age for magistrates because the circumstances leading to the bill have caused the shadow Attorney General some unreasonable anxiety. As I mentioned, the shadow spokesperson here said that it

is perhaps lamentable that this legislation has taken so long to come forward. The McGowan Labor government has been a government of law reform, driving a very busy law reform agenda. I think I have placed more than 28 bills before the Legislative Assembly and next week on the notice paper, of the first eight bills listed, six of them are Attorney General's bills. I think I also have another eight bills under drafting instructions at the moment.

Dr D.J. Honey: You're being overworked!

Mr J.R. QUIGLEY: Member for Cottesloe, being the Attorney General is not a career; you are not there forever. It is an office that you pass through and you can either mind the shop or, as Paul Keating once said, if you get in the room, pull the levers and make a difference. Move that needle on the dial. That is what we are endeavouring to do.

Mr P.A. Katsambanis: Just don't pull the wrong lever at the wrong time!

Mr J.R. QUIGLEY: We never do. We are very careful. We read the instructions and we give the right one a yank.

I think that everyone in the chamber would agree that we have put through a fairly busy law reform agenda and it is a matter of prioritising things. This legislation, as I was advised, is not a money bill; it could be introduced elsewhere. As I mentioned in my second reading speech, representatives of the magistrates' union came to see me —

Mr P.A. Katsambanis: Society.

Mr J.R. QUIGLEY: Magistrates' society, union—whatever. They came to see me about the passage of this legislation and I have other courts legislation before Parliament. I got on the spot and there was a misunderstanding as to which courts legislation we were talking about. I said that the courts legislation had passed through this Legislative Assembly and was waiting in the other place, but that was another piece of legislation. We have that much happening.

Mr P. Papalia: You have so many!

Mr J.R. QUIGLEY: We have so many, minister. There was no intention to mislead the representatives of the magistrates' society or union, but they took it upon themselves to write to the opposition. The opposition thought that I had deliberately misled the magistrates. What a lot of eyewash. This was cleared up in a flash with the Chief Magistrate, who himself was a bit surprised that this minor confusion had caused all these waves of concern by my shadow. He could have just come and asked me, but anyway. We brought on the legislation in the Legislative Council and we think it is right that the retirement age be extended.

I want to address a point made by the opposition spokesperson, the member for Hillarys. I have to say—I have said it before and he does not like me saying it—that I think his approach to law reform legislation is a far more practical and useful approach than that of the previous Attorney General, who now occupies the position of shadow Attorney General. I mean that sincerely. I think he is more practical and I take heart from the fact that, by way of example of my comment, I said just once in this chamber that it would be my intention to bring on the uniform Evidence Act and it was met by the response from the member for Hillarys about his involvement in bringing that on in Victoria in committee, and he encouraged me to do so.

Mr P.A. Katsambanis interjected.

Mr J.R. QUIGLEY: The member did and he mentioned that he was on a committee in Victoria.

Mr P.A. Katsambanis: Yes, and it took a whole decade for anyone to act on it!

Mr J.R. QUIGLEY: That is right, but it is not taking this government a decade, member. We have taken the member's encouragement on board and the cabinet submission is under drafting instructions at the moment. It will be under consideration in the not-too-distant future. I anticipate that it will not be embraced by the shadow Attorney General, however.

Mr P.A. Katsambanis: Are you likely to release the bill as a draft bill in order to seek comment about —

Mr J.R. QUIGLEY: Which bill?

Mr P.A. Katsambanis: The proposed uniform legislation bill.

Mr J.R. QUIGLEY: It is the uniform Evidence Act; the member knows what it is.

Mr P.A. Katsambanis: We know that, but in order to assess the savings that are required —

Mr J.R. QUIGLEY: We will introduce the bill and then we will adjourn. We will not bring it on and the member will have plenty of time to look at it. I can tell the member now that it will be the uniform Evidence Act with a couple of Western Australian carve outs; that is, section 97, which deals with tendency evidence, will be our section 31A, which was applauded by the Royal Commission into Institutional Responses to Child Sexual Abuse. At the end of it, we will tack on our protection of vulnerable witnesses provision, which the royal commission identified as perhaps the best protections in Australia for vulnerable witnesses. The member would be very familiar with the rest of it, as he came from Victoria some years ago. As I said, the member has a very practical approach to this, as opposed to the former Attorney General, who was not in favour of law reform—that was quite obvious.

This lifting of the retirement age of magistrates has been around for some time and in the life of the previous government was never attended to. That is no criticism of the member for Hillarys. Why did we get to the age of 70? That brings it into alignment with other judicial officers in this state sitting in the District and Supreme Courts, as the member for Hillarys has already noted. The member for Hillarys suggested that perhaps we could go even further and look at lifting it past the age of 70. That might be an argument or a consideration for another day. However, I do note that constitutionally, in the High Court of Australia, 70 years of age is set as the retirement age.

Mr P.A. Katsambanis: Good luck trying to change that constitution in any way.

Mr J.R. QUIGLEY: Exactly. We are in line with the Australian Constitution. Judicial officers who retire at 70 years of age go on to live productive lives post-judicial office. Just because they hit their retirement age for a judicial office does not mean that that is the end of their working life. I know that Mr Robert French, who was our previous Chief Justice of the High Court of Australia at least, is now an arbitrator. I think that our former Chief Justice in Western Australia, Mr Wayne Martin, QC, is also involving himself in arbitration, and there is also Justice John Gilmore, QC, who retired from the Federal Court of Australia. There is life after retirement, but we think it is appropriate to bring all the benches into line at this stage and we are comfortable that it is in line with the High Court of Australia.

The other matter that the member for Hillarys placed some reliance on and about which sort of said, “We’ve got it on record” was my stated intention to renew on an annual basis the appointment of those few magistrates who were caught between the ages of 65 and 70 so that they are not caught betwixt and between with the passage of this legislation and will be looked after in the same way as all the other magistrates, but on a renewable basis. The member for Hillarys said that he was pleased about that because it would look after the constituents of the member for Nedlands, and that he is glad the Attorney General for Western Australia has put that on record. This is once again a demonstration of the practical approach that the member for Hillarys takes to law reform, as opposed to the shadow Attorney General, who has hit me with a bevy of questions and criticisms that I am just rubberstamping the extension of magistrates’ appointments and not having due regard to the legislation. It is a nonsense, of course. The shadow Attorney General just wants to cavil at any point, no matter how sensible the points are. What would the shadow Attorney General want—that the few magistrates who find themselves between 65 and 70 years of age at the moment be somehow found out of work and not protected by this Courts Legislation Amendment Bill 2017? I reject outright the comments and the imputations put forward by the shadow Attorney General, and I wholeheartedly support the comments of the shadow spokesperson in this chamber that those magistrates should be supported. If the shadow Attorney General had attended to this when he was Attorney General, those magistrates would not be left exposed; this legislation would have passed a few years ago and those magistrates who are 65 to 70 years of age now would be covered by the legislation, which could have passed in any of the last two Parliaments. There are not many of those magistrates but we do want to support them. In other words, member for Hillarys, they are what we call “caught in the transitional arrangements”. We have to attend to that administratively, and we will. The act requires that I consult with the Chief Magistrate, which I do, and I reject outright the —

Mr P.A. Katsambanis: But the Attorney General needs to demonstrate some need. As I said, we know the workload of the Magistrates Court. That is not a difficult issue.

Mr J.R. QUIGLEY: We do, and the former Attorney General, who was not a reformer by any stretch—that is noted by all the judiciary and the profession in this town—is sort of picking the point on whether I am doing the right thing by extending the appointments of these people. We are doing the right thing and we are trying to be sensible with the careers and futures of these magistrates.

Perhaps I could turn to the amendment moved in the upper house by Hon Alison Xamon for the Greens. It was opposed by the government and supported by the opposition. It provided the capacity to extend the tenure of a magistrate beyond the age of 70 to the age of 75 on an annual renewal basis. We do not see the need for that in the Magistrates Court. As I have said previously, it is very seldom used in the superior courts, but it could be used in the superior courts when a long, complicated matter is going on before a judge; we would not want that matter to fall over because the judge has hit the age of statutory retirement. His tenure could then be extended to manage that particular matter. As I said before, we have some very long matters, including the Bell Group matter, before the court, although that matter, as I understand it, will not be before a judge who is about to retire. Nonetheless, in the future those circumstances may require that a Supreme Court justice or perhaps a District Court justice have their tenure extended to complete a particular matter.

We opposed that amendment for the magistrates because I, as the Attorney General, could not envisage a circumstance whereby a magistrate would hit the age of 70 and then we could not find someone else to become a magistrate. It is not as though a magistrate is going to have to be given extra time to complete a long, extended matter, because trials in the Magistrates Court last for usually three or four days at their longest, and with plenty of notice we can advertise and line up other magistrates. That has not been a problem in the past. What has been a problem in the past is that my predecessor failed to appoint magistrates on occasions when people retired. The

Chief Magistrate made this observation at the welcoming ceremony for Magistrates Mioceovich and Maclean when he said, “Unfortunately, when Magistrate Lawrence retired, the former attorney never replaced him.” He did not increase the size of the bench. He never replaced the retiring magistrate. It was noted by the Chief Magistrate that this government has, in a very timely and punctual manner, replaced retiring magistrates with new magistrates and we have also increased the size of the magistrates’ bench. We plan to do so in the future, and when we get a new magistrate—when I get the funds for another extra magistrate, we will even look at opening up —

Mr P.A. Katsambanis: When will you get the funds for an extra magistrate?

Mr J.R. QUIGLEY: I will put my bids in. Members know what we are like in these economic circumstances. I put my bids in and it all goes before the budget review committee and all that. Those bids will go in. There was no increase in the size of the bench for eight years. We have increased the size of the magistrates bench so far, we have increased the size of the District Court already and there is another judge on the Supreme Court at the moment—an extra judge is being transferred from the State Administrative Tribunal to the Supreme Court. We are working as hard as we can within our budget constraints. I cannot tell the member exactly when, but this government is committed to expediting justice—to having fast resolutions of matters. I note that in the electoral campaign of 2013, the former Premier of Western Australia said that for the sake of victims who wanted quick resolution of charges brought against their assailants, matters could not be left hanging for a year with the victim knowing they had to go to court in a years’ time, and they had to be dealt with expeditiously. The former government promised to have night courts, the Roe Street court and weekend courts.

The ACTING SPEAKER: Members, the background noise is starting to get a bit loud. If you have a conversation, perhaps take it outside so we can hear the Attorney General clearly, thank you.

Mr J.R. QUIGLEY: The former government made all these promises about night courts and weekend courts. It was very attractive to the populace that criminals were going to be dealt with expeditiously in the courts, or at least in a timely manner if not expeditiously, but no funding was set aside to employ the magistrates to do this, so this incredible court, the Roe Street court, is vacant, except for two hours on a Saturday morning and two hours on a Sunday morning. We will attend to that too, as soon as we can bring the funding forward to do it. When already serving magistrates pass the age of 65, we will not let them go. We will consult with the Chief Magistrate and renew their appointment. As people approach 70 years of age, we will advertise for a replacement and replace them in a very timely manner, which was not happening previously.

The last thing I will say about the retirement age of magistrates is that we opposed the Greens’ amendment in the Legislative Council—that is a matter of record—because we did not see the need for it. However, the Council, in its collective wisdom, decided to bring about that amendment and voted for it. After it went through, I was advised by the Department of Justice that the wording used would not give effect to the intent of what the Legislative Council was trying to achieve, so I could either remain mute and let the amendment stand, and it would be totally ineffective, or fix it up on behalf of the Council in accordance with the advice I received from the Department of Justice. I chose the latter course to keep faith with the opposition and the Greens, who wanted the amendment. Accordingly, during the debate and consideration in detail, I moved to delete the clause that the Legislative Council had put in and replace it with the clause that had been drawn up by the Department of Justice and the State Solicitor’s Office. Now this bill has to go back to the Council and I hope it appreciates the good faith in which we have gone about this amendment, which was not criticised by my friend the member for Hillarys.

Mr P.A. Katsambanis: I was not going to get between you and Hon Alison Xamon. You say that you fixed something she was intending to do. We support it.

Mr J.R. QUIGLEY: We are trying to give better effect to the intent, so we hope when the bill goes back to the Council, it can appreciate that the Assembly, on the advice of the Department of Justice and the State Solicitor, simply made the clause more workable.

Mr P.A. Katsambanis: That is the basis on which we have supported the amendment.

Mr J.R. QUIGLEY: Correct.

Mr P.A. Katsambanis: We are told that greater minds—perhaps the Department of Justice and certainly the State Solicitor’s Office—have told us that this is a better outcome.

Mr J.R. QUIGLEY: Correct, and I just hope that the Council embraces it in that way and we can get this legislation through and it does not bounce about.

The final matter was the deletion of section 31(2) of the Supreme Court Act. Section 31 generally relates to the freedom to contract regarding the rate of interest that will be payable on outstanding moneys. Subsection (1) was repealed by the former Liberal government and confirmed that it was subject to consumer law and that there was no limit on the interest a person could lawfully contract to pay. However, section 31(2) remained and provided for a cap of six per cent interest that can be awarded by any state court when the interest being sought arises out of a loan of any money or other contract and when the interest has not been agreed upon between the parties.

Subsection (2), which we are now deleting, had its origins in the law against usury, which is the practice of lending money at unreasonably high interest rates. The general premise behind the provision is fairness. The intent has always been to give a judgement creditor a fair rate of interest.

Removing section 31(2) of the Supreme Court Act will have the practical effect that the award of interest by any state court in cases that were covered by section 31(2) will now be dealt with under the usual interest award provisions of the relevant court for prejudgement interest, and I will just explain that. By way of background, it is important to note that the award of interest is an integral part of the attainment of the object of damages—namely, to compensate the plaintiff for injury sustained. Hence, an award of prejudgement interest is compensatory in character. It could be argued that statutory provisions for interest serve not only that purpose, but also the purpose of encouraging early resolution of litigation. The policy is that although a guide is provided to the courts, the courts should retain discretion to take into account the interests of justice. The court could, for example, consider the conduct of the parties and the appropriate compensation in the circumstances of the case.

Taking into account these factors I have mentioned—fair compensation to the plaintiff, the necessity of discretion and providing a guide to courts—there is no longer a need for a specific distinction between interest for the loan of money or other contracts and interest in any other proceedings for debts and damages. The same factors apply to all these cases. The legal advice obtained was that this section should be repealed. The effect of the proposal of the deletion of section 31(2) will be that prejudgement interest will be determined in accordance with the legislation for the applicable jurisdiction. When matters are pending before the court, section 31(2) will no longer apply at the date of proclamation of the deletion. For example, if interest under a contract has not been agreed and is to be considered by the Supreme Court, section 32 of the Supreme Court Act 1935 would apply. Order 36, rule 20 of the Rules of the Supreme Court 1971 provides that when calculating interest for the purposes of section 32 of the Supreme Court Act, the court may, as a guide, use the rate of interest prescribed from time to time for the purposes of section 8 of the Civil Judgments Enforcement Act 2004 of Western Australia. The section 8 rate is at present six per cent. Therefore, section 32 gives the court discretion in relation to awarding interest. However, this discretion is guided by reference to the fixed rate of interest of six per cent. The Magistrates Court (Civil Proceedings) Act 2004 contains a similar provision to those in the Supreme Court Act on prejudgement interest. These are contained within section 12 of that act, which provides, amongst other things, that if the court gives a judgement in favour of a claim of money, including debt, damages or value of goods, it may include in the judgement some interest at a rate decided by the court on the whole or part of the money for the whole or part of that period. Therein lies the complete rationale for the deletion of section 31(2) of the Supreme Court Act. I commend the bill to the chamber.

Question put and passed.

Bill read a third time and returned to the Council with an amendment.

GAMING AND WAGERING LEGISLATION AMENDMENT BILL 2018

Second Reading

Resumed from 10 October.

MR A. KRSTICEVIC (Carine) [11.31 am]: I look forward to continuing my contribution from yesterday on the Gaming and Wagering Legislation Amendment Bill 2018. I again restate the wonderful job that the 503 lottery outlets out there have done in growing the lottery pie and assisting in making Lotterywest a successful organisation. Likewise, the Totalisator Agency Board agents, through their contributions over many years, have made gaming and wagering successful in this state by helping wagering and gaming grow throughout Western Australia and contributing to the success of that industry. I note that in response to a grievance today, the minister indicated that as a result of these changes there was an opportunity to buy them out, if they wanted to get out, with the government offering up to \$100 000.

Mr P. Papalia: If they were compelled to close within three years.

Mr A. KRSTICEVIC: If they were compelled to close, as opposed to their business being eroded down to being worth nothing. They get nothing if their business is eroded or becomes worthless.

Mr P. Papalia: In 2016, the measure they had for a buyback in the past ended, so they get nothing at the moment, unless we reinstitute this.

Mr A. KRSTICEVIC: Considering that there is a point-of-consumption tax of 30 per cent—a 30 per cent share is going to the industry—we need to ensure that the agents do not get left behind and are treated with the same level of respect as others in the industry. They need to be given due consideration for making this industry what it is today. They should not be left behind, because the blood, sweat and tears of the mum-and-dad businesses has supported this industry.

The second reading speech talked about implementing —

... the McGowan Labor government's policy of supporting a strong and sustainable racing industry and responsible gambling practices in Western Australia.

Further down it states —

This provision futureproofs our state against undesirable products or wagering activities so that these can be managed more easily in the future, without the need to amend legislation.

I was listening to Gareth Parker on the radio this morning and he started talking about something called Trackside, which one could describe as a poker machine. Those who do not want to call it a poker machine would say it is an electronic gaming machine. At the end of the day, we hear that the McGowan government is now looking to expand poker machines out to our betting agencies and our clubs and pubs by introducing Trackside into the TAB equation, if we believe what we hear. I also listened on the radio to the assistant secretary of the Community and Public Sector Union–Civil Service Association of WA, Rikki Hendon, who talked about a slippery slope to pokies being undertaken by the McGowan government.

Mr M. McGowan: If you accept that argument, you accept that church raffles are as bad as poker machines.

Mr A. KRSTICEVIC: We have had a strong bipartisan belief in this state —

Mr S.K. L'Estrange: Do you think Trackside is like a church raffle?

Mr M. McGowan: It is his argument.

Mr A. KRSTICEVIC: I am not sure how a church raffle comes into the equation of a pokie. We have long had a bipartisan approach in this state of not having pokies outside the casino. Now all of a sudden the Premier is happy to have pokies in clubs and pubs around Western Australia.

Mr M. McGowan: What?

Mr A. KRSTICEVIC: Just to give an example, there is a TAB outlet —

Point of Order

Ms R. SAFFIOTI: The member for Carine cannot just make those claims in this place. He cannot make incorrect claims.

Mr S.K. L'Estrange: What is the standing order?

Ms R. SAFFIOTI: It is the standing order of actually telling the truth in this place. Members cannot just stand up and say whatever they want, without being checked.

Mr S.K. L'ESTRANGE: I would like the minister to clarify the standing order on which she is making the point of order.

THE ACTING SPEAKER (Mr I.C. Blayney): We do need a standing order to have a point of order, I think. In the absence of a standing order, I am afraid I cannot allow that point of order. You may carry on, member for Carine.

Debate Resumed

Mr A. KRSTICEVIC: Thank you, Mr Acting Speaker.

[Member's time extended.]

Mr A. KRSTICEVIC: When I was listening to the radio this morning I heard Gareth Parker and Rikki Hendon, the assistant secretary of the CPSU–CSA, who was outraged by what this government is doing. She talked about what she referred to as animated horse and greyhound racing, which later on was obviously referred to as poker machines. What we are talking about now is the incremental movement to poker machines in our clubs and pubs. The reason I say “clubs and pubs” is that I can look at North Beach Bowling Club in my electorate as an example. North Beach Bowling Club is an agent for the TAB. According to the information I was given this morning, that club would be able to introduce poker machines if it wanted to.

Mr P. Papalia: What information?

Mr A. KRSTICEVIC: That is according to what I was listening to on the radio; I was listening to Gareth Parker and the assistant secretary of the CPSU–CSA on the radio. They talked about Trackside electronic gaming. The reason I mention that is not because the Labor Party is looking to introduce poker machines throughout Western Australia by stealth and with an incremental approach; I mention it because this is another attack on Lotterywest. The government is introducing more gambling opportunities. There is only so much money in the gambling pie. The government now wants to take some of that pie and put it into these automated machines. A member of the public told a story on the radio about when they lived in New South Wales. They were having a bucks' night at one of these pubs and Trackside was available there. He said that one of the horses, horse number 11, was called Bucks' Night. They were on a bucks' night, so they all decided to put money on this horse called Bucks' Night. They were there for a bucks' night, so why not? He told the story on the radio.

Mr P. Papalia interjected.

The ACTING SPEAKER: Minister! I am actually following with interest the comments of the member for Carine.

Mr P. Papalia interjected.

The ACTING SPEAKER: Minister, the Acting Speaker is on his feet! I would appreciate it if I could hear the member for Carine without interruption.

Mr A. KRSTICEVIC: This gentleman said that they were putting money on 11. The odds were worst on 1, best on 12, and good on 11.

Mr D.A. Templeman: What was 11 called?

Mr A. KRSTICEVIC: It was something like “Bucks’ Night”.

The bottom line is that they tried to put bets on 11, and guess what? They were told, “We’re not taking any more bets on 11. You have to bet on some other horse. You can’t bet on 11; we’ve reached a limit.” But this is a machine that knew that 11 was going to win the next race. The people running this electronic machine knew that 11 was going to win. Everybody who came up to bet on this Trackside machine was told that they could not bet on 11. They were told, “You can only bet on the other losing horses. You’re not allowed to bet on the winning horse. We’re not taking any more bets on the winning horse.”

Mr P. Papalia: Where was this?

Mr A. KRSTICEVIC: In New South Wales, as I said. This is Trackside electronic gaming.

Mr S.J. Price: Who won though?

Mr A. KRSTICEVIC: Number 11 won! That is why it would not take any more bets on it.

They were not allowed to put any more bets on 11. Of course 11 won, which is why they were not allowed to take any bets on it. Trackside is encouraging people to gamble on a losing horse. The winning horse is not available to bet on, only the losing horse. That is another attack on Lotterywest, because it is another gaming opportunity. We have had a bipartisan approach on pokies and all of a sudden, by stealth, the Labor Party is now pushing for pokies in clubs and pubs. Again, the Community and Public Sector Union—Civil Service Association of WA—I assume government members know those people and are their supporters—is not very happy with what the government is doing. It is not happy about the government selling the TAB either. It is not happy about the Labor Party backflipping on the sale of the TAB.

Mr J.E. McGrath interjected.

Mr A. KRSTICEVIC: I support it.

Mr J.E. McGrath: Vote against it.

Mr A. KRSTICEVIC: No, I support selling the TAB. That is irrelevant. It should have been sold during the last government. At the end of the day, if the government wants to introduce pokies —

Several members interjected.

Point of Order

Dr D.J. HONEY: A speaker has a right to be heard in silence.

The ACTING SPEAKER (Mr I.C. Blayney): I am sorry. Ministers, I will have to call you to order if you do not stop interrupting the member for Carine.

Debate Resumed

Mr A. KRSTICEVIC: I think that this legislation is fake. The second reading speech is fake, because it says that the bill is about responsible gambling practices and futureproofing bodies such as Lotterywest, when in fact it is attacking Lotterywest by wanting to introduce poker machines. The government is also attacking the community at heart, because gambling is a problem and the Western Australian Council for Social Service has come out saying, “You know what? You’re going to sell the TAB and that is great. You’re going to do all these things—fantastic. How much are you going to put back into problem gambling?” I will tell members how much it is going to put back into it—it is going to introduce Trackside. The government is going to give more opportunities to bet in between races so that when people are not betting in one place, they can bet somewhere else. I hope that this is not true. I hope that we are not at the stage at which poker machines are going to be introduced across the length and breadth of Western Australia and that this has not started us, according to the CPSU—CSA, down that slippery slope of poker machines. Like I said, if members think what Rikki Hendon said was wrong, then by all means attack Rikki. I can only rely on the advice and information I hear. If members opposite think Gareth Parker is wrong in having brought this story to the attention of the Parliament, we need to know that.

Obviously, TAB agencies are being left behind in all of this. Everybody else seems to be a winner except the small business operators, the TAB agents. They need to be given a fair cut as well and to be looked after; it is very important. Likewise, as I mentioned earlier, as this government stealthily moves towards online sales, it is taking away from lottery and newsagency businesses. Let us not forget that Lotterywest and TAB agencies are the reason these areas have been successful for so many years; it is because these outlets have been providing a service, building and growing the industry, and contributing back to the community. Now, because there is a different, easier way to make money, the government is looking at cutting them out and not giving them their fair share.

Like the racing industry, lottery agents also need to get a share of online sales. They also need to get something back; I am sure that is easy to do. If not, the agents need to be lobbying hard now and saying, “You’re going online. We raised online sales from \$66 million in 2016–17 to \$81 million 2017–18.” The government will be taking business away from those small business operators. The more this government invests in this area, the more people will go online. It wants everybody to go online if they can. I am sure that is exactly what it wants. The government would prefer every single Western Australian to go online for Lotterywest gambling. If they do that, all of these agents will lose out. Will they be looked after? No. The government will say, “Bad luck, the world has changed and circumstances are moving on. I know we built the industry on the back of your hard work.” Just like the TAB agencies, they need to be looked after and supported as well. The minister said that they will get \$100 000 maximum. It does not matter how much they paid for it and the government does not really care, but the rest of the industry will get a fortune. It will receive 30 per cent of a 15 per cent share, which will grow, and that is fantastic; I have no issue with that. They have this pie that can become massive if they innovate and grow their business and their share of the pie. They can become very successful and I have no issue with that. However, what about the agencies—the backbone of this whole collection system of gambling? They have been there for so long but they will get only \$100 000 within the first three years.

Mr P. Papalia: Do you want me to answer you?

Mr A. KRSTICEVIC: I am sure the minister can do that at the consideration in detail stage, if that is appropriate, or during his speech in reply to the second reading debate.

Mr P. Papalia: You’re better off just not speaking to us, it’s embarrassing.

Mr A. KRSTICEVIC: That is okay. The minister says that all the time; that is his standard line.

Like I said, if Gareth Parker does not know what he is talking about, and the minister wants to criticise Gareth Parker and the assistant secretary of the CPSU–CSA then that is fine. I can only rely on the information I hear from them and the stories of people who call into radio programs.

Mr P. Papalia: Is that all you can rely on?

Mr A. KRSTICEVIC: For this particular event, that is what I was able to hear. I did not know what Trackside was before today. I found out about that this morning. There was a lot of debate on the radio this morning. Obviously, the minister wants to shut down that issue as quickly as possible, and that is great. If it is not going to happen then get up and say, “We’re not going to have Trackside, we’re not going to have poker machines in the TABs and we’re not going to have poker machines in North Beach Bowling Club as part of the fundraising opportunities

Mr P. Papalia interjected.

The ACTING SPEAKER: Thank you, minister

Mr A. KRSTICEVIC: That is okay. If Trackside is not being introduced, if the government is not introducing poker machines by stealth, if Gareth Parker and Rikki Hendon are wrong and if the people who phoned in are wrong, that is great. I would like to be corrected when I see what happens in the future, and if it does not happen then that is okay. I want to stand up for newsagents, TAB agents, the industry and Lotterywest, and I want to make sure that we have responsible gambling practices, that the industry is protected and that the community benefits and that as a society we are getting value out of this. That is all I want; that is all I care about. As long as that happens, I do not care about the minor details around it, but I want to see that happen.

DR M.D. NAHAN (Riverton — Leader of the Opposition) [11.48 am]: I would like to say a few things on the Gaming and Wagering Legislation Amendment Bill 2018 and relate it to other announcements made on the gambling sector this week. This is an illustration of one of the worst examples of gross hypocrisy by the McGowan government. We are dealing with a bill that is consistent with the long-held bipartisan policy of Western Australian governments going back to the 1980s to restrict, relative to other states, access to gambling products. We restrict them largely to the casino. That was a policy held by all governments until now. That is a decision that the community strongly supports. The TAB is an important institution that supports a very important industry that employs thousands of people. In government, we struggled with the future of the TAB with the aim not only of protecting and sustaining the products that —

Point of Order

Mr P. PAPALIA: I am not sure whether the Leader of the Opposition understands which bill is being debated. I am referring to relevance—standing order 94. I am not sure whether the Leader of the Opposition understands the nature of the bill being debated. It has nothing to do with the sale of the TAB. The sale of the TAB is not part of what this bill covers. This bill has nothing to do with the sale of the TAB. That is the only subject that the Leader of the Opposition is addressing.

Mr S.K. L’Estrange: What’s the standing order? Make the point and sit.

Mr P. PAPALIA: I have made my point. It is irrelevant. You are a fool!

The ACTING SPEAKER (Mr I.C. Blayney): There is no point of order. The Leader of the Opposition has spoken for one minute. He has a lot longer than one minute to make his case.

Mr S.K. L'ESTRANGE: Point of order! The minister made an unparliamentary mark to me as manager of opposition business while I was actually calling him to order on asking what standing order he was referring to so it could be referred on to you, Mr Acting Speaker. He used an unparliamentary term and I ask him to withdraw.

The ACTING SPEAKER: I did not hear the comment. If the minister made an unparliamentary comment, I ask him to withdraw it.

Mr P. PAPALIA: I withdraw calling the leader of opposition business a fool.

The ACTING SPEAKER: I would rather not know what it was.

Debate Resumed

Dr M.D. NAHAN: The second reading speech states that the essence of this bill is as follows —

... Labor government's policy of supporting a strong and sustainable racing industry and responsible gaming practices in Western Australia.

Mr P. Papalia interjected.

Dr M.D. NAHAN: He is trying to disrupt me because he does not want to address the hypocrisy that he is leading—gross hypocrisy!

This is an important issue that we have been dealing with—that is, regulating gaming and gambling in this state. It is a very important. We have had a bipartisan policy of both restricting the access to gambling, trying to find a future for the TAB, and also sustaining Lotterywest, which is the essence of this bill, we understand. They are all related. It is a very important piece of legislation and one that the community is really concerned about. It does not want the expansion of gambling in this state, either explicitly or by stealth. That is the essence. This bill proposes to do that. The second reading speech states —

... the McGowan government continues to support initiatives —

This is supposed to be one of them —

that will minimise harm caused to people through gambling and in this regard the amendments will address concerns relating to undesirable betting products ...

That is what second reading speech says. The rhetoric around it is to protect Lotterywest from competition from outside lotteries or other gambling products. Other members have spoken about whether Lottoland is actually coming in. What are the other products the government is supposed to be protecting Lotterywest from? During the consideration in detail stage, we will ask what this bill is supposed to be doing; we will go through this.

This week the government also addressed a potential expansion of gambling, which is something that it was virulently and strongly articulating against less than two years ago. In the process, Labor was against the sale of the TAB over and over again. One person was elected to this house largely on her campaign. Belmont Community Group president, Cassie Rowe, who is now the member from Belmont, condemned any privatisation of the TAB. On and on, Labor was against privatisation in the community.

Point of Order

Mr P. PAPALIA: Standing order 94 requires the speaker to be relevant to the bill being debated. Nothing in this bill is about the sale of the TAB. This is entirely irrelevant.

The ACTING SPEAKER (Mr I.C. Blayney): I do not see your point of order. It is the second reading debate. Although it addresses the bill, it can go wider than is the case with other speeches.

Mr P. Papalia: He's attacking another member about a different matter.

The ACTING SPEAKER: I do not want to discuss it. I do not see a point of order.

Debate Resumed

Dr M.D. NAHAN: We are dealing with amendments to the gaming and wagering legislation. I go back to the minister's second reading speech; it reads —

... the McGowan Labor government's policy of supporting a strong and sustainable racing industry ...

The TAB is part of that. It is very clear. I know the minister does not want to talk about it because hypocrisy writ large is painful for him, but we are going to pursue this. Labor campaigned against privatisation of the TAB—with a caveat. We are not hypocrites; we will be honest. During the campaign, it said that it would consider the sale of the TAB if the industry supports it. Labor did its best in opposition to inhibit industry from supporting it. One of the requests from industry to augment the sale price and the money that would be redistributed to them and the government was to expand the remit of gaming products. Labor was clear on that; I will quote its leader. The ABC

revealed in 2016 that the previous government was considering allowing a gaming machine expansion. Let us be honest—what is Trackside? It is an electronic game that simulates racing between dogs and horses and has no relation whatsoever to do with the racing industry—none! These electrons bouncing around in the screen have no relation to reality in the racing industry. It is a gaming machine! Everyone knows it. It is widely used in the eastern states, where they have a gaming machines in pubs and clubs. The hotel and gaming industries have been pushing and lobbying successive governments for decades to expand the remit of gaming machines in pubs and clubs. They then went to Keno and have now gone on to Trackside. I have been informed that the New South Wales government went out for tender for Trackside. Not surprisingly, TAB won the tender. It has a great deal of control and dominance in the industry around Australia. It will probably be one, if not the only, bidder for the Western Australian TAB. It paid \$150 million up-front for the monopoly right to administer Trackside in New South Wales. When responding to the member for Carine, the minister said it was just like a church raffle. Paying \$150 million up-front is not a church raffle! If that is calculated, it is about \$150 million to \$200 million worth of additional gambling expenditure in this state.

Mr J.E. McGrath: Over the long term.

Dr M.D. NAHAN: No. Per year—to justify \$150 million up-front.

Mr J.E. McGrath: It's a one-off fee over a long period.

Dr M.D. NAHAN: Yes. It is an introduction of a new gambling device and a significant expansion in the remit. In 2016, the now Premier said about the introduction of Trackside —

“All that will mean, is more people will pour their money into those machines, ... particularly those on pensions, and those who can least afford it, will lose money,” Mr McGowan said ...

“It brings some of those social ills, in particular gambling addictions and the like that we've seen in New South Wales, Victoria, and Queensland now for decades to Western Australia.

“It is a very, very disturbing development and I oppose it absolutely.”

That is what the now Premier said. Now he wants to bring it in. The now Premier went to the election and tried to undermine the efforts of the previous government in dealing with the future of the TAB. The future of the TAB is a very important issue. He said he would support it only if the industry supported it. When the industry put forward Trackside, it said that it would augment its revenue, because more money would be put into transactions. The now Premier made his views absolutely clear. He said he absolutely opposed the introduction of Trackside.

When the Premier and the Treasurer spoke about the sale of the TAB, they did not mention Trackside to us in this house. The Treasurer said there are three aspects to this process—a capital fund, an increase in the betting tax, and a fixed amount that will go into the industry. Those things are all very good. However, the Treasurer did not mention the expansion into this state of Trackside. The industry has been wanting that for years, and I can understand why—it will create more activity for TAB outlets and bring in more money. The TAB is a struggling industry. It is facing competition. The government has brought in a bill to prohibit new entrants in the gambling market and to restrict competition for Lotterywest. Trackside is a gambling device. Gambling is gambling, just like drinking liquor is drinking liquor—it may be vodka, and, if a person cannot get vodka, they can get whisky; if they cannot get whisky, they can get beer; and, if they cannot get beer, they can get wine. They all interrelate. Trackside will compete with lotteries and with Lotterywest.

This bill will give the government the power to prohibit new entrants, particularly from interstate and overseas, and new products, on the basis that they will compete with Lotterywest. At the same time, the government has announced that it will allow the introduction of a new product that will compete with Lotterywest. The government is seeking to introduce powers to place prohibitions on gambling, and at the same time it is seeking to expand gambling. Who will benefit from the introduction of Trackside? There is no doubt that more money will be poured into the industry and that whoever buys the TAB will have a new product to sell and get more revenue. That is the objective. Gaming machines do the same thing. We understand that Trackside is being pushed strongly by Tabcorp, which is the dominant player in the industry and the likely purchaser of the TAB. Trackside is operating in New South Wales and elsewhere. This is something that Tabcorp has pushed onto the government. We know that, and the government knows that. This is a sweetheart deal. In exchange for Trackside, the industry will support an increase in the betting tax of up to 15 per cent. If the industry is given a larger remit for gambling, it will tolerate a higher tax rate. In other words, the industry will be willing to share some of the revenue with the government. The government needs to be honest. This money will come out of the pockets of householders. It will be buckets of money. This deal will also increase the value of the TAB to the government, because if the TAB gets a large share of the additional money from Trackside, the government will get a higher price from the sale of the TAB. The Labor Party campaigned against privatisation and the sale of monopoly assets. The TAB is a monopoly asset. The Labor Party also campaigned against the expansion of gambling. However, that is exactly what the government is doing in this bill. That is gross hypocrisy. Down the track, when we finally come to some legislation —

Mr P. Papalia: That's what we're talking about.

Dr M.D. NAHAN: No. We are not going to allow the government to slip this under the carpet. This is what the government is trying to do. The government came up with a policy, and it is now bringing in the legislation, a year later. That is gross hypocrisy. The government is trying to avoid accountability. When the member for Carine said that this is an expansion of gaming, the minister said no; it is related to a church raffle. It is an expansion of gaming.

Mr P. Papalia: Who said that?

Dr M.D. NAHAN: The minister did. Trackside is a new gambling device. The minister did not mention it in Parliament, but outside he said he is going to consider the request from the industry to expand to a new product called Trackside.

Mr P. PAPALIA: Yes, but what does that have to do with a church raffle? I don't know what you're talking about.

Dr M.D. NAHAN: The minister has selective hearing, because he and his party have been gross hypocrites on this issue. We are holding the government to account on this issue.

The ACTING SPEAKER (Ms M.M. Quirk): Minister, I think the member talked about the Treasurer saying something, rather than yourself. Maybe if you did not interject you would be able to listen a bit more intently.

Mr P. Papalia: I was actually responding to his question.

Dr M.D. NAHAN: We are dealing with a bill in which the government is attempting to restrict the growth of gambling services in this state and protect Lotterywest.

Mr P. Papalia: Yes.

Dr M.D. NAHAN: At the same time, the government is proposing to bring in a new source of gambling that will compete with Lotterywest. That is what the government is doing. Admit it. It is obvious. The question that we will be asking during consideration in detail is: will the minister, in the regulations, ban Trackside, on the basis that banning Trackside fits exactly the purpose of this bill?

Mr P. Papalia: No, it does not.

Dr M.D. NAHAN: Yes, it does. It is a new betting service that will come into this state, probably administered from Melbourne, which is where Tabcorp is based. The expansion of that new service throughout the pubs and clubs of Western Australia will compete with the services offered by Lotterywest. That is exactly what this bill is about. It is about giving the minister the power—not, I might add, the Parliament.

[Member's time extended.]

Dr M.D. NAHAN: The question is: if the government does not use this power to prohibit Trackside —

Mr P. Papalia: We won't.

Dr M.D. NAHAN: Then what is the government going to use this for? Is it only for businesses that pay the government money? The government is going to create the right for a new gambling service to operate in this state, and it will then sell that service as part of the sale of the TAB. A lot of money is involved. In New South Wales, it is worth \$850 million. The New South Wales government sold the monopoly right to administer Trackside in New South Wales to Tabcorp for \$150 million.

Mr P. Papalia: You said \$850 million.

Dr M.D. NAHAN: No, I did not. I know the minister is a bit confused. The reason Tabcorp is able to pay for this is that gamblers are paying for it. The money does not come from a printing press. Tabcorp is willing to pay \$150 million because in net present value terms it expects to get a \$150 million clean profit from that business.

If we calculate that into sales, that will be an additional \$150 million that will come from punters in Western Australia—if they use the same transaction.

Mr P. Papalia interjected.

Dr M.D. NAHAN: I know the minister is trying to deny this will happen. The point is that the government has introduced legislation to this house to seek the right to prohibit additional gambling devices on the basis that this will be an aegis for Lotterywest. At the same time, the government told us and the community that it will introduce Trackside, which does exactly that.

Mr P. Papalia: No!

Dr M.D. NAHAN: Yes, it does. It is a new gambling device, probably administered from a firm in Sydney, New South Wales, that takes money from gamblers—it is a gambling product—and competes, obviously, with Lotterywest.

Mr P. Papalia: Do you want to know what Trackside will be in WA?

Dr M.D. NAHAN: We will go through this in the consideration in detail stage. The minister has told us little about Trackside. He has been trying to hide under a rock on Trackside.

Mr P. Papalia: I want to tell you, but you won't let me tell you.

Dr M.D. NAHAN: We will go into the consideration in detail stage, minister. When the minister responds to the second reading debate, he can tell us that, and we can scrutinise it in detail.

Mr P. Papalia: There's nothing in this bill that enables you to talk about what you're talking about, so I can't in consideration in detail.

Dr M.D. NAHAN: The Speaker has repeatedly resolved that issue. I know the minister does not like to talk about these issues —

Mr P. Papalia interjected.

The ACTING SPEAKER (Ms M.M. Quirk): Minister, you have the opportunity to respond at the conclusion of this debate. Continuing to interject, as you well know, is disorderly.

Dr M.D. NAHAN: The minister has to answer a couple of questions. First, why will the prohibitions under this bill not apply to Trackside? The minister has to tell the Western Australian public and members why the prohibitions will not apply. How are Trackside and other potential new competitors different from Lotterywest? That is what this bill is about. The bill does not mention any specific competitor, or any betting agency, device or service, but the bill gives the government a gamut of powers to prohibit such entities, and there are some problems with that. If a new device comes in, what is the basis for prohibiting some, like Lottoland, but not Trackside?

Mr P. Papalia: Because it's the TAB.

Dr M.D. NAHAN: But it does not exist in the TAB now. That is the minister's point: he is selling the TAB. Currently, the TAB does not have Trackside. The government will give the purchaser of the TAB a new power to have Trackside products.

Mr P. Papalia interjected.

The ACTING SPEAKER: Minister, you have been repeatedly warned. I call you for the first time.

Dr M.D. NAHAN: The TAB does not have the power to sell Trackside products right now. We are considering selling the TAB. Trackside has no relationship with the racing industry. The horses and dogs on the screen are fake; they are electronic creations. They do not relate to races, real animals or the real industry at all—there is no relationship. It is a new gambling entity. I readily accept that in the eastern states Trackside is available widely, as are gaming machines. I am not an anti-gambling warrior; I just want consistency here. I know that hypocrisy is rife here. The government is putting forward legislation that it says will prohibit Lottoland and maybe others, but it is introducing Trackside. I want to know why Trackside does not fall under the prohibitions in this legislation in front of us. How will we decide what is covered? The minister's retort was that it is because we are selling the TAB. The TAB—the entity that the government is selling—does not have the power to levy or use Trackside. That will be a new right sold with the TAB, but it is not a part of it.

Essentially, the government is trying to have it both ways politically. It is trying to prohibit what it wants and expand what it wants. The government's issues with Lottoland are largely about money; it does not want Lottoland to compete with Lotterywest, because Lotterywest, essentially, is a government agency that brings money to the Western Australian community and, of course, to the government; it funds a lot of government health education and other activities. We are not against that. At the same time, the government is proposing to sell the TAB and to allow it to expand Trackside, which will augment the value of the TAB, and the government will pocket that additional money. Is the government's policy about what is prohibited based on who pays? If an entity pays the government enough for a right to a new gambling device in this state, is that enough to avoid the prohibitions? Is it all about money or is it something else? On what principles will the government prohibit a gambling entity? The bill does not give any indication of that; it just gives the minister the power and the regulations will come later. I am sure we will look at those regulations in the upper house. We will look at the regulations to make sure that they are objective and can be applied to all devices, irrespective of the money paid to the government of the day. Until we have those regulations, the Trackside deal may get caught up whether or not the government likes it.

Particularly because the new legislation will prohibit these new entities, we need the minister in his reply to this second reading debate, or in the consideration in detail stage, to explain what Trackside is, how much it will raise, what its remit is and who can use it. We were provided with some data in the detailed briefing note provided by the minister, but we will explore it in detail. I go back to the principle here: for decades we have had a bipartisan position to restrict the expansion of gambling in this state and to restrict a whole raft of gambling devices to the casino and to the racing industry. It appears to me that Trackside potentially would be the largest expansion of gambling in this state since the introduction of the casino in the 1980s. This goes against it. We are debating legislation that attempts to stop exactly that—the expansion of gambling with new competitors and devices.

The minister needs to explain. He is trying to say that this legislation has nothing to do with Trackside because it is part of the TAB decision on which the government has not made any statements and which will not be dealt with for a year, but it does. We need to know why and how this bill will react to Trackside or any other entity or device. We also need to know the criteria under which the regulations were determined and what will be prohibited. Will gaming machines in TAB outlets be allowed if they give the government enough money? Will other online gambling services be allowed if they give the government enough money, like Trackside does? This is a really important issue and one that the community wants to hear from the government on. The community does not trust the government because it has been a bleeding hypocrite on this issue. Members opposite went to the election promising not to do this. I will go back to the quote from their grand leader, who made his views on Trackside abundantly clear. The introduction of Trackside was considered and mooted by us, and pushed by the industry as an option. I quote the Premier —

“All that will mean, is more people will pour their money into those machines, ... particularly those on pensions, and those who can least afford it, will lose money,” Mr McGowan said ...

“It brings some of those social ills, in particular gambling addictions and the like that we’ve seen in New South Wales, Victoria, and Queensland now for decades to Western Australia.

“It is a very, very disturbing development and I oppose it absolutely.”

Why are members opposite doing it? Why are they introducing Trackside when they swore they would not do it because of the social evils that it will impose on our community? Members opposite need to explain to the public of Western Australia why they are allowing, in the context of a bill put forward to explicitly stop it, the largest expansion of gaming and gambling in this state since the introduction of the casino back in the 1980s.

MR Z.R.F. KIRKUP (Dawesville) [12.20 pm]: It gives me pleasure to join the opposition—the member for South Perth, the member for Carine and the Leader of the Opposition—in speaking to the Gaming and Wagering Legislation Amendment Bill 2018. I will make my contribution brief because I have some lunch guests from the WA Mums Cottage in Mandurah who have been waiting downstairs since noon. I apologise if I am not here for the minister’s response to the second reading debate.

Mr J.E. McGrath interjected.

Mr Z.R.F. KIRKUP: I think they are all solid citizens, member for South Perth.

I have to say at the outset that I am not much of a gambler at all. I am not someone who goes to the races and gambles or places a bet. I bought a lottery ticket once in my life. I lost 25 bucks and I was done! I understand the draw of it; a lot of my mates gamble online, on their phones. I realise that this legislation reflects a concern of the state government, reflected by the commonwealth government, about the rise of the digital disruption that has come about through the online betting exchanges that exist. Lottoland is one that has been mooted in this chamber before. I find this legislation a bit thin. I am a bit surprised that the minister is bringing something like this to the house because, for the most part, I think the changes to the Gaming and Wagering Commission Act and the Betting Control Act are reflected in the legislation that has been introduced in the commonwealth Parliament. The minister is shaking his head; I look forward to hearing his response on that.

Mr P. Papalia: I’m scared to speak, but you are wrong.

Mr Z.R.F. KIRKUP: Sure; I appreciate that. I think it is important that —

The ACTING SPEAKER (Ms M.M. Quirk): Minister, are you canvassing the ruling of the Acting Speaker?

Mr P. Papalia: No!

The ACTING SPEAKER: Thank you.

Mr Z.R.F. KIRKUP: The minister’s second reading speech states that the bill will —

... complement the approach of the commonwealth and enable an immediate response to future undesirable betting products entering the public domain ...

Further, the second reading speech also mentions that the provisions in the bill will futureproof —

... our state against undesirable products or wagering activities so that these can be managed more easily in the future, without the need to amend legislation.

I welcome governments having a flexible approach to digital disruption. When things like this arise, there needs to be flexibility in government. So often, it takes a long time for state governments—here and in other territories and states across the country—to respond to issues that they see arising. The concern I have is that when we talk about this futureproofing and the “undesirable products or wagering activities”, we in this place all know that it is virtually impossible to govern the internet. If these online exchanges are operating in foreign countries or places where they are legally allowed to operate, it is very, very difficult for any government to legislate against it here because they simply have no power to do so. What I see occurring with the amendments to the Gaming and

Wagering Commission Act is that we are basically making it so that the demand side is restricted and defined. If someone is on their phone or doing it online, a citizen of Western Australia can be fined and someone who offers that service here can be fined and jailed for up to a year. However, I find that very difficult to be able to respond to in a legislative capacity if we are trying to respond to a digital product that is being offered in the Netherlands, for example. It is very hard for the state government to respond to that. I think we have to be very clear-eyed and pragmatic about the rise of these digital products and the digital disruption that is happening now.

The member for South Perth spoke about this in his initial contribution; the rise of these digital products is very pervasive. As I said, it is not something that I participate in at all, but often the conversation amongst my mates is that they have three or four apps on their phone and they are constantly engaged in using betting products. Often, they are no longer bricks-and-mortar businesses. As part of the digital transition, I suppose, away from bookies, as it were, to online platforms, the same is happening with lotto. The member for Carine asked question on notice 3632 —

The ACTING SPEAKER: Member for Vasse, you just walked in front of the member who was speaking. Continue, member for Dawesville.

Mr Z.R.F. KIRKUP: Regarding the transition from customers to a more digital focus, the member for Carine asked in question on notice 3632: In respect of Lotterywest ticket sales for the last five years, what was the total revenue collected via online sales? Online sales revenue in 2013–14 was about \$32.2 million. Some five years later in 2017–18, it is more than \$81 million. That is nearly \$50 million worth of growth in the industry in five years. That is very significant. The concern I have is that we are amending this legislation now to control undesirable products or wagering activities in the future. I appreciate that, but I think this was a good opportunity for this minister to add something of substance for the Lotterywest kiosks or outlets that operate in bricks-and-mortar businesses. They do not see any share of the revenue collected online. That is a real concern.

I have four such outlets in my district: newsXpress Halls Head, Halls Head Newsagency, Erskine Lotteries and Newsagency, and Miami Newsagency, Falcon, which is just across the way from my electorate office. Those four outlets do not see any share of the revenue collected online. This was a very good opportunity for the minister to have a look at that part of the legislation and introduce some amendments so that these outlets that operate bricks-and-mortar businesses in a heavily regulated environment that the government still owns, in large part, could see a share of online sales. I think it is very unfortunate that what we see here is effectively some complementing of the commonwealth legislation, which is probably where it is more relevant—in a national jurisdiction.

Some changes are being made for raffle tickets and, by the minister's own admission, there are some smaller, minor technical amendments. The minister had an opportunity here to do something of real substance to help Lotterywest kiosks and outlets throughout Western Australia and he failed that mark. I find it interesting for a man of his calibre and a minister of his nature, who is very experienced and was very well qualified in his history before coming to this Parliament—he served two tours of Iraq, was with the United Nations, got a Conspicuous Service Cross and served 26 years in the Navy; he has a very extensive history of achievement and service to this state—that when we translate that into a ministerial capacity, he has fallen so short. He has not tried to take on the very challenging issue of making sure that online revenue could be shared fairly and equally to other bricks-and-mortar Lotterywest kiosks, like the four that exist in my electorate. I find it very disappointing that the minister failed to take on that challenge. I find it very disappointing that he, again, failed to do anything of substance in this legislation he is bringing before us in this place.

I look forward to the consideration in detail stage, not for all the reasons that the Leader of the Opposition went through, but because I am particularly interested in the amendments to the Gaming and Wagering Commission Act to flesh out telecommunications devices and how the government landed on them. I am very interested to hear how the minister expects to try to combat products being offered on the internet in foreign countries, where Western Australian citizens might participate in betting and online gambling here on out using so-called undesirable products. How that will be policed is very interesting to me as well. I am very interested to see what that looks like because those people who indulge in an undesirable product, whatever form that may take, will now be subject to \$2 500 in fines with the person who offers that product receiving a \$5 000 fine and imprisonment for one year. They are not insignificant fines and nor is it an insignificant jail term. The opposition will be very interested to flesh this out in detail. As I said, minister, although I appreciate the minor technical amendments and the changes to raffle products, the reality is that the undesirable products offered online are largely being addressed by the federal government. What is this piece of legislation that we are dealing with about? Why did the minister fail to take up the opportunity to make some substantial improvements to what is obviously going to be a revenue source that will grow in terms of digital and online sales? The minister, as a man of much experience, should have taken on the challenge to protect those lottery outlets such as the four in my electorate and the more than 500 outlets that operate across Western Australia. The minister failed that basic test. He has brought in here a piece of legislation that should have been more substantial than it is. I find it very disappointing from my perspective. The minister's contribution through this piece of legislation could have been more substantial because he has a history of achievement outside this place. It is a shame that he has no history of achievement since he has been inside this place. I look forward to hopefully fleshing out some of the details in the consideration in detail stage.

MR P.A. KATSAMBANIS (Hillarys) [12.31 pm]: I rise to speak on the Gaming and Wagering Legislation Amendment Bill 2018 and to follow on from all the other speakers. I note with close interest the comments made yesterday in the debate by the member for North West Central who described this as legislation about nothing and dubbed it “The Seinfeld legislation”. I have to admit that the two most publicly discussed aspects of this legislation being the issue around synthetic lotteries and the alleged prohibition on the promotion of live, in-play odds at sporting events are largely semantic at best. “Illusory” is probably the fairest way to describe them and this legislation really adds nothing to the existing framework for protection. There are some good things about this legislation. Before I focus on those —

Mr P. Papalia: Then write to every Lotterywest family and tell them that you believe that.

Mr P.A. KATSAMBANIS: The minister can send them my speech at the end of it. The minister doth protest far too much. He has given his second reading speech and he gets a chance to respond to the debate, yet he tries to make running commentary on all the speakers who have got up in this place, and there have been a series of them, Madam Acting Speaker. I am not the sort of person to seek protection but this is an abuse of parliamentary privilege by a person in a position who should know better. The minister doth protest too much. I have had a minute to a minute and a half and here he is —

Ms R. Saffioti interjected.

Mr P.A. KATSAMBANIS: He has his friend the Minister for Transport shouting me down too. One day the minister is going to say, “Oh, I’m being bullied!” Both of them should look in the mirror. They are a disgrace. I am trying to develop an argument and all the minister wants to do is scream and shout. What a pathetic exhibition!

Several members interjected.

The ACTING SPEAKER (Ms M.M. Quirk): Members! You have all been warned.

Mr P.A. KATSAMBANIS: What a terrible, pathetic exhibition.

Ms R. Saffioti interjected.

The ACTING SPEAKER: Minister for Transport!

Mr P.A. KATSAMBANIS: In those two more publicly discussed areas of this legislation, at best it is semantic.

Mr P. Papalia: Have you read it?

Mr P.A. KATSAMBANIS: Yes, I have and I look forward to consideration in detail to see whether the minister has read it or whether he has only picked it up and waved it.

Mr P. Papalia interjected.

The ACTING SPEAKER: Minister! I am calling you to order for the second time. We want an orderly debate here rather than all this persistent interjection and you will want to still be here for question time.

[Quorum formed.]

Mr P.A. KATSAMBANIS: There are some good bits in this legislation and I want to focus on those for a moment. The removal of the red tape around the prohibition on raffles authorised in other states or territories from being offered here in Western Australia without the need to apply for a Western Australian permit is a good thing. It is just about abolishing red tape and it acknowledges the fact that many sporting organisations and other service groups are starting to run lotteries on a national basis—that is just the reality. Yesterday in an interjection, the Minister for Sport and Recreation somehow suggested that it was an issue with surf lifesaving organisations. I would like to point out that it is an issue now despite the fact that this provision exists in the Western Australian legislation. At the heart of it is the issue that sporting bodies in Western Australia and in other states should advocate strongly for a fair share of the proceeds from any national raffles. We know that these raffles are coming into this state and selling here now. The only thing happening is the bit of red tape that means they have to apply for one more permit, so they apply for a permit in their state. This provision is also a good thing for Western Australian raffles. Multiple Sclerosis Western Australia quite regularly auctions off almost on an annual basis a house that is usually situated in my electorate, and sometimes in the electorate of the member for Butler. It would be good for those organisations to access a bigger pool of potential buyers of their raffle tickets because it is a major fundraiser for organisations like MSWA and others. I think that is a good thing.

This legislation addresses the inconsistency in calculating the racing bets levy for betting exchange operations. That is a good thing. It recognises the unique circumstances of a betting exchange. The minister probably knows better than me but I know of only one betting exchange that operates in Australia on an ongoing basis—there may well be others. The definition of “turnover” is being amended to better reflect that a betting exchange is not actually a betting pool. The racing bets levy will now be charged on a turnover that is considered to be the

net winnings of the bets placed by the participants in the exchange rather than the overall turnover of the bets that is money that never goes to the operator of the exchange. That brings us into line with many other states and it helps to facilitate the offering of that product here. The other aspect is the changes to the racing bets levy scheme in relation to the treatment of bet backs. Again, that has been an ongoing issue and something that operators have suggested was not working properly or serving the original intention of the legislation. It was treating what is essentially one bet as two and taxing them accordingly. It is really discriminating against smaller operators, because I am led to believe by people who indulge in these things that a back bet is a way for a bookmaker or a betting operation that accepts a very big bet to hedge its bets, if you like, and defray the payout by then placing it with another operator. This is good. Industry has been calling for these changes. They do not make a substantial difference either way to what is collected by the racing bets levies. They fall into the areas of more exotic betting. It simply makes our legislation consistent with that of other places and makes Western Australia a more attractive regime for these operators. I welcome those changes; I do not have problem with them.

I turn to addressing the issue of promoting sporting odds during live sporting events. The principle of the provision itself is a good one. However, how is this going to work in operation? That is the big question. As I understand it, almost every major sport in Australia other than the racing codes have already over quite a substantial period of time worked on stopping the promotion of live odds during play. At football matches today we do not see the promotion of live odds that we saw 10 or 15 years ago. I recall that. I recall that at the end of the quarter the first thing that went up on the scoreboard and the last thing we saw before the bounce for the next quarter were the odds. Responsible sporting bodies and venues have got together and stopped the practice in the main. Some other sporting bodies have done it at an international level because they feared for the integrity of their sports. Two that come to mind are tennis and cricket. They have international practices in order to attempt to stop some of the illegal things that have been highlighted as happening in both those codes. The codes and the venue operators have done it. I guess there is no harm in introducing the ability to proscribe some of these things, but it is not a panacea, because that issue has essentially been solved without government involvement. There may have perhaps been some pressure at a federal level to those sporting bodies that may have been recalcitrant, but my understanding is that the large sporting bodies, particularly the Australian Football League, got on board with it very, very quickly, and as I said, tennis and cricket, whether they wanted to get on board or not, had to because it was undermining the integrity of those sports. I note that the member for Armadale is quite an expert in sports law and we know that those integrity issues have not gone away, but at least sporting bodies are trying to address them. The government can bring this provision in, but who is it going to impact? Leaving aside the racing codes is well and good, but how is this going to impact down the line? I know it is not a big industry in Western Australia, but there is professional athletics. I guess the iconic Australian event of professional athletics is the Stawell Gift. One of the attractions of that gift is that bookmakers field on the rails and offer live odds on an ongoing basis as the races are being run. There are gifts here. I know there is the Hamersley Gift. When I was member for the North Metropolitan Region, that was in my electorate. There are gifts at Mullewa and various other places. This is professional running—the 120-metre handicap. I am sure the professional body here would like to grow its sport.

Mr P. Papalia interjected.

Mr P.A. KATSAMBANIS: Sorry?

Mr P. Papalia: There is nothing in this to stop sports betting.

Mr P.A. KATSAMBANIS: I am talking about live betting at the venue, minister. This is what the minister's provision does.

Mr P. Papalia: No, it is about the advertising of live odds on screens in front of a football crowd.

Mr P.A. KATSAMBANIS: Is that only it? This is the stuff we need to clarify.

Mr P. Papalia: That is what it is aimed at.

Mr P.A. KATSAMBANIS: The government does not need to do that, because the AFL has already prohibited that. Cricket and tennis have already prohibited it.

Mr P. Papalia: Forgive me for doing what the entire wagering ministers' conference agreed to do a year ago.

Mr P.A. KATSAMBANIS: As I said, it is nice to have, but the minister should not say this is a panacea. If the minister wants to interject, he should pay attention. He should interject on what I have said, not on what he thinks I have said.

The issue here is that, yes, it is nice to have this provision. I hated going to the footy and seeing live odds on the board during play. I remember my eldest son, who is now in his mid-20s, asking me at the age of eight or nine what it all meant, and by the age of 10 he had worked it out.

Dr M.D. Nahan interjected.

Mr P.A. KATSAMBANIS: No. I have said before in this place that I am a non-gambler. I have never bought a lottery ticket. I do not bet. I do not have an account. I do not go into a TAB. I have never bought a scratchy ticket or anything like that. When someone gives one to me, I do not really know what to do with it.

Mr J.E. McGrath interjected.

Mr P.A. KATSAMBANIS: I will give it to the member for South Perth next time! I might even give it to the minister!

I am not an anti-gambler; I am just a non-gambler. I choose not to gamble like thousands and thousands of people in our community, as thousands of others choose to partake in the legal gambling history. That is their choice. We are still living in a free society. I hated all that live-odds betting. I want to commend the sporting codes for fixing that. Yes, it is nice to have this provision, but it is no panacea.

We then go to the thing that the Premier, in particular, and this minister hung their hats on when they were talking about introducing this legislation. They said this legislation would stop Lottoland and protect Lotterywest, particularly Lotterywest operators in the community who run the kiosks and shops, because it would ban Lottoland and take away that unfair competition. The second reading speech states that that has been done by the federal Parliament. The Interactive Gambling Act 2001 has been amended to prohibit contingency betting, synthetic betting—betting on things like Lottoland. There are other products, but that is the most well known, because it has advertised most effectively in the Australian market. I believe there are others floating around that were thinking about doing it and were scared off by what happened in federal Parliament. The federal Parliament has dealt with that issue. That is online gambling and that is the exclusive power under the Australian Constitution of the federal Parliament using the wonderfully misnamed posts and telegraphs power. That jurisdiction is exclusively reserved to the federal government, so even if it had not introduced this legislation federally, there is no constitutional basis on which this minister could have introduced a prohibition on things like Lottoland as long as they remain online, which it has indicated is what it wants to do. It does not want to go anywhere else bar online. I go back to the comments made yesterday by the member for North West Central. This is where the nothingness comes in to this legislation—the “Seinfeldness”, if you like. It is the government identifying problems and putting up its hand saying it has fixed them, when in one case it has been fixed by the sporting codes and in the other by the federal government, whose job it is to regulate. It is interesting that the minister jumps up and down and talks about the protection of Lotterywest and Lotterywest operators. We all support the work of Lotterywest in our community. We all support the work of those small business people out there running Lotterywest kiosks, franchises and operations—licences—in our community. There are plenty in my electorate, as there are everywhere else.

[Member’s time extended.]

Mr P.A. KATSAMBANIS: Does this legislation protect them? No. Has the government done anything to protect them? No. As other members have highlighted, figures provided to the opposition in answer to questions on notice have indicated that the real growth in competition for Lotterywest operators out in the community is Lotterywest’s promotion of its online products. Has this minister sat down with Lotterywest and the operators to come up with a revenue-sharing model?

Debate interrupted, pursuant to standing orders.

[Continued on page 6950.]

KARRATHA — MEMBER FOR PILBARA’S COMMENTS

Statement by Member for North West Central

MR V.A. CATANIA (North West Central) [12.50 pm]: Earlier this morning, the member for Pilbara went on his local ABC radio station to denigrate the community of Karratha. This unprovoked attack on the people of Karratha sent shock waves throughout the city, if the member does not mind me referring to Karratha as a city. The member for Pilbara said —

Who’s going to come and live in Karratha if you don’t have any projects? Why do people come to Karratha? Do they come for the wonderful beaches we have? No.

The member needs to get out of Perth and have a look around. Karratha is a magnificent community with amenities rivalling any other regional city in Australia. The Nationals invested hundreds of millions of dollars to ensure that Karratha has the infrastructure necessary for families to want to move to and permanently settle in the Pilbara. We are constantly reminded of the fruits of the Nationals’ investment, even recently with the opening of the magnificent Red Earth Arts Precinct and the Karratha Health Campus. This is a strong community and one to be proud of. To have a local member talk down this community in such a derogatory manner is, frankly, disgusting.

Perhaps the member is not aware, but I can list a number of reasons that people would want move to Karratha—the brilliant art of Clifton Mack, which adorns the walls of the Cossack art show; cheering your kids on at Saturday soccer; and walking your dog over the reef at the back beach. The only negative thing in the Pilbara is the local member, who talks about crime waves and fly in, fly out camps. What a sad individual he has become.

BURNS BEACH ELECTORATE*Statement by Member for Burns Beach*

MR M.J. FOLKARD (Burns Beach) [12.52 pm]: Last Saturday, I had a fantastic opportunity to show the Premier around the electorate of Burns Beach. I thank the Premier for his time and the funding that went towards the black spot program, which will upgrade the dangerous intersection of Moore Drive and Marmion Avenue. This intersection will be made safer for the residents of Burns Beach, and particularly those parents whose children attend the local Currambine Primary School.

I was delighted to tour the Quinns Rocks Volunteer Bush Fire Brigade with the Premier and City of Wanneroo Mayor Tracey Roberts and CEO Daniel Simms. We were joined by David Phoenix and Zac Wyatt from the Quinns Rocks Volunteer Bush Fire Brigade, Ron Clark from the Wanneroo Volunteer Fire Support Brigade, and Wanneroo chief bushfire control officer Paul Postma and deputy chief bushfire control officer Stephen Foureur. I would like to make special mention of Stephen, who has also served with the Wanneroo Central Volunteer Bush Fire Brigade for nearly 40 years as a volunteer. I thank him for his dedication and service.

I would also like to acknowledge the fantastic work that the Quinns Mindarie Surf Life Saving Club is doing in the community in preparation for the upcoming season. As a volunteer surf lifesaver myself, I recently commenced annual requalification, along with all surf lifesavers, in preparation for summer. I was impressed by the work of Patricia, Saxon France, Jim Gail and the rest of the team and what they are doing. I thank everyone for their hard work and wish our first responders a safe, slow and uneventful summer—take care.

Finally, I would like to congratulate David and Ellen Greig from Clarkson.

ROSSMOYNE SENIOR HIGH SCHOOL*Statement by Member for Riverton*

DR M.D. NAHAN (Riverton — Leader of the Opposition) [12.53 pm]: I would like to congratulate Rossmoyne Senior High School on 50 remarkable years. Fifty years ago, the school started with 189 students and 11 staff on a very sandy patch near the growing electorate of Rossmoyne. Now it has 2 100 kids and more than 200 staff, and has become one of the most successful schools in not only this state but also the nation. It started out as a community-based school with intense involvement of the community and excellent leadership. It identified early that it needed to not only address the vast needs of its students, but also focus on academic excellence. It also knew from the start that fine arts and science come together. It has specialists in classical music, languages—teaching German, Japanese, Mandarin and French—and mathematics. As a result, it has grown to be one of the most successful academic schools in the nation, winning in 2001 *The Australian* newspaper's inaugural School of the Year award. Last year, student Isabel Longbottom won the Beazley Medal and the school has produced three Rhodes scholars. It is the heart and soul of my community. It not only draws people in and has made my community one of the most multicultural in the nation, but also importantly has led to regeneration of the community.

MICHELLE HUGHES — TRIBUTE*Statement by Member for Morley*

MS A. SANDERSON (Morley — Parliamentary Secretary) [12.55 pm]: I rise today to pay tribute to a woman in my local community who can best be described as a local hero. Michelle Hughes has been a longstanding advocate for our community and our kids through her involvement in local school parents and citizens associations. For well over a decade, Michelle has been a well-respected and active member of Weld Square Primary School Parents and Citizens Association and an exemplary president. Under Michelle's leadership, the P&C fundraised for and supported social activities and improvements around the school such as upgraded playgrounds, school buildings and grounds improvements, including weekend busy bees. The P&C also supported curriculum initiatives such as specialised literacy and numeracy resources, Edu-Dance and the River Rangers cadet program. For several years, she represented parents on the school council and was unanimously elected chair. Under her leadership many parents became actively engaged and confident in school activities. When her daughter left Weld Square, she shifted her attention to Hampton Senior High School where she served as vice president for three years and chair of the school board for two years. She did not abandon Weld, she continued volunteering in classes several mornings a week and coordinating Edu-Dance. Michelle arrives early for every assembly and organises tea and coffee for all the parents, and she is always involved in some way or another, selling raffle tickets, fundraising, manning the Bunnings sausage sizzle or organising interschool carnivals. Weld recently decided to name its new nature playground after Michelle Hughes in honour of her outstanding commitment to the school.

Michelle does all of this while living with multiple sclerosis and although this has certainly thrown up challenges, she has never wavered in her commitments. When Michelle was unable to keep her driver's licence, with the financial assistance of friends, family, myself and the member for Bassendean, she was able to attach an electric motor to her tricycle and continue with her commitments. In the words of Glen Cookson, principal of Weld Square, Michelle Hughes is "simply the best"; an inspirational community leader who has made a huge and positive difference to her local community.

DUNSBOROUGH LIONS ART SHOW — TWENTIETH ANNIVERSARY

Statement by Member for Vasse

MS L. METTAM (Vasse) [12.56 pm]: It was a pleasure to open the twentieth annual Dunsborough Lions Art Show recently on the Queen's Birthday weekend at Yallingup Hall. This year's art show exhibited 109 pieces of art from 60 local south west artists, including 12 new artists who exhibited for the first time. Dunsborough Lions Club convenor, Bob Clements, and other Lions Club members deserve special gratitude on behalf of the community for this event, which showcases our artists, promotes our landscapes and raises valuable funds for the vulnerable in our community. The money raised from this year's exhibition will be used by the Dunsborough Lions Club to support various initiatives and causes in the community. Over the past 12 months, the Dunsborough Lions Club has raised over \$80 000 for the benefit of the community, supporting our youth and local hospice, and I commend them for this work. Over the past five years almost 300 artists have exhibited over 500 pieces of art in the Lions Art Show, a free event that provides a unique opportunity for locals and tourists alike to view an exceptional showcase of high-quality artworks. This event would have not have been possible also without local sponsors such as Dunsborough Stocker Preston, Professionals South West, Blue Manna Bistro, Stepping Up Menswear, Clancy's Fish Pub and Happs Wines. I was pleased to sponsor the shared prize of best in show with my colleagues, member for the South West Region, Hon Dr Steve Thomas and federal Member for Forrest, Nola Marino. Estelle Pullen was the winner.

GIRLS IN SPORT — TELEVISION COVERAGE

Statement by Member for Belmont

MS C.M. ROWE (Belmont) [12.58 pm]: I rise today to speak about girls in sport on behalf of my two girl guides, Olivia and Libby, who are participating in "Girls Take Over Parliament" today. Despite the significant number of highly successful female athletes and female sporting teams in Australia, women's sports are rarely shown on free-to-air television. By not showcasing women's sports on TV we are discouraging young girls and women from getting involved and participating in what has historically been male dominated sports such as rugby, football, cricket and soccer. According to the Women's Sports Foundation, girls have 1.3 million fewer opportunities to play high school sports than boys. Schools often fail to provide a girls team for particular sports, therefore, young girls have to look elsewhere to participate in sports. These opportunities simply may not exist or can be costly for families. Research conducted by the Women's Sports Foundation also highlighted that schools have a limited budget to put towards sports classes and school team sports, and often focused on more traditionally male-dominated sports.

Young girls are often inundated with images of external beauty and are rarely shown images of strong and confident female athletes whom they can look up to as a role model. Many girls in high school often do not have a female sports teacher to encourage and motivate them to engage in physical activity and education classes. Sports organisations and schools should have strong female role models and highlight the social and health benefits of being involved in sport as key motivators for young girls and women to be active. Through participation in sports, girls can learn important life skills such as teamwork, leadership and confidence. I thank Olivia and Libby for sharing their passion for gender equality in sports with me today. I hope they continue to enjoy their favourite sports of cricket and soccer and do not let gender limit their participation.

Sitting suspended from 1.00 to 2.00 pm

QUESTIONS WITHOUT NOTICE

TRACKSIDE — ELECTRONIC GAMING

750. Dr M.D. NAHAN to the Premier:

Only two years ago, with the prospect of electronic gaming product Trackside coming to WA, the Premier said —

"It brings some of those social ills, in particular gambling addiction and the like that we've seen in New South Wales, Victoria, and Queensland now for decades to Western Australia.

"It is a very, very disturbing development and I oppose it absolutely."

Will the Premier inform the house why he is now in furious disagreement with his former self?

Mr M. McGOWAN replied:

Prior to answering that question, on behalf of the member for Wanneroo, I welcome the staff and students from St Stephen's School in Tapping here today.

On behalf of all MPs, I acknowledge and welcome the Girl Guides Western Australia, who have taken over the Parliament today. They are doing a terrific job assisting MPs, ministers and the like around the building and learning about Parliament and showing that girls can do anything.

[Applause.]

Mr M. McGOWAN: Mr Speaker, back in 2016, you will recall that then Minister for Racing and Gaming, Hon Colin Holt, suggested that this state should spread poker machines and keno more widely around the Western Australian community. I will give members a small history lesson. That follows on from the former Liberal leader, Matt Birney, back in 2005, who also floated the idea of poker machines coming in more broadly in Western Australia. On two occasions during my political career, the Liberal Party and the National Party have been suggesting that poker machines should come into Western Australia. One of the great things about our state —

Dr M.D. Nahan interjected.

Mr M. McGOWAN: If I can answer the question, we have that element of geographic distance from the eastern states that allows us not to have some of those things. The most stunning example of that is poker machines. We do not have the range of other ills in the eastern states, but the one in particular that I think we all agree on, at least on this side of the house, is poker machines.

Mr D.C. Nalder: What's the difference?

Mr M. McGOWAN: I will answer that. Back in June 2016, I was shocked when Hon Colin Holt came out and suggested poker machines.

Several members interjected.

Ms M.J. Davies: You are misleading the house.

Mr V.A. Catania: You are misleading the house.

The SPEAKER: You are both misleading the house. Leader of the National Party and the member for North West Central, you do not shout. You have an opportunity to ask other questions later.

Mr M. McGOWAN: The then Premier, Colin Barnett, said that he did not support Colin Holt and those ideas that Mr Holt had put forward.

Several members interjected.

Mr M. McGOWAN: Honestly, it is very difficult to answer a question in here with this bunch.

The SPEAKER: Members, you have got your point across. Just let the Premier finish his answer.

Mr M. McGOWAN: I was asked by a range of journalists about the issues and I asked some questions about the issues in here as well. Colin Barnett said that poker machines were not on the agenda. I indicated that Labor did not support poker machines and that I did not agree with Colin Holt either when he floated the idea. All my commentary on this was based on long experience as someone who grew up in New South Wales and saw poker machines and the evils that they promote. Someone who was the Minister for Racing and Gaming for two years rejected poker machines outright and rejected the expansion of gaming machines at the casino.

The member for Bateman asked me what was the difference between Tracksides and poker machines. Honestly, what a silly question. I will answer it. I will give a lesson on that as well. Poker machines do not require any decision-making on the part of the participant, bar the investment. In clubs and pubs and the like across the eastern states, people sit in front of screens drone-like, pressing a button. There is no choice involved at all and no decision-making capacity. The difference between a poker machine and a gaming machine —

Several members interjected.

The SPEAKER: Members, please; it is just a wall of noise.

Mr M. McGOWAN: The difference between a poker machine —

Several members interjected.

Mr M. McGOWAN: Honestly, Mr Speaker! Let me explain it to members. A poker machine in the eastern states requires people to make one decision to invest their money. People may well invest \$20 at the beginning. All they have to do is press a button to play the game. Gaming machines, which are at the casino in Western Australia, are a little unique in Australia these days —

Several members interjected.

Mr M. McGOWAN: Honestly, Mr Speaker.

The SPEAKER: Premier, the members on your own side are interjecting too. Let us get this answer out of the way. The Leader of the Opposition can ask a supplementary. The Premier is on his feet.

Mr M. McGOWAN: That is a poker machine. That is what is in South Australia, Victoria, New South Wales, the ACT and Queensland. In Western Australia, there are gaming machines at the casino. A gaming machine is a machine on which people exercise some choice. They invest some money and then they have to make further decisions in order to play the game. That is what happens.

Mr S.K. L'Estrange interjected.

The SPEAKER: Excuse me, this is not a question and answer session.

Mr M. McGOWAN: That is the difference between a gaming machine and a poker machine. Simulated horseracing is, in effect, a horserace on a screen in a TAB agency. It is the same as when people go into a TAB agency, and there are 120 or so of them around Western Australia, and then there are some pub TABs out there. People go in there, the race is on a screen, they bet on it and they watch it. Simulated racing is a race on a screen in a TAB involving what looks, to all intents and purposes, to be horses.

Mr D.C. Nalder: They are not.

Mr M. McGOWAN: The member is correct: they are not horses; they are simulated horses.

Mr S.K. L'Estrange interjected.

The SPEAKER: Member for Churchlands, I let you go three times. I call you to order for the first time.

Mr M. McGOWAN: To all intents and purposes, it is exactly the same as a horserace. Anyone who understands the racing industry and the business model of a TAB agent, a small business person, will understand that that is what it is. It is not spreading it throughout the community. It is not putting it into pubs and clubs or community organisations like poker machines in the eastern states. It is merely offering a racing product in a TAB agency.

TRACKSIDE — ELECTRONIC GAMING

751. Dr M.D. NAHAN to the Premier:

I have a supplementary question. The Premier's comments were about Trackside and not gaming machines. Notwithstanding that there were, for example, 500 races that punters could bet on at Western Australian TABs last Saturday and more than 300 races today, can the Premier confirm that there will be 2 400 additional betting opportunities each day if Trackside is introduced?

Mr M. McGOWAN replied:

No, I cannot confirm that. What will be on offer is an additional screen in a TAB agency that allows people who go into a TAB agency who want to bet on a horserace to bet on a horserace.

Ms M.M. Quirk interjected.

The SPEAKER: Member for Girrawheen, I call you to order for the first time.

WESTERN AUSTRALIAN JOBS ACT — IMPLEMENTATION

752. Mr Y. MUBARAKAI to the Premier:

I refer to the WA Jobs Act, which this government passed last year, and the government's commitment to put WA jobs and small businesses first. Will the Premier please update the house on the implementation of the act and how small businesses will benefit from this good Labor policy?

Mr M. McGOWAN replied:

I thank the member for Jandakot for the question. The member is a person who has run a range of small businesses here in Western Australia and employed a range of Western Australians in his businesses around the Perth metropolitan area. He is someone who understands the issue confronting small business well. Under the WA Jobs Act, it is planned to assist us in diversifying the economy and delivering greater economic opportunities for businesses in Western Australia. Through this and the \$27 billion a year in procurement undertaken by the general government sector and government trading enterprises, we plan to maximise the opportunities for local Western Australian businesses. That is because we are a government that supports small and medium-sized enterprises in Western Australia, enterprises like Lotterywest, the TAB, the taxi industry and our shops and shopping centres that do not want 24-hour trading. That is the sort of government we are. We want to support all these small businesses in our state and we want to make sure that we maximise the opportunities for them to benefit from government contracts.

The act will also promote more apprenticeships and training opportunities and it will ensure that the opportunities are written into the contracts that the enterprises that win government contracts enter into with government. We set up the WA Industry Link portal. Over 16 000 users visited the portal, with over 24 000 sessions involved. The feedback has been great, in particular from regional businesses. One regional business owner advises, and I quote —

The presentation demonstrated real opportunities for local SMEs.

We also found that another person said, and I quote —

I learned how I can start to access State Government tender opportunities ...

That is because of the sessions we held around regional Western Australia and all over the state. I met some of the presenters in Esperance, and I know they have been to other communities around the state to ensure that Western Australian businesses are the beneficiaries of the contracts of government.

It is interesting the member for Jandakot asking this question because he replaced another member for Jandakot, Joe Francis, who lost his seat with I think a 19 per cent swing against him. This is what Joe Francis had to say after the election.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: This is what he had to say after the election. Let me quote.

Several members interjected.

Mrs L.M. Harvey interjected.

The SPEAKER: Member for Scarborough, I gave you have a leave pass and you just cancelled it. Member for Scarborough, I call you to order for the first time.

Mr M. McGOWAN: I just want to finish on this quote from another member for Jandakot, Hon Joe Francis. He had to say this after the election.

Mrs L.M. Harvey interjected.

The SPEAKER: Member for Scarborough.

Mr M. McGOWAN: I quote —

We let down our base ... small to medium-sized businesses—people who have mortgaged their homes ... we let them down.

Everyone knows that under this government, we support Western Australians.

Mr A. Krsticevic interjected.

The SPEAKER: Member for Carine

Mr M. McGOWAN: We support Western Australian businesses. We support small business. The evidence is there every single day with what we are doing in this Parliament. We are trying to lift and support Western Australian businesses and small businesses to be the best they can be.

BUS DRIVERS — TRANSDEV WA

753. Mrs L.M. HARVEY to the Minister for Transport:

I refer to the bus drivers' strike today. Given that the dispute at Transdev has been ongoing for eight months, culminating in strike action today that affected thousands of commuters, what actions did the minister take to prevent the Transport Workers' Union of Australia strike this morning?

Ms R. SAFFIOTI replied:

As the member would know, the dispute is between Transdev, a company that runs the bus services for particular districts, and the TWU. My office was alerted to the proposed action and there were conversations, but an agreement could not be reached by the appropriate time. I do not like when action is undertaken and I did not like the disruption that occurred this morning, but the disruption was not as bad as predicted. I congratulate everyone at Transperth for the work they did to manage the scenario this morning and I also acknowledge the TWU in its role in advocating for its workforce.

BUS DRIVERS — TRANSDEV WA

754. Mrs L.M. HARVEY to the Minister for Transport:

I have a supplementary question. Even though Transdev is privately owned, it provides —

Several members interjected.

The SPEAKER: Members on my right.

Mrs L.M. HARVEY: Are you getting your advice or are you listening?

Several members interjected.

The SPEAKER: Can you get to the point, please, member.

Mrs L.M. HARVEY: Minister —

Several members interjected.

The SPEAKER: Members!

Mrs L.M. HARVEY: Even though —

Ms M.M. Quirk interjected.

The SPEAKER: Member for Girrawheen, I call you to order for the second time.

Mrs L.M. HARVEY: Even though Transdev is privately owned, it provides services to the public transport system, which the minister is ultimately responsible for. Will the minister now take responsibility and intervene to ensure this dispute does not continue?

Ms R. SAFFIOTI replied:

I love how they yell out words like “puppetmaster” when the opposition member is reading the supplementary questions word by word by word. I love the fact that the member reads all her questions word by word by word.

Mr D.T. Redman interjected.

The SPEAKER: Member for Warren–Blackwood.

Ms R. SAFFIOTI: Of course, the minister —

Mrs L.M. Harvey: Eight months.

Ms R. SAFFIOTI: Eight months!

The SPEAKER: Member for Scarborough, I call you to order for the second time.

Ms R. SAFFIOTI: Of course, the Minister for Commerce and Industrial Relations has advice and provides comments on these matters, and, of course, I would always want to hear from the Minister for Commerce and Industrial Relations on these matters. As I said, we do not like any disruption to the network, but it was protected industrial action under the commonwealth system. In relation to privatisation, the opposition comes in here advocating for privatisation day after day after day.

Several members interjected.

The SPEAKER: Members!

Ms R. SAFFIOTI: The opposition advocates for the privatisation of services on the front line, such as Western Power, and then comes in here and says that the minister has to manage every privatised contract on a day-to-day basis. That cannot happen.

Several members interjected.

The SPEAKER: Members!

Ms R. SAFFIOTI: It cannot happen.

Mrs L.M. Harvey interjected.

The SPEAKER: Member for Scarborough, I call you to order for the third time.

Ms R. SAFFIOTI: We should congratulate all those involved today who put in that extra effort to make sure that the disruption across the network was minimised.

FAIR TRADING AMENDMENT BILL — PROGRESS

755. Mrs L.M. O'MALLEY to the Minister for Commerce and Industrial Relations:

I refer to the Fair Trading Amendment Bill 2018. Can the minister please update the house on the progress of the bill, the benefits it will bring to Western Australian small businesses and why it has taken so long to bring these reforms to WA?

Mr W.J. JOHNSTON replied:

I thank the member for the question. I appreciate the opportunity to update the house on the progress of the bill. The Fair Trading Amendment Bill 2018 will bring Western Australia's fair trading regime up to date. The Fair Trading Act has not been amended since it was introduced and brought into law in 2013, so in Western Australia our fair trading system has missed out on a number of amendments that have been introduced in the federal system. The federal system provides additional protections for small business in dealing with other businesses, so unfair terms in contracts of up to \$300 000. I know that the member for Bateman, who used to represent big businesses when he worked for the ANZ bank, which has been shown to be criminally involved in stealing money from small businesses in this country, does not like it when the Labor Party advocates on behalf of small business.

Several members interjected.

The SPEAKER: Get back to the question, minister.

Mr D.C. Nalder: You used to like me to take you to the football. You loved the box.

The SPEAKER: Member for Bateman, I said do not bite.

Mr D.C. Nalder: He shouldn't talk about me in the past.

The SPEAKER: I will talk about you and I will call you to order for the first time. I gave you an opportunity.

Mr D.C. Nalder: He's out of order.

The SPEAKER: I call you to order for the second time.

Mr W.J. JOHNSTON: Thank you very much, Mr Speaker.

What has happened here is that because of the inefficiency and incompetence of the former government, it never updated Western Australia's Fair Trading Act to bring these benefits to small businesses into this state. One of the decisions of our government was to bring in the Fair Trading Amendment Bill 2018 to update our law so that small businesses can be given these protections under state law that are available to other businesses under federal law. That legislation is currently before the upper house. It is with the Standing Committee on Uniform Legislation and Statutes Review, and we look forward to the chair of that committee reporting, because he was the minister who did not implement the law when he was in power and failed to protect small businesses in this state.

We look forward to that legislation coming back from that committee and having a rapid and speedy passage through the other house so that we can deal with it in this house and bring those protections to small businesses. As I outlined in this chamber on Tuesday, the Labor Party is very interested in supporting small business. I know, indeed, as the Premier said a moment ago, every day in this Parliament the Labor government is trying to protect small business from the attitudes of the member for Vasse, who says that we need to tilt the playing field in favour of big business at the expense of small business, with her idea of having 24-hour-a-day, seven-day-a-week trading by large companies—that is, 24-hour-a-day, seven-day-a-week trading for the large supermarket retailers in this state protected, which is the protected time available to small business. But the member for Vasse wants those small businesses to have that unfair competition at those special times that are currently available just to small businesses. She wants to wreck the small businesses of this state, as does her friend the member for Riverton.

Several members interjected.

The SPEAKER: Members!

ROEBOURNE–WITTENOOM ROAD UPGRADE — ASBESTOS CONTAMINATION

756. Mr V.A. CATANIA to the Minister for Transport:

I refer to the minister's comments in *The West Australian* on 28 September regarding delays to the upgrading of the Roebourne–Wittenoom Road, commonly known as the Karratha–Tom Price road, due to asbestos contamination concerns. Given that the Shire of Ashburton can no longer maintain the road due to health and safety concerns over potentially exposing its workers to asbestos, I ask —

- (1) Will the state government commit to taking ownership of the Karratha–Tom Price road?
- (2) Will the government immediately clean up the asbestos from the Karratha–Tom Price road?
- (3) Will the government introduce a maintenance program so that the Karratha–Tom Price road can continue to be used by the public, particularly station owners located alongside the road?

Ms R. SAFFIOTI replied:

I thank the member for that question.

- (1)–(3) Of course we are committing to clean up that road as part of a project for the upgrade construction of the Karratha–Tom Price Road. This was not an ideal situation, but I note that the member opposite has been the member for North West Central for how many years, and did nothing for that road in all that time. We have gone out, and, yes —

Mr D.T. Redman interjected.

Ms R. SAFFIOTI: How come you did not touch the road?

Several members interjected.

The SPEAKER: Members! Minister, through the Chair. No interjections please, National Party.

Ms R. SAFFIOTI: In the detailed investigations for those stages, that asbestos was discovered and, as a result, work is underway to clean up that project. It has been delayed, as we notified everybody. Those two stages will be delayed by about two months. It was not ideal, but because we are out there doing the work, we discovered the extent of the contamination. I thank the member for Pilbara for his advocacy for this project. It was the member for Pilbara who has seen this project back on the agenda because we know that for eight and a half years nothing was done by members on the other side.

ROEBOURNE–WITTENOOM ROAD UPGRADE — ASBESTOS CONTAMINATION

757. Mr V.A. CATANIA to the Minister for Transport:

I have a supplementary question. Given Main Roads was made aware of the asbestos contamination on the road 16 months ago, why is the minister only now discussing the clean-up of the asbestos?

Mr F.M. Logan interjected.

The SPEAKER: Minister for Corrective Services, I call you to order for the first time.

Ms R. SAFFIOTI replied:

As I think was outlined in the statement, the extent of the contamination was discovered in the detailed analysis to prepare for the construction of the road. That is what happened. We released a statement. We have been dealing with the shire, which has been working very constructively with us on this matter.

Mr V.A. Catania interjected.

Ms R. SAFFIOTI: We will continue to liaise directly with the shire on this.

The SPEAKER: Member; you have had your opportunity.

Ms R. SAFFIOTI: This is not an ideal situation—but, as I said, the member was there for eight and a half years; maybe if he had done some work on the road, he would have found it earlier.

ROADS INVESTMENT — SMALL BUSINESS

758. Mr K.J.J. MICHEL to the Minister for Transport:

I refer to the government's massive investment in roads and road maintenance across the whole of WA.

Several members interjected.

Mr K.J.J. MICHEL: You did nothing about it, mate; do not laugh. You did nothing; do not laugh about it!

Several members interjected.

Mr K.J.J. MICHEL: Yes; absolutely.

The SPEAKER: Start again, member for Pilbara.

Mr K.J.J. MICHEL: I refer to the government's massive investment in roads and road maintenance across the whole of WA. What is she and Main Roads doing to ensure small businesses can see the benefit of the McGowan Labor government's investment in our roads and networks?

Ms R. SAFFIOTI replied:

I thank the member for the question. I acknowledge also the member's role as a small business person from regional WA and his advocacy for small business in regional WA. Again, as was demonstrated —

Mr D.T. Redman interjected.

The SPEAKER: Member for Warren–Blackwood!

Ms R. SAFFIOTI: — as the member stood up to ask that question, the opposition, in particular the National Party, still cannot handle that this member won his seat. It is a patronising, awful attitude the National Party continues to take.

Mr V.A. Catania interjected.

The SPEAKER: Member for North West Central, I call you to order for the second time.

Ms R. SAFFIOTI: Patronising comments were made by the National Party, even this morning, by the deputy leader. The member for Pilbara is someone who went to the Pilbara and made his life in the Pilbara, who built a small business in the Pilbara —

Several members interjected.

The SPEAKER: Members! It is not a shouting match. Everyone was talking after I got on my feet. I could just about throw you all out. We have young people of the future in the chamber today who are sitting here watching so-called adults behave like that.

Ms R. SAFFIOTI: The National Party does not like the fact that the member for Pilbara wants jobs in the Pilbara. That is what he is advocating—jobs in Karratha, jobs in Port Hedland and jobs in the Pilbara. We stand with the member for Pilbara in supporting local jobs and local businesses in regional WA. As part of that, we will continue the work Main Roads is doing across WA supporting local businesses, in particular Aboriginal employment. A number of the new maintenance contracts being rolled out have a strong Aboriginal participation and a targeted effort to support local businesses. So far, we have seen some good results but we want to continue to work with local businesses across the state to get better outcomes.

As we saw, the Margaret River perimeter road project involves 21 local companies, 20 local traineeships and 120 local workers. The Wanneroo Road project supports local contractors and local businesses. The Great Northern Highway project, where we have the “Maggie’s Jump Up” project, involves 50 per cent local Aboriginal employment. New maintenance contracts have incentives to support local business, particularly the one in the Kimberley—the direct employment model—which is all about Main Roads engaging with local businesses and making sure the work goes to local businesses. There are good results already. On the Broome–Cape Leveque Road, again, 36 per cent contracts are being used from local Aboriginal businesses. Work is underway to support local, small businesses in Western Australia because, unlike the Liberal and National Parties, the Labor Party comprises people who have been successful in small business, have come to Parliament and brought their experience and promote —

Mrs A.K. Hayden interjected.

The SPEAKER: Member for Darling Range, I let you go three times. I call you to order for the first time.

Ms R. SAFFIOTI: I grew up in a family small business in Darling Range, and I remember that member when she was running for Mayor of Kalamunda promoting her small business credentials in Kalamunda. I know a lot of people in Kalamunda. We are still not sure where that small business was in Kalamunda. We are still trying to find it. We are still trying to find the successful small business person from Kalamunda. I know a lot of those businesspeople and they cannot remember her. WA Labor supports small business and supports WA.

The SPEAKER: Member for Warren–Blackwood, for about five minutes ago—I have not had a chance to get back to you—I call you to order for interjecting. I never got a chance to do it.

ROTTNEST ISLAND — BOOKING SYSTEM

759. **Ms L. METTAM to the Minister for Tourism:**

I refer the minister to a PerthNow article published yesterday, which confirmed that the Rottnest accommodation booking website has not been working properly for 112 days. Will the minister explain why he continues to embarrass WA’s tourism industry by failing to fix a simple accommodation booking website for Rottnest Island; and, will he confirm that this debacle is effectively wasting millions of taxpayers’ dollars invested in marketing this place?

Mr P. PAPALIA replied:

I have to question the member’s source and advise her to research a little more deeply before she starts quoting claims in Parliament. As the member is aware, on Monday, 10 September, following a version upgrade, the booking system went down but was then fully functional, with customers able to book Rottnest Island accommodation online through the rotnnestisland.com website. Subsequently, on Tuesday, 18 September, they opened bookings for December 2019 accommodation, thanks to the incredible job that has been done by all the people in not just Tourism WA but, more especially, the people at Rottnest Island and the Rottnest Island Authority. Michelle Reynolds, the CEO of the Rottnest Island Authority, deserves acknowledgment in this place. What an extraordinary job she has done. She has lifted visitor numbers to the island by 14 per cent for an entire 12 month-period in only eight months. She is supported incredibly, obviously, by the state government and its decision-making as opposed to the non-decisions before we got to office. On 18 September, the system was overwhelmed —

Point of Order

Mr Z.R.F. KIRKUP: I refer to standing order 157. The minister appears to be quoting from an official document. I ask him to table it.

Mr P. PAPALIA: I will give it to you, mate; it is a contentious issues briefing note so you can have it.

Questions without Notice Resumed

Mr P. PAPALIA: I will read it so the member for Dawesville does not have to worry about it —

... by the end of the day a total of 468 bookings had been taken from all sources compared with 414 bookings taken on the equivalent day the previous year.

• On Wednesday, 10 October —

This is the one I think the member and the erroneous article that she quoted from may be referring to. The bookings for January 2020 accommodation opened, and —

The online booking system did not function correctly on the day. Only 43 online bookings were received between 8.30 am and 8.30pm out of a total of 957 bookings made in total. Other bookings were made over the counter at the RIA Reception at E Shed, Fremantle and by phone. However, the RIA phone system was intermittently unstable during the day which created some frustration for customers. The RIA extended opening hours of both the E Shed Reception and the Call Centre to 8.00pm to take bookings from customers who had been unable to do so earlier in the day. From 8.30 am on Thursday 11 October, all systems were operating normally.

Those are the three interruptions referred to. I think the member claimed 120 days; that may have been some time ago in August and September. I point out that in July–August when there was a continued disruption on the heritage system that we inherited, there was a problem at that time. During July–August 2017, there were 2 833 bookings. In the period to which the member referred, the extended down time of the online system in July–August 2018, there were bookings 3 276, a 15 per cent increase in booking numbers. Whatever claims can be made about the heritage system that we inherited, which we have to deal with and fix, the claim that that has somehow impacted on visitor numbers and somehow reduced the effectiveness of advertising is not substantiated by the outcomes.

ROTTNEST ISLAND — BOOKING SYSTEM

760. Ms L. METTAM to the Minister for Tourism:

I have a supplementary question. Will the minister confirm that he misled Parliament because when I asked about the Rottnest booking system two months ago, he said, and I quote —

The system will be repaired by next week.

What we are hearing is a bit of a mess.

Mr P. PAPALIA replied:

No, it is not. It is not misleading Parliament to take advice from your agency and say that it will be operational next week. It does not mean that I have misled Parliament if was not completed. I gave the member the advice that I received at the time. That was the advice that I received.

Tabling of Paper

Mr S.K. L'ESTRANGE: The minister was asked under standing order 157 to table that document. I ask that he table the document, please.

Mr D.A. TEMPLEMAN: I seek clarification. My understanding is that if it is an official document, it is required to be tabled; if not, it does not need to be tabled.

Several members interjected.

The SPEAKER: Members! Let me make a decision on it—I am sorry, the Clerk! Minister, you did say that you would table it. In future, it has to be an official document to be tabled. The minister offered to table it, so that paper is tabled.

[See paper 1930.]

TAB — PRIVATISATION

761. Ms C.M. ROWE to the Minister for Small Business:

I refer to the racing reform package announced by the McGowan Labor government earlier this week. What impact will this have on local TAB agents, and how has the government ensured that local small businesses are protected under these historic reforms?

Mr P. PAPALIA replied:

I thank the member for the question because often when people talk about the TAB and the racing industry, they overlook the small businesses associated with the TAB outlets. I want to particularly address the matter for the purposes of responding to reports about comments that were made by Jeff Miles, the president of the WA TAB Agents Association, in various media outlets the day before yesterday in response to the announcement of our package of reforms. One of his comments was —

The association calls on the government to include measures in the bill of sale to protect the 120 small businesses operating retail TAB stores across the state, as the TAB transitions from public to private ownership.

He said that on WAtoday. He made other comments about the package but he said they conditionally welcome it. I assure Mr Miles, with whom I have met, both in government and opposition—I am sure that many members, certainly on our side of the house and many on the other side, have met with Mr Miles or other representatives of the TAB association in recent times—that the government was very cognisant of the need to take their circumstances into account as we went through this process. They were consulted by my office, the agency and Racing and Wagering WA. It must be said that in 2016, under the previous government, a clause in their agreement that assured them of a buyback opportunity in the event that they were forced out of the business was removed. Currently, there is no obligation on the principal racing authority—RWWA—or the government to provide any form of buyback in any way to TAB agents. We are not obliged to do that, but we have announced, as we did when we announced the package, that we would accommodate reintroducing a form of support for people who are forced

to leave. We said that will apply for three years post-the sale. They will be guaranteed a minimum amount of compensation, which will be linked to the size of their agency. If the agency closes in the first three years of the arrangement, they will be entitled to a form of compensation up to \$100 000. That is not currently extant; they will get nothing thanks to the circumstances we inherited.

We have also ensured certainty for the future, primarily for the TAB and the TAB outlets. We have tackled the foreign-owned corporate bookmakers who are taking an increasingly large proportion of the overall betting activity in this state and paying no tax. We are also addressing the loss to sports betting increasingly growing where the TAB is unable to compete because of a lack of resources and the scale and technology of its competitors. We are addressing that through the sale process. We will set up the industry in Western Australia with an infrastructure fund and a flow of revenue, through a point-of-consumption tax that is the most generous in the country, which will ensure that the product that TAB outlets are selling is sustainable. Those are significant contributions to the support of the TAB outlets and the TAB network. I also put on *Hansard* that, during this forthcoming process, we will ensure that the current rights under their contracts will remain in place, removing any uncertainty about the direction of the future TAB operator. In all, we have taken into account—this is on the direct guidance of the Premier from the very outset of this process—that the TAB agents should be taken care of. I am open to the suggestion from Mr Miles that we continue collaboration and close discussion during the process. There will be a steering committee with RWWA representatives, to provide industry input following the conclusion of the introduction of point-of-consumption legislation, and throughout the TAB sale legislation preparation. I am open to the suggestion that the TAB outlets have representation on that steering committee.

SHALOM HOUSE

762. Mr P.J. RUNDLE to the Minister for Planning:

I refer to the article by Gary Adshead in *The West Australian* on Tuesday, titled “Time to help, not stop, Shalom House drug rehabilitation centre”, specifically the minister’s concern that the potential approval of this use in the Swan Valley Planning Act area may have a substantial effect on the future planning of the area.

- (1) What are the minister’s specific concerns about the potential approval of Shalom House?
- (2) Considering the government has talked up its strategy to reduce drug use in Western Australia, why is the minister standing in the way of this important facility?

Ms R. SAFFIOTI replied:

- (1)–(2) I will first say that I am not standing in the way of the facility, and that the facility has been operating for a number of years. I will go through two points. The first is in relation to the definition of “community purpose”. The State Administrative Tribunal made a decision about what it interpreted to be community purpose. That opens up a number of issues across all suburbs and towns. The question for a Minister for Planning is whether, if rehab centres come under the definition of community purpose, what impact that will have in suburbs and towns across Western Australia. That is something I need to take into consideration, because we have to make sure we are very clear with the public about the definition of community purpose, and that is the work we are doing, in particular when I get advocacy, for example, from the member for Nedlands, who is opposing a particular rehab centre in one suburb because it is in a residential area. These issues are ongoing and they are everywhere. For example, one question would be: would the member support having a rehab centre right next door to a primary school or high school? Those are the questions that the SAT interpretation is raising for me as Minister for Planning. They are serious questions for the whole community.

In the Swan Valley, that is a secondary concern, but we are undertaking a review of the Swan Valley. As I recall, member for Bassendean, when the previous government was looking for a location for the disability justice centre, there was a site in the Swan Valley that the then government walked away from, saying that it did not suit the rural atmosphere of the Swan Valley. That was a decision made by the previous government about the location of a disability justice centre in the Swan Valley. The decision of the previous government was that it was not consistent with the rural nature of the Swan Valley. However, that is a secondary concern. The primary concern for me as planning minister is the consequences of the interpretation of community purpose by the SAT, what it means for suburbs like Subiaco, Carine, Duncraig, Balcatta and across the whole metropolitan area, about the implication of where rehab centres can occur under the definition of community purpose.

SHALOM HOUSE

763. Mr P.J. RUNDLE to the Minister for Planning:

I have a supplementary question. What short-term measures will the minister put in place to ensure that Shalom House can continue to operate, considering it does such good work?

Ms R. SAFFIOTI replied:

It does operate, and nothing I am doing would impact it in the short to medium term. I am looking at the interpretation of community purpose. As I said, if a rehab centre opened up tomorrow next to a school as a consequence of the interpretation of community purpose, I am sure that the member would come in and say that that is a problem. I am trying to avoid the consequential issues of an interpretation. As I said, that may mean making the definition clearer so that, through planning schemes and consultation with communities, the communities know that community purpose could be a rehabilitation centre, or it may mean that we have a new definition for rehab centres that can work with the local community. That is what I am doing, and as Minister for Planning I have a responsibility to make sure that we understand the consequences of decisions made and the implications they have for the community and the councils across the state, and that is what I am doing.

STATE ECONOMY**764. MR S.J. PRICE to the Premier:**

I refer to the recent national accounts figures that show that the Western Australian economy grew in 2017–18 for the first time since 2012–13. Given the prior years of economic contraction, how has this Labor government's economic policy differed from that of the previous Liberal–National government, especially when it comes to small business?

Mr M. McGOWAN replied:

I thank the member for the question. It is true that this WA Labor government governs on behalf of all Western Australians no matter where they live or their occupation. It is now clear that WA Labor is the party of small business in Western Australia. I want to reiterate that Lotterywest retailers, taxi plate owners, TAB agents, and people in shopping centres who run small businesses and do not want 24-hour trading know that this government is standing up for them. Because of the unprecedented stability and the focus on the economy and state financial management under this government, we have seen a massive increase in business confidence in Western Australia. We have done two things. We have taken huge steps to diversify and strengthen the economy and we have taken the difficult decisions to repair the state's finances. The last government—the Liberal Party in office—performed a remarkable feat. Not only did it drive up the state's debt and deficit by extraordinarily unprecedented proportions, it also brought in three rounds of land tax increases on small business owners, so much so, that I have *The West Australian* here, and I will quote it to members: "Blue Ribbon Revolt: Liberal supporters up in arms over land tax". There have been three rounds of land tax increases. I had Liberal Party members coming up to me complaining about the land tax increases that the former government brought in. While the previous government was racking up state debt, it was also racking up taxes on small businesses across Western Australia. Under the present government, we have seen the economy go back into a growth phase, and we have seen state final demand grow for the past two quarters. If we compare that with the last two years when the Liberals and Nationals were in office, state final demand contracted by 11 per cent in the previous government's term of office.

Several members interjected.

The SPEAKER: This constant interjecting from my left—if I called you all to order no-one would be here. Just listen to what the Premier is saying.

Mr M. McGOWAN: In other words, when the Liberal Party was in office the state was in recession. Do members know how much growth there was in the state's economy while the Leader of the Opposition was the Treasurer of the state? Zero—there was zero growth in the state's economy. Now we have the member for Victoria Park as the Treasurer—he is looking a bit different today! With the member for Victoria Park as state Treasurer we have seen business confidence at a high, we have seen the Chamber of Commerce and Industry of Western Australia expressing confidence in the state's economy, and we have seen growth in consumer confidence across Western Australia. In other words, we have seen the state's economy, we have seen business investment and we have seen consumer confidence grow once again because we have a competent government made up of grown-ups who are prepared to make difficult decisions and support small and medium-sized enterprises in Western Australia, unlike the Liberal Party when it was in office.

Several members interjected.

The SPEAKER: Member for Carine, I call you to order for the first time.

TRACKSIDE — ELECTRONIC GAMING**765. Dr M.D. NAHAN to the Premier:**

Would the Premier please explain to this house and the people of Western Australia why he has changed his mind on the Trackside product? In the past he opposed it absolutely; now he is proposing to introduce it throughout TAB outlets throughout the state.

Mr M. McGOWAN replied:

What we see from the Liberal Party in Western Australia is that it makes things up —

Several members interjected.

Mr M. McGOWAN: It just makes things up!

Several members interjected.

Mr M. McGOWAN: It then comes in here and expresses this mock outrage, based upon red herrings and falsehoods. That is what it does. The Leader of the Opposition is an expert at finding something I said about issue X, pretending it was about issue Y, and then coming in here and quoting me on another issue and pretending it was on the alternative issue.

Several members interjected.

The SPEAKER: Member for Carine.

Mr M. McGOWAN: That is what happens. That is what the Leader of the Opposition does, otherwise he would have a direct quote.

Dr M.D. Nahan: I have.

Mr M. McGOWAN: I was very clear about poker machines in Western Australia. In 2005, when Matt Birney was raising it, and in 2016, when Hon Col Holt was raising it, I was very clear about poker machines—that under WA Labor they will never be allowed into Western Australia. To try to conflate that with Trackside is a falsehood, and it shows why you are unfit to be Leader of the Opposition and definitely unfit to ever be Premier of Western Australia.

TRACKSIDE — ELECTRONIC GAMING

766. Dr M.D. NAHAN to the Premier:

I have a supplementary question. I have a direct quote. This is relating to Trackside, and according to my notes the quote is —

“It brings some of those social ills, in particular, gambling addictions and the like that we’ve seen in New South Wales, Victoria and Queensland now for decades to Western Australia —

Point of Order

Mr D.A. TEMPLEMAN: A supplementary is simply that—a short supplementary question. This is a new question that the member is asking.

Several members interjected.

The SPEAKER: I have not heard the question yet, so I do not know how you know it is not a proper supplementary. He has not finished it.

Dr M.D. Nahan: He doesn’t want to hear it.

Questions without Notice Resumed

The SPEAKER: Leader of the Opposition, have you got a supplementary question?

Dr M.D. NAHAN: The Premier has said there was no direct quote or else I would give it, so I am giving it.

Ms R. Saffioti: Okay, give it—the whole thing!

Dr M.D. NAHAN: I am.

Mr M. McGowan: Okay. Read it out!

The SPEAKER: Members on my right!

Dr M.D. NAHAN: This relates to Trackside —

Several members interjected.

The SPEAKER: Members, your Premier has said he will take it. So finish it, Leader of the Opposition.

Dr M.D. NAHAN: Okay.

The quote is —

“It brings some of those social ills, in particular, gambling addictions —

Several members interjected.

The SPEAKER: Members!

Dr M.D. NAHAN: Does the Minister for Transport think social ills and gambling addiction is a joke?

Several members interjected.

Dr M.D. NAHAN: The quote continues —

and the like that we've seen in New South Wales, Victoria and Queensland now for decades to Western Australia.

It is a very, very disturbing development and I oppose it absolutely."

That is the Premier on Trackside.

Mr M. McGOWAN replied:

I would like to answer this question —

Dr M.D. Nahan: Good.

Mr M. McGOWAN: I would like to answer this question very directly.

Several members interjected.

The SPEAKER: Members, listen!

Mr M. McGOWAN: I have a copy of the quotation.

Dr M.D. Nahan: I have it.

Mr M. McGOWAN: No, I have a copy of the quotation here.

Dr M.D. Nahan: Yes; so do I.

Mr M. McGOWAN: It was 27 June 2016 at 5.08 pm.

Dr M.D. Nahan: Exactly.

Mr M. McGOWAN: I was on the radio with Oliver Peterson, and I want to read out the full quotation. I quote —
It's a very disturbing development.

That was the issue of Hon Col Holt and the like, but I will get to the quote. The quote continues —

We've had a long period of time in Western Australia without poker machines or without gaming machines in the broader community. That has been a position both sides of politics have held for a long period of time. Now the Government is talking about expanding gaming machines out into the broader community. All that will mean, is more people pour their money into those machines, more people particularly those on pensions, and those who can least afford it, will lose money. It brings some of those social ills, in particular gambling addictions and the like that we've seen in New South Wales, Victoria and Queensland now for decades to Western Australia. It is a very, very disturbing development and I oppose it absolutely.

What did I refer to? I have highlighted it there for the Leader of the Opposition—poker machines or gaming machines!

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: And when people write articles about this —

Several members interjected.

The SPEAKER: Members, you wanted to hear the answer—just listen.

Mr M. McGOWAN: And when people write articles about this, maybe they should research it. When the Leader of the Opposition makes comments about this, maybe he should repeat the whole quote. Now, the only other example of gaming machines in Western Australia today are the gaming machines at Crown casino.

Several members interjected.

Mr M. McGOWAN: They are there —

Several members interjected.

Mr M. McGOWAN: Crown casino, when it was Burswood more recently over the last 20 years or so, has wanted to have its gaming machines replaced by poker machines. When I was Minister for Racing and Gaming, I rejected that. Other ministers rejected it as well. The only example of gaming machines in Western Australia are at Crown casino—you go along, you press a button, the wheels spin, you press another button. I said quite clearly that they would not be expanded to the broader community, and I also said that poker machines would not be expanded to the broader community. So, in other words, you have been completely and utterly caught out! You are unfit to be opposition leader—you are unfit to be in this Parliament!

Several members interjected.

Point of Order

Mr D.A. TEMPLEMAN: You should throw this man out—he is an idiot!

Several members interjected.

Questions without Notice Resumed

The SPEAKER: Members, and the member for Carine especially, I have the opportunity to throw you out on one call if you are disrupting Parliament. You continually interjected there. I just want you to know that the Speaker has that power. So keeping on going on and thinking no-one is noticing—the Speaker has the power, if you are disrupting Parliament, to make you leave the chamber.

Withdrawal of Remark

Mr S.K. L'ESTRANGE: The Leader of the House made an unparliamentary remark to the Leader of the Opposition, and I ask him to withdraw it.

Mr D.A. TEMPLEMAN: I am happy to withdraw.

But on another point of order, I remind you that four times—four times—the Leader of the Opposition used the word “hypocrite”.

Several members interjected.

Mr D.A. TEMPLEMAN: It is my point of order, not yours.

The SPEAKER: Sit down, because there was someone else before your second point of order. Member for Armadale.

Dr A.D. BUTI: I think the Leader of the House mentioned that the Leader of the Opposition mentioned “hypocrite” at least two or three times that I heard. I would like your ruling on whether that is unparliamentary; and, if so, he should withdraw.

The SPEAKER: Do you want to withdraw calling him a hypocrite, Leader of the Opposition?

Dr M.D. NAHAN: Are you advising me that that is unparliamentary?

The SPEAKER: Yes.

Dr M.D. NAHAN: Okay. I withdraw.

NOT-FOR-PROFIT COMMUNITY SERVICES**767. Ms E. HAMILTON to the Minister for Community Services:**

Can the minister update the house on how the McGowan Labor government is delivering on its commitment to work more closely with the not-for-profit community services sector, build stronger relationships and deliver more security for services? Can the minister also outline to the house how this commitment will deliver positive outcomes for Western Australians and greater support for these organisations?

Ms S.F. McGURK replied:

I am very happy to speak on this topic. Before the last state election, the McGowan team—I was part of the delegation—went to the not-for-profit sector represented by the Western Australian Council of Social Service, but we also met with a range of individual agencies and asked how we could work with them to make WA a better community and make their work easier. They raised with us a number of key issues around procurement, and making sure that there was more security around contract length, that there was uniformity around reporting requirements across state government agencies, and that there was collaboration as a default—as an automatic right—on the way tenders were written. That is of course important, because most of those community organisations rely very heavily on grants and contracts with the state and various levels of government, including different agencies across state government, and they spend a lot of time acquitting those grants. No sooner have they received one lot of grant funding than they have to acquit another lot and get on with making yet more applications.

Anyway, we worked with them. We took a commitment to the last state election called the Supporting Communities policy. I was very happy to work with the Treasurer and the Minister for Finance last week to announce our policy that ensures that the \$1.5 billion that the state government spent on the community sector in 2017–18 is put to good use under a framework that supports the community sector in partnership with government. We were able to deliver on a number of those items that the community sector across the state asked for, including longer contracts, with five years as a default; working collaboratively in determining the criteria for funding arrangements; and making sure that we are concentrating on outcomes, not outputs. We are doing more work around refining that criteria. We did that through the Supporting Communities forum, which is the peak consultation forum with directors general and leaders in the not-for-profit sector. That has been working very effectively. I am very proud of that policy.

Several members interjected.

Ms S.F. McGURK: It would be good if people across the other side of the chamber were listening to this, because we often talk about these difficult social issues —

Several members interjected.

The SPEAKER: Members, please! Oh, we are pointing now, are we? It is like kindergarten.

Ms S.F. McGURK: We often talk about difficult social issues and people have opinions about how we tackle them. It is quite clear that government by itself will not be able to resolve those issues. The community sector on its own will not be able to resolve those issues. The community will not be able to resolve those issues. We all need to work together. This policy, whereby we have really moved ahead in our procurement policy across all state government agencies, is an important step to that end.

CYBERSECURITY — BLOOMBERG INVESTIGATION

768. Mr Z.R.F. KIRKUP to the Minister for Innovation and ICT:

I refer to the investigation by *Bloomberg* that last week revealed that the People's Liberation Army has embedded malicious microchips into motherboards, compromising the security of servers at Apple, Amazon, the Bureau of Meteorology and the Australian and United States departments of defence. What steps has this government undertaken to audit whether any Supermicro motherboards or devices are operating in Western Australian corporations or agencies?

Mr D.J. KELLY replied:

I ask the member which organisation did he —

Mr Z.R.F. Kirkup: It was a year-long investigation by *Bloomberg*.

Mr D.J. KELLY: The member named an organisation that he claims may have embedded —

Mr Z.R.F. Kirkup: Supermicro.

Mr D.J. KELLY: I thought he said the People's Liberation —

Mr Z.R.F. Kirkup: I will go through the question again if the member wants. I am surprised you don't know about it, considering it is the biggest hardware attack in history.

The SPEAKER: Ask the question again.

Mr Z.R.F. KIRKUP: I am a bit concerned that the minister for technology does not know —

Several members interjected.

The SPEAKER: Just ask the question.

Mr Z.R.F. KIRKUP: My question is: I refer to the revelations in *Bloomberg* last week that assert that the People's Liberation Army embedded malicious microchips into motherboards, compromising the security of servers and devices at Apple, Amazon, the Bureau of Meteorology and the Australian and United States departments of defence. What steps has the government taken—clearly none—to determine whether any Supermicro motherboards or devices are operating in any Western Australian government agency or corporation?

Several members interjected.

Mr D.J. KELLY: The member for Dawesville sometimes thinks he is too clever. When we came into government —

Several members interjected.

The SPEAKER: Members! Member for Swan Hills, I call you to order.

Mr D.J. KELLY: When we came into government, one of the problems that we had to deal with was that the previous government did not take cybersecurity seriously. We were the only state government not to have any central oversight of cybersecurity across the public sector. All we had was the Office of the Government Chief Information Officer, which de facto provided advice to departments on these issues. When we came into government, under the last budget we provided resources for the first-ever across-agency cybersecurity team to look at these issues. That is a major leap forward for this government. We are putting that in place now. We have put a range of other initiatives in place, which we have talked about previously in this place.

I have no reason to believe that the incident that the member for Dawesville has referred to has infected Western Australian's public sector—no evidence whatsoever at this point in time. However, we have said previously that the Western Australian government is vulnerable when it comes to cybersecurity, because the previous government was asleep at the wheel on this issue. It was literally asleep at the wheel. While the member for Dawesville was in the Premier's department doing I have no idea what, the previous government was absolutely asleep at the wheel. The Auditor General in this state released annual report after annual report saying that we were vulnerable. What did the previous government do? It did nothing. All the trends and the baselines that the Auditor General used to assess things such as information security and business continuity all plateaued, if not declined, under the previous Liberal government. We have acted. We have set up an across-agency team to look at cybersecurity. We have had forums with directors general to make sure that cybersecurity is not something that is dealt with by the —

Mr Z.R.F. Kirkup: What about this incident?

The SPEAKER: Member! You will have a supplementary.

Mr D.J. KELLY: I have answered the member's question. We have made sure that cybersecurity is an issue for directors general. In 18 months we have done more than the previous government did in eight years.

Mr V.A. Catania: Like what?

Mr D.J. KELLY: The "member for North West–Claremont" would not know what he is talking about, so he should not raise his head above the parapet. I have no reason to believe that the cybersecurity incident that the member for Dawesville referred to has infected the Western Australian government at this point.

CYBERSECURITY — *BLOOMBERG* INVESTIGATION

769. Mr Z.R.F. KIRKUP to the Minister for Innovation and ICT:

I have a supplementary question. Given the United States and Australian governments' concern about foreign interference and control of ICT systems and the value chain associated with that, what has the government done to evaluate the significant risk posed to Western Australia, considering that we have had more than 20.5 million attacks on our network since Labor was elected?

Several members interjected.

The SPEAKER: Members!

Mr Z.R.F. KIRKUP: What work has the government undertaken to identify the risks associated with foreign interference, including companies such as Supermicro; and will the minister undertake to provide a report to Parliament on this important issue?

Mr D.J. KELLY replied:

That was probably the longest supplementary question we have had today other than some of the other ones that have been dragged out by other members opposite.

The SPEAKER: Minister, get to the point.

Mr D.J. KELLY: What was the figure used?

Mr Z.R.F. Kirkup: It was more than 20.5 million.

Mr D.J. KELLY: That is since we came into government. If the member knew anything about this issue, he would know that month on month government agencies across the world are subjected to millions of cybersecurity attacks. That is nothing to do —

Several members interjected.

The SPEAKER: Members!

Mr D.J. KELLY: That is nothing to do with something that happened since we were elected.

Mr Z.R.F. Kirkup interjected.

The SPEAKER: Member, you had your opportunity.

Mr D.J. KELLY: Trying to link the election of the McGowan Labor government with the number of attempted cybersecurity attacks on the Western Australian government shows the nonsense that the member for Dawesville is prone to espousing in this place. Governments and corporations across the world are subjected to these attacks month in, month out. A large number of them are automated and random. They are attacks that roam the internet looking for a place, a weakness, nothing to do whatsoever —

Several members interjected.

The SPEAKER: Members!

Mr D.J. KELLY: As I indicated, we have done more to raise the issue of cybersecurity within the public sector in the last 18 months than the previous government did in eight and a half years.

Mr Z.R.F. Kirkup interjected.

The SPEAKER: Member, you had your opportunity.

Mr D.J. KELLY: Clearly, the member for Dawesville does not know what he is talking about.

Mr Z.R.F. Kirkup: I don't know what I'm talking about! Mate, listen to you go.

The SPEAKER: Members, we have nearly finished question time.

Mr D.J. KELLY: If the member really wants to come in here and deal with this issue in a serious way, he should come up with some serious questions.

The SPEAKER: That is the end of question time.

GAMING AND WAGERING LEGISLATION AMENDMENT BILL 2018*Second Reading*

Resumed from an earlier stage of the sitting.

MR P.A. KATSAMBANIS (Hillarys) [3.09 pm]: I continue my remarks that were interrupted earlier in the day. I reiterate that there are good aspects of this legislation, in particular the changes that are proposed to be made to the racing bets levy scheme with the treatment of bet backs and the calculation, the turnover, applied to betting exchanges. The legislation will see the removal of the really unnecessary red tape on interstate raffles and lotteries that are conducted by charitable and sporting organisations. That can work both ways because it also enables Western Australian products to be sold in other places more easily, creating a level playing field. It will hopefully mean that those charitable bodies, sporting organisations and the like—lots of not for profits that use the raffle system for fundraising—will be able to raise greater funds. If there are any issues about the distribution of funds between state and national bodies, hopefully the state bodies will all get together and make sure they get their fair share and the national bodies will start listening, particularly representative organisations, be they veterans groups such as the Returned and Services League of Australia, surf lifesaving clubs or similar organisations. I think the national body should always understand that it is the grassroots, state-based, locally based clubs and organisations that are the heart of those organisations, and they should make sure the grassroots of their organisations get the appropriate funding.

I then pointed out the nothingness of some of the other provisions, particularly the two main provisions that the government wants to hang its hat on—firstly, that ban on promoting sporting odds during live sporting events at venues. It is a good thing, as I said. I do not think it is a bad thing but it is no panacea, because the sporting groups have already done it. Some of them did it because they wanted to be good corporate citizens. I do not want to highlight the wrong people, but I am sure Andrew Demetriou in his time as chairman of the Australian Football League led that push because he did not like young people being subjected to odds on scoreboards. In the case of some sports, particularly cricket and tennis, across the globe and especially in Australia, it has been done as an integrity measure to protect the integrity of those sporting events as much as possible.

Then there is that purported ban on Lottoland. The minister will come in here and say that the government did not mention Lottoland. It talked about synthetic lotteries like Lottoland. The one that is operating in Australia and has been operating for a number of years is Lottoland. It has been banned. I think the ban comes into place in February next year. It is being banned by the federal Parliament through the changes to the Interactive Gambling Act 2001. It will be rightly banned at that level because that is where the constitutional power lies. We as an opposition attended a briefing and we asked the learned people who were at the briefing: does this apply to Lottoland? They said, “No, we can’t do much about that. The feds have covered that field. Our legislation will not make an iota of difference to Lottoland.” We then asked: what other products is it envisaged will be prescribed? They said that they have not been invented yet. So we are passing legislation on the basis that perhaps a product that is not an online product is invented and located here in Western Australia and therefore we can then prescribe that product as not appropriate for Western Australia. We are really jumping at shadows. We are really trying to make an issue out of a non-issue.

There is an underlying issue that this government refuses to address and that is the impact on our state and small businesses in our state of the clear shift from bricks-and-mortar lotteries and bricks-and-mortar gaming and wagering, if we like, to electronic forms and online forms, be they on the telephone, people’s computers or however we end up consuming online activity in the future. I know that some people are already doing it on their watches and things like that. Where is the competition in the online space really coming from? It is very clear. The members for Carine, South Perth and Dawesville highlighted in their contributions that it is quite clear that the online presence of Lotterywest is driving growth at the expense of bricks-and-mortar Lotterywest agents across our suburbs, in our regions and in our towns. It is a bit like online shopping. We cannot just put our finger in the dyke and hope that the water does not come in. I do not blame Lotterywest for actively engaging in the online space, competing with sports betting and everything else that it does. Members should remember that I am a non-gambler. It does not impact on me personally and it never will. I do not blame Lotterywest for doing that. Lotterywest gives out licences to small business operators—to retailers—to retail the Lotterywest products out there in the community. Lotterywest itself is out there directly competing for custom. It is often easier when it is raining, when it is too hot or when one member of the family has the car so the other member cannot use it to go online and buy a lottery ticket than drive to the mall, find a parking spot and perhaps run the gauntlet of rain, packed crowds or whatever. Lotterywest is actively competing against its own retailers. We would think in that paradigm a government that wanted to protect retailers would sit down with Lotterywest and the retailers and come up with a revenue-sharing model. It is not too hard. It can be done in any number of ways. We have seen the figures—the last two years have seen a real growth in online lottery sales. The real growth in dollar terms has been in the last couple of years when this government has been in power. It has done absolutely nothing to look after that. The minister still has that opportunity. It will not run away.

Mr P. Papalia interjected.

Mr P.A. KATSAMBANIS: If the government really wants to protect retailers, it should give them a revenue-sharing model that lets the retailers share in the growth that is happening in the industry that they have been sold.

Mr P. Papalia interjected.

Point of Order

Mr S.K. L'ESTRANGE: I do not believe the member for Hillarys is taking interjections.

The ACTING SPEAKER (Mr R.S. Love): Thank you, but I am capable of running the debate.

Debate Resumed

Mr P.A. KATSAMBANIS: The government should give retailers an ongoing stake. It is a revenue share. When someone buys a ticket at a kiosk or a retailer, some of the revenue stays with the retailer. Obviously, the majority of the funds go into the pool that provides prizes. A small portion stays with the retailer. A portion goes to state revenue through the Lotteries Commission and the rest is kept by Lotterywest for community grants. That is a great thing. We want to support that. The percentage that does not go into the pool, when the retailer does not get their margin, gets swallowed up in commission. A deal can be done that will give the retailers a place in the sun, perhaps protect them from some of the competition, and at the same time protect the integrity of the lottery and continue to ensure that the pool of funds that are meant to be the whole reason for the state regulating lotteries—that is, the Lotterywest funds that are distributed to community groups—continues to grow.

I want to finish on that issue about continuing to grow the funds. As I said, online gambling—the Lottolands, other synthetic lotteries or actual overseas lotteries, for that matter, or anything else that happens online—is not really the province of the state, but state, territory and federal ministers get together to discuss these things. In an interjection before the lunch break the minister made that point in relation to the promotion of sporting odds during live sporting events at venues. They all got together and they had a choice about these new synthetic lottery products, which are obviously popular. I have absolutely no idea why they are popular. They do not appeal to me, as I keep pointing out, but they are popular.

Mr J.E. McGrath interjected.

Mr P.A. KATSAMBANIS: I guess it is the multiplication effect, member for South Perth. People have better odds if they bet on a horserace than they do in a lottery, but the lure of that big, big prize is the number one thing. That is why people buy lottery tickets. It may be for cultural reasons, too, that they find it an easier form of gambling to deal with. When a big international prize is put in, there is an even bigger lure, and that is what attracts some people. That is all well and good. People are welcome to have those choices. At a ministerial level and at an intergovernmental level, the choice was to either stick our heads in the sand and ban it or look at how to derive some revenue. It is interesting that when this legislation was introduced, the media spoke to Lottoland representatives. I heard a couple of those interviews, particularly one with Oliver Peterson on 6PR. The Lottoland representative said, “Look, we were very happy to help fund the Lotterywest pool. We were very happy to come into a regulated regime and pay our equivalent of state tax into whichever pool the states wanted to put the money.” It is interesting that in the week that we are debating this bill, the government has brought out its proposals for the sale of the TAB. One of the headlines of that proposal is that it will move to a point-of-consumption tax.

The ACTING SPEAKER: Treasurer, your noise is carrying right across the other side of the chamber. Could you keep your discussion down.

Mr P.A. KATSAMBANIS: We will move to a point-of-consumption tax in wagering on racing because it is fairer, more equitable, recognises the spread of modern gaming and wagering, and protects the revenue of the state. That option was still available with Lottoland. It indicated that it wanted to do that and that any funds could have gone straight into Lotterywest.

Mr P. Papalia: Are you arguing the case for Lottoland?

Mr P.A. KATSAMBANIS: No, I am not, but I am highlighting the hypocrisy of a point-of-consumption tax for the TAB but no consideration given to a point-of-consumption tax for Lottoland. I recognise it is not in the minister's hands alone, but when we are talking about protecting Lotterywest's revenue pool, one of those issues could have been considered.

Mr P. Papalia: You are arguing for it.

Mr P.A. KATSAMBANIS: I am not advocating for anyone. I would be happy if there was no gaming whatsoever, absolutely, because it is not in my nature.

MRS R.M.J. CLARKE (Murray–Wellington) [3.23 pm]: I rise to support the Gaming and Wagering Legislation Amendment Bill 2018. Lotterywest is absolutely unique. When Lotterywest became part of TattsLotto across Australia, it was kept unique to Western Australia and we made sure that the profits from all Lotterywest sales went back into the community. That does not happen across the rest of Australia. In some states, no money goes back into the community. In other states, they put a small proportion back in, but community groups cannot apply

for grants. It is absolutely imperative that we keep Lotterywest the way it is now—in state-owned hands, but also, more importantly, in the way that we run it and protect its brand. It is important that these things happen, because we do not want big companies like Lottoland coming in. I was mortified when I saw the advertisements on television. I thought, “This is ridiculous.” The claims being made in those ads were absurd. I do not understand why people would want to buy into something like this. The contributions that Lotterywest makes to the community outweigh everything. We need to protect that brand. It is a trusted brand that everyone knows. Everyone in Western Australia knows Lotterywest. People have grown up with Lotterywest. It is recognised throughout the whole community. For small business, this legislation protects newsagencies and agents that sell Lotterywest products. At the moment, people gamble online and that is just not right for small business. The community benefits from Lotterywest products and we must protect that vital community contributor. There are 514 outlets in Western Australia that want this legislation and that want the McGowan government to fix the issues created by the previous Liberal–National government.

I want to touch on how fantastic Lotterywest has been for my community. Over the past 12 months, in my community alone, I have been able to get close to \$1.5 million in Lotterywest grants. I want to tell members about the importance of these grants. One was \$145 000 for Fairbridge to fund two new buses for disadvantaged and at-risk youth. This is vital for my community, because there is no public transport in my community. There was \$90 000 for the Pinjarra Community Garden for a multiple-purpose function facility. This community garden was put together by the community and it now has a function facility where it will be able to host things with all the produce and garden products that it sells. The next one is magnificent—\$750 000 for the Shire of Harvey to rebuild the Yarloop community hall, which was burnt down in the devastating 2016 bushfires. There was \$234 000 given to the Shire of Waroona for the Preston Beach community hall. Again, this is a necessity, because during the 2016 bushfires, Preston Beach was cut off from the rest of the community and the community hall was the only place where people could gather. It was a tiny little fibro building and did not suit its purpose. It is absolutely vital that the people of Preston Beach got an upgrade of their community hall. Another grant was \$250 000 for the Shire of Murray for the Dwellingup skate park and pump track. The Shire of Murray is investing hundreds of thousands of dollars into Dwellingup to create a major tourist precinct and an international bike track throughout the Dwellingup region that goes all the way to Collie. Again, that is going to create jobs and tourism. The last grant was \$20 000 towards running costs for the Harvey Harvest Festival. This festival started when a small Italian community group got together 20 years ago and started holding the Harvey Harvest Festival, to which they would bring wonderful produce to Harvey. I attended it this year and it was the most magnificent thing I have ever seen. There was grape stomping and all sorts of things.

I believe that this legislation is vital. Lotterywest absolutely needs to be protected. We need to stop outside proponents coming into Western Australia. This is our asset. If I as an individual had an asset, I would want to protect it as well. I commend this legislation to the house.

MS L. METTAM (Vasse) [3.28 pm]: I would like to make a few comments on the Gaming and Wagering Legislation Amendment Bill 2018. At the outset, I would like to provide some clarity around the comments made by the Minister for Racing and Gaming and the McGowan government on Lottoland and the suggestion that this is dealing with Lottoland. Although there is concern in the community about a threat to Lotterywest—Lotterywest being something that is very well supported in the community and by retailers and community groups that benefit from it—it is very clear that it was the federal government that dealt with this issue. The mere suggestion that the Minister for Racing and Gaming or the McGowan government is dealing with Lottoland through this legislation is mere window-dressing. An article in *The Australian* on 7 October by Sarah-Jane Tasker about Lottoland states —

Lottoland was effectively shut out of Australia when the federal government introduced laws into Parliament in June to ban synthetic lotteries following a strong campaign by newsagents and Tabcorp.

I certainly welcome the introduction of that legislation. This Gaming and Wagering Legislation Amendment Bill also encourages responsible gambling practices. Like the issue surrounding Lottoland, although worthy in its proposal, it is very short on detail in how this legislation will deal with this opportunity. It is fair to say that we are seeing, again, tinkering at the edges and a suggestion of trying to address an issue. But when it comes down to how it will be delivered and how responsible gambling practices will be delivered, we are seeing something very different. We heard the Premier in question time talk about how Trackside is not gaming and, I guess, use weasel words around the government’s approach to a really important issue.

I acknowledge that there is a push to online sales and an emphasis on online sales of Lotterywest tickets and products. I underline the threat this could potentially pose to our small business operators. There are a couple in my electorate—Seachange News and Lotto agency in Dunsborough and Callows Corner News in Busselton. They rely heavily on the benefits of the sales of Lotterywest tickets, given that it is central to their revenue through not only the sales themselves, but also the incidental products sold at the same time. There are 503 outlets like this around Western Australia that have benefited greatly from having that licence and being able to sell Lotterywest tickets. The revenue collected by retail outlets over the years shows a very consistent number of sales garnered by this sector. Although the McGowan government is putting greater emphasis on the online sales of Lotterywest tickets, we are seeing in the figures—I refer to parliamentary question on notice 3632 asked in the

Legislative Assembly—a very steady performance in the purchase of Lotterywest tickets at these 503 outlets across the state. The point I am making is that the people of Western Australia, clearly, very much value Lotterywest not only as a product, but also in what it brings to the state. We need only look at the foreshore in Busselton and the youth precinct project to see a very good example of Lotterywest funds being delivered to the community. We need only go to Callows Corner News agency or Seachange News and Lotto agency to see the level of support for this very well supported program.

However, I give warning about the push to online sales by the McGowan government and encourage it to look at what is already working—that is, the support of Lotterywest and the sale of lotto tickets from our small businesses, those 503 outlets across Western Australia. I will leave my comments there. I understand we will be supporting this bill.

MR D.T. PUNCH (Bunbury) [3.34 pm]: I rise to speak in support of the Gaming and Wagering Legislation Amendment Bill 2018. It is a bill that amends the Betting Control Act 1954 and the Gaming and Wagering Commission Act 1988. They are both fairly old pieces of legislation and certainly predate the significant rise in the application of online technologies to gambling in Western Australia. I support the amendments because they deal responsibly with a rapidly changing betting environment, in particular the significant rise in for-profit private operators whose interests are defined solely by maximising participation of the number of people involved in gambling and betting and maximising return to the owners with no real social dividend back to the community. In Australia, nationally, online betting products have increased by around 15 per cent per annum and, significantly, the Productivity Commission has estimated that as many as 115 000 Australians are experiencing problem gambling—115 000. A further 280 000 are at risk of problem behaviour. These are significant numbers. It can mean that families have insufficient money for basic needs such as food. It can mean people losing their jobs because of their behaviour. It can result in people losing their houses. It is a national problem and one that has long been recognised by successive governments in WA. We have often had a mutual position in politics on this.

The most significant aspect of this bill for me is a focus on harm minimisation. By putting in place contemporary controls of betting products, this bill complements the recently amended federal Interactive Gambling Act 2001, which has prohibited betting on the outcomes of overseas and Australian lottery draws. The subsequent amendment to the Betting Control Act 1954 will allow the Gaming and Wagering Commission to prescribe prohibited events and contingencies that can be bet on. That means the commission can be nimble, can react, can be proactive and can futureproof the state against things we might not even know about by being able to respond effectively.

I have seen a lot of animation today from members opposite. I think it is because they are a little embarrassed about the situation. Although we have seen the rise of these sorts of technologies in the last couple of years, they have been well on the horizon. They could have been thought about. Coming in here and suddenly finding issues to get really animated about, the member for Carine suddenly discovers Tracksie betting. With a lot of arm waving and flapping about what this means and what the government is up to, he wound up the Leader of the Opposition, pointed him in the right direction and away he went with words about hypocrisy, hidden agendas, what is the meaning of what the government is doing and putting words into the mouth of the now Premier in his previous role as a Minister for Racing and Gaming. What an approach! That highlights to me a certain level of hypocrisy on the opposite side.

What did we find in 2013? An announcement was made about the potential sale of the TAB. Nothing happened right through this period until this government came in, rolled up its sleeves and decided to do something about it. All that did was contribute to a great sense of uncertainty, a lack of a future perspective and certainly a lack of action in addressing anything in a strategic and sensible way in relation to racing, gaming and betting.

I was certainly surprised yesterday by the contribution to the debate of the member for North West Central. He talked about the bill reminding him of an episode of *Seinfeld*—a pitch for a show about nothing, I believe I heard him say. He described the legislation as being about nothing—something that goes to the heart of harm minimisation and trying to find the right balance between betting, people having fun and managing the risks associated with adverse betting behaviour, he described as being about nothing. It is an issue that has a profound effect on our community and at the same time it has the potential for, and has demonstrated, profound negatives. There is no other industry I can think of in which getting the social licence to operate is more critical and more important on the basis of a values-based debate, and that is what is paramount. What did I think I heard the member for North West Central say? I think I heard him say, “We support this legislation because it does not mean much at all.” Does that not say a lot about the National Party? It supports legislation that does not mean anything at all, but when it comes to a meaningful debate, where are the members of the National Party? They are certainly not in this chamber. Time and time again when I come in here for a sensible, meaningful debate, not a member of the National Party is in sight.

Mr P. Papalia: Gone home.

Mr D.T. PUNCH: Gone—gone home. They are a bit worried about traffic jams while on the buses. The Acting Speaker (Mr R.S. Love) is here, but I am sure that given the opportunity, he would be out and on the bus as well. That sums up the level of debate that is coming from the opposition side.

Point of Order

Ms J.M. FREEMAN: The standing orders state that it is not appropriate to bring the Speaker or the Acting Speaker into the debate. I ask that you, Mr Acting Speaker, ask the member to note that and withdraw his comments.

The ACTING SPEAKER (Mr R.S. Love): Thank you, member. I am not so concerned about the comment because I think it was made in a lighthearted way. Carry on, member for Bunbury. The general rule is that you do not attack the Chair.

Debate Resumed

Mr D.T. PUNCH: I will put it down to inexperience. I am still learning the standing orders.

The legislation is important because it is aimed at protecting the value base that we have built over many years around betting and ensuring that harm, as far as possible, is minimised while respecting people's choices and protecting them in an environment in which any form of traditional regulation is under threat from digital disruption—disruption from technologies whose sole purpose is aimed at increasing the market share and maximising profit regardless of the social consequences.

I note the contribution of the member for South Perth yesterday, who gave a comprehensive overview of the trends in the sales of lotto and the role that Lotterywest plays in supporting not only the many small businesses that sell lotto tickets, but also the many community organisations that benefit from Lotterywest grants. I noted his comments about the trends in sales but, from my point of view, digital disruption has the potential to change sales trends in so many industry sectors virtually overnight, and this legislation is about being nimble, proactive and able to anticipate without relying on legislation that, in the past, has meant that change occurs in months, if not years, and not in terms of the virtue of a new app on the market. Lotterywest in Western Australia is very much a values-based social enterprise. It provides a fair and equitable lottery opportunity and returns a social dividend back to the state. Many members have spoken about that. It has an interest in sales, maintaining its future and position and growth, but its value base is not about profit; it is about the social dividends and the return to the community. As such, it has been very much a part of the fabric of Western Australia for many, many years. I want to spend a bit of time talking about what it is we stand to lose if we do not get this legislation in place and provide adequate protections for the future.

My first experience of lotto was a very long time ago, back in the 1970s—well before any form of technology. In those days, we would go to the newsagent and buy a lottery ticket with a number on it from a stub. All the stubs went into a central pool and out came the draw. It was a time of great simplicity. My father-in-law won the lottery.

Ms J.M. Freeman: How much?

Mr D.T. PUNCH: I cannot be sure.

Mr B.S. Wyatt: Before you married his daughter?

Mr D.T. PUNCH: No, well after, unfortunately. This was in the late 1970s, early 1980s. I think he won \$16 000, which was a lot of money. He migrated from Poland with his wife and they landed in Bunbury. All they had when they first arrived in 1948 or 1949 was money to buy a postage stamp to send a letter back home.

[Quorum formed]

Mr D.T. PUNCH: As I was saying, my father-in-law won the lottery. He arrived with nothing and that lottery win helped to pay off his house and set them up for a great future. I am sure that that difference has happened for many families. Lotterywest itself makes a vital contribution to Bunbury and Dalyellup, the key areas of my electorate. I know that contribution is greatly appreciated and valued. It is the sheer diversity of community purposes that Lotterywest funding can be applied for that is so valued and appreciated. It is not only the fact that people can get grants from Lotterywest; it is the reality that Lotterywest staff are out in the community talking to people about how to shape their projects, how to apply for funding and how to improve their grant applications. The immeasurable contribution to our communities that Lotterywest makes goes beyond the simple act of taking money through a lotto system and redistributing it back to the community. Lottery-funded projects located in a single community are in areas such as developing buildings and facilities, providing emergency support, supporting the not-for-profit sector to develop strong planning and give it access to digital resources, community events, heritage, conservation, providing equipment to community organisations and research. What a diverse scope of contribution it makes, all through a value-based social enterprise. It is important that we in this Parliament do our utmost to preserve it.

Lotterywest also provides funds at the state level that impact on multiple regional communities. For example, earlier this year, my community in Bunbury was one of over 15 regional communities to enjoy a live broadcast of the Black Swan State Theatre Company's *Summer of the Seventeenth Doll*. This type of innovative funding delivers a value-for-money option and ensures that regional communities have access to the very best arts programming available in the state. It is not only a regional or metropolitan service; it is a statewide service that provides a focus right across Western Australia. It is well-known in my community that Lotterywest is a great supporter of our

community organisations. I know of people who, when they purchase a lotto ticket, describe it as making a community donation, and that is because they can see the transformative impact of Lotterywest. I am pretty sure that when they buy their ticket, they are keen to win as well, but the fact that it is part of a community effort is well recognised in my community. They can see the transformative impact on the community and the not-for-profit sector.

I will cover off a couple of examples that have occurred over the past 12 months. There is a breakaway, newly formed Aboriginal corporation that works with families and people living with the effects of substance abuse, especially meth. It receives funds to help develop its overall strategic agenda and website, which directly informs the community about its services and where to go for help. The South West Multicultural Festival in Bunbury is a major event in one of the most multicultural regional communities in the state. It received \$20 000 for its 2018 presentation of the annual multicultural festival, which is a great exploration of the diversity of culture, language and experience that makes Bunbury what it is today. Bunbury Regional Entertainment Centre received \$114 000 for audience development activities to create new opportunities for regional people, especially youth, to engage in the performing arts. The Dolphin Discovery Centre received over \$600 000 for a fit-out and to improve access to the centre and its services, especially for people living with a disability and volunteers. The South West Opera Company received money to purchase equipment; the City of Bunbury received money for its annual SkyFest event; AccordWest received money to directly support homeless youth by supporting the accommodation centre that has just been opened; and Doors Wide Open, a community organisation, received money specifically to support families dealing with the effects of meth through their ability to purchase a vehicle. It allows Doors Wide Open to get young people in recovery employment and volunteering opportunities in the community, and supports the education service it offers to schools, employers and community organisations. In just the last 12 months, the arts, crisis accommodation, community events and celebrations, community infrastructure and specialist support services in Bunbury have all benefited from Lotterywest funds. That is just in my electorate alone; I am sure that is absolutely replicated in every other electorate. I cannot think of another organisation that is able to respond so directly to support the specific and unique needs and aspirations of our regional communities. That is what we are trying to protect and safeguard into the future.

Over the last five years, Lotterywest has awarded grants totalling more than \$5.6 million to Bunbury organisations. Retailers have sold division 1 winning tickets valued at more than \$7.7 million. Unfortunately, I have not had a share of that! Based on this very limited and conservative review of Lotterywest impacts on Bunbury, it has injected more than \$13 million directly into the Bunbury economy over the past five years, but of course its contribution is far greater than that. I have spoken about the skills contribution, the information and the advice it provides to community organisations in my electorate. Those are the sorts of things that this legislation is there to safeguard into the future to make sure that we do not lose that to all sorts of profit maximising and participation maximising private owners of betting operations.

There are 14 lotto retailers in the greater Bunbury area, as the member for Vasse mentioned, all of them selling multiple products and making a significant contribution to the success and diversity of our main streets and shopping centres. All of them are employers, and many of them employ young people, giving them either a start in the retail sector or, at the very minimum, a part-time job on weekends to help them through school or university. No matter which aspect of Lotterywest's business we look at, whether it be the distribution of prize money to individuals in our community, the employment it creates in our community, the millions in grant funding it gives to our community sector or the myriad community facilities and programs that those community organisations deliver with that money, there is no disputing that Lotterywest is unique in Western Australia for the community benefit it delivers.

I come back to the original premise of what this legislation is about. It is about striking the right balance between the fun and the enjoyment of having a flutter, having a bet, and harm minimisation, and ensuring that throughout this changing world that we live in, and the changing nature of technology, we continue to have a social enterprise-based organisation that can make a strong commitment to the whole of Western Australia. I thank the minister for bringing this legislation to the house, and I fully support it.

MR B.S. WYATT (Victoria Park — Treasurer) [3.53 pm]: I rise to make some comments on the Gaming and Wagering Legislation Amendment Bill 2018. I must respond to some of the positions put by the Leader of the Opposition and the member for Carine in particular during their second reading contributions on this issue. Of course, they wandered off into the proposal of the government for the sale of the TAB and the point-of-consumption tax. I want to respond and place some comments on the public record about the position of the Liberal Party. First, it must be pointed out that it is quite incredible that the Liberal Party could not hold a position for 24 hours on its response to the most comprehensive and generous package for any racing industry in Australia. Within 24 hours, the Leader of the Opposition, ploughing the depths of simply opposing for opposition's sake, has found a new reason to wriggle out of and crab walk away from his early comments of approval.

I want to place on the record once again the comments made by those involved in and impacted by the sector when we announced our package, which had been developed over a long period, in close consultation with the industry through the leadership of Racing and Wagering Western Australia. Country Racing Association WA president

Kevin Scott welcomed the proposal put by the government, but just wished that it had happened sooner, because the value of the TAB, in his view, had declined over time, and I think he is probably right. The history of why this measure took so long to get here has been well ventilated. Importantly, the WA TAB Agents' Association represents the small businesses that have taken risks in an area undergoing dramatic digital transformation to their detriment. Representing those small interests, in particular our proposal around Trackside, the president of the association, Jeff Miles, said that he welcomed the announcement, but it was critical that business owners are protected during these changes. He continued —

You know, we're ... looking forward to working with the Government in the future towards an outcome ... that proves the best for everybody involved.

But he also said —

... we need to protect our small businesses.

The man not known for his consistency, Hon Colin Holt, when this proposal was put to him, said, "Yeah, it's about time." I hope the position that has been articulated today by the Leader of the Opposition and the member for Carine is not the position that the Liberal Party is going to take. The level to which the Leader of the Opposition is willing to go to try to crab walk away from any form of moral position on these things was highlighted in question time today, when he deliberately misrepresented a quote from the Premier. Fundamentally, the Leader of the Opposition had his pants pulled down, but that highlights the depths to which he is willing to go. The Leader of the Opposition equating pokies and electronic gaming machines to Trackside is simply absurd. We might as well go to the Royal Show, buy those little bingo tickets and say, "That's a pokie; it should be outlawed." I suspect that some of the wowsers in the Liberal Party hold that view.

I know it is not the view of the Liberal Party because I know that not all members hold this view, but the view of the Leader of the Opposition and the member for Carine is that they oppose the one initiative that has been announced to protect those small businesses, as outlined by the president of the WA TAB Agents' Association—the extension of Trackside to TAB agents only. The Leader of the Opposition is saying that it is okay for Crown casino to have that revenue source, but it is not okay for those WA TAB agents to have that revenue source. They will allow Crown to do it, but, in one of the most dramatic industry changes going on in our economy, they will not allow it for those small businesses, some of which are struggling against the might of smartphones and those foreign bookies. About 50 per cent of all bets take place through smartphones, not through people walking into a TAB, which is why the government thought that giving them a little something extra would be a good outcome. The Leader of the Opposition wants to cut the legs out from under those small businesses, because if we allow that extension of Trackside, it will see a higher, although not dramatically higher, I suspect, price for the TAB. Then he is saying to the entire racing sector, country and metro, that its future fund will be less if Mike Nahan, the Leader of the Opposition, and Tony Krsticevic, the member for Carine, get their way. That is the position the Leader of the Opposition has now put in the 24 hours since he first said that he supports the position of the government.

The Leader of the Opposition must stand for something at some point. Historically, the position of the Liberal Party was to support small business. I still think that some on the other side of this chamber hold that view, but that is a dangerous position to take. As I have said, this is the proposal. If the Liberal Party wants to go out there and deliberately find ways to unwind the proposal so that small businesses are penalised, and the broader industry gets a poorer return for its future infrastructure requirements, so be it. He should go and articulate that, and at the same time he can articulate why he is also opposing foreign-registered bookmakers paying a tax in Western Australia. Out you go, Leader of the Opposition! I look forward to that debate, and I wish Parliament sat tomorrow so I could pursue it further.

Dr D.J. Honey: We are waiting for next week.

Mr B.S. WYATT: I hope you are, because I would have thought you, member for Cottesloe, would understand the position that has been put.

Dr D.J. Honey: We don't want more gaming machines. That is what we want.

Mr B.S. WYATT: Correct—and there are no gaming machines! But that is interesting. So that confirms that the member for Cottesloe, the member for Carine and the Leader of the Opposition have the same view—that is, anti-small business and anti-racing industry. That is exactly what it is.

Several members interjected.

Mr B.S. WYATT: Okay.

The ACTING SPEAKER: Members!

Mr B.S. WYATT: That is the position of the member for Cottesloe, the member for Carine and the Leader of the Opposition—anti-small business and anti-racing sector. I remind people that about 35 000 Western Australians are employed in the racing sector and that those jobs, by nature, are not enormously secure, particularly with the influx that we have had. I have said that between 2007 and now, the percentage of betting that has moved to this

from the Totalisator Agency Board has gone from about 15 per cent to 50 per cent, like that—in the blink of an eye. When the government reacts to try to protect those WA small business owners, the Liberal Party is now stepping forward to unwind those protections. I am stunned by that. If the opposition thinks it can get away with this by equating Trackside to pokies—electronic gaming machines—it is wrong. That is the position it now occupies—a position that is anti-small business and anti-industry.

I want to reflect on one other thing before I sit down. After Hon Colin Holt said, “Yes, it’s about time”, when the government announced its proposal, and then went on to gush about it, this is the media statement he put out —

Addressing Labor’s announcement of legislation detailing a new point of consumption ... tax, Mr Holt said the entire tax take should be returned to WA’s racing sector—not just 30 per cent as flagged by the Government.

Let us just think about that for a minute, colleagues. Despite the fact that 30 per cent has been welcomed by everybody in the industry, Hon Colin Holt says every single cent raised by the point-of-consumption tax should go to the racing sector. So when people bet on the Chicago Bulls, that should go to racing; when people bet on county cricket, that should go to racing; when people bet on anything outside of racing, that is where it should go. Honestly! What a bizarre scenario we now find ourselves in with the Liberal Party taking a deliberately anti-small business strategy and anti-industry strategy because it thinks that is the way forward, because unfortunately the Leader of the Opposition cannot hold a position for 24 hours. That is the problem he has—not even for 24 hours! The Leader of the Opposition does not have a standard of truth within him. He came to the chamber today in question time and was less than truthful in the quote that he put to the Premier, and thankfully had his pants pulled down, much to his embarrassment, as it has been described to me by some in the media.

I want to make this point: the package is good. That is why it has been welcomed by the Country Racing Association of Western Australia, the small business representatives—the WA TAB Agents’ Association—and Racing and Wagering Western Australia. It has been welcomed because it will do the one thing that the former government was unable to do under the leadership of the Leader of the Opposition when he was Treasurer—make a decision and provide certainty. Importantly, we are also trying to protect small businesses.

Dr M.D. Nahan: You are undermining it every inch of the way!

Mr B.S. WYATT: Okay. You know what, Leader of the Opposition? I get the bitterness of your failure in government.

Dr M.D. Nahan: I am just holding you to account for what you said.

Mr B.S. WYATT: The fact that the then Treasurer sat over here and said he was going to sell this, sell that, do this, and do that. In the end what did Mike Nahan do? He lost the AAA credit rating! That is his legacy. That is what he did. And I get your humiliation, Leader of the Opposition! I understand it, and I understand his frustration, bitterness and anger that we have managed to get the industry on board with this proposal. But what I do not get is the fact that the Liberal Party has taken a deliberately anti-small business position against all those small business people who have taken a risk, who are now seeing their revenue sources undermined by their mobile phones—they are now seeing that. The Leader of the Opposition says, “Well, too bad—I’m coming after you! I’m not going to allow you to compete. I’m not going to allow you to have another revenue source.” At the same time, the broader racing industry should not get a future fund to the value it deserves. That is the position of the Liberal Party—not of the broader Liberal Party, but of the Leader of the Opposition.

Dr M.D. Nahan interjected.

Mr B.S. WYATT: Do members know why he has that position? It is from a deep anger and bitterness from his failure on this side of the house. He has a deep anger and bitterness from his time on this side of the house. That is the reality. If he is going to carry that anger all the way through his time in opposition, the Leader of the Opposition is going to have a miserable time.

Dr M.D. Nahan interjected.

The ACTING SPEAKER (Ms S.E. Winton): Thank you, Treasurer. Leader of the Opposition, fair go. You have had enough. Next time I will call you to order. Thank you.

Mr B.S. WYATT: He will have a very miserable time with the anger, fury, bitterness and humiliation of the record of the Leader of the Opposition in government. That is what drives him now, and I am disappointed that in that anger and humiliation, as he thrashes around looking for relevancy, he will try to take out those small business owners who have TAB licences. But that is the position of the Liberal Party. I know the member for South Perth has a much more sensible approach to this, and I hope as the shadow minister responsible he wins the day against this madness coming out of the Liberal Party. This is the package; it is a once-in-a-generation package, and the industry will not forgive the Liberal Party if it seeks to undermine it and ensure that it does not progress. If the Leader of the Opposition wants to have this fight, I am willing to have it, because the people he is protecting —

Several members interjected.

The ACTING SPEAKER: Leader of the Opposition, I call you to order for, I think, the first time.

Mr B.S. WYATT: The people he is protecting are thus: first is Crown Casino, because Crown should have the right for Trackside, but not WA small business owners. That is the first position he has taken. The second mob he is backing—there is no surprise here because it is the same mob he backed in opposing the foreign buyers surcharge—is the foreign owners of those large bookmakers that are broadly registered in Gibraltar; they are the friends of the Leader of the Opposition. The third group he is seeking to undermine is the broader racing industry and the size of the future fund on the sale of the TAB. That is the position of the Liberal Party. I hope this is just part of the argy-bargy of opposition, trying to take some skin off the government on the way through—I get all that. But the Leader of the Opposition needs to understand that he needs to rise above his anger, bitterness and humiliation from his time in government and ensure that he can also be a helpful participant in reform that his government clumsily and ham-fistedly started back in 2014! We are trying to resolve an outcome that you guys started. We are now trying to resolve that. The beauty is that that we have —

Dr M.D. Nahan interjected.

The ACTING SPEAKER: Leader of the Opposition—thank you. I am on my feet. I am calling you to order for the second time.

Mr B.S. WYATT: The beauty is that have we have two things going on. We have a point-of-consumption tax that allows the whole package to be complete—something the former government did not have. That is why at every point all those groups have been covered off on, which is why everybody is supporting the package. One other point I will make is that although that the anger, bitterness and humiliation of the career of the Leader of the Opposition drives him now, I remind him that he had control of both houses of Parliament from 2013 to 2017. He could have done what he wanted to, but the indecision, haplessness and ham-fistedness of the former government drove uncertainty that has seen declining investment and those foreign-registered bookmakers cut a swathe through the TABs. This Labor government will protect those small businesses. We want to give them a chance to survive with a small increase in their revenue stream, and we will back that in as an essential part of the reform package. If the Liberal Party wants to undermine small business and undermine the sector, I look forward to that debate because I am utterly confident that the industry will come down very firmly on the side of the government's proposal.

MR R.R. WHITBY (Baldivis — Parliamentary Secretary) [4.10 pm]: I rise to speak on the Gaming and Wagering Legislation Amendment Bill 2018 as it relates to amending the Betting Control Act 1954. The bill allows the Gaming and Wagering Commission to prescribe prohibited events so that bets cannot be placed on those events. This is complementary to the federal legislation that bans betting on the outcome of Australian and overseas lottery draws. I noticed that a number of members of the Liberal and National Parties described this part of the legislation as “a provision about nothing”. I think the member for North West Central quoted the famous *Seinfeld* program. It was an interesting observation to make, because I imagined what *Seinfeld* character the member was trying to invoke in his comment. Was it Kramer or George Costanza? Which character best represents the member and what he was trying to say? I came to the conclusion that he was most definitely trying to invoke Newman!

We have heard a lot about this being a provision about nothing. Members have said that it is window-dressing and unnecessary. I have looked at the federal legislation, which began its journey through the federal Parliament when it was announced on 10 November 2016. This provision to outlaw gambling on lottery draws was finally enacted into law in August 2017. A couple of months after the enactment of the federal legislation, the iGaming Business website ran a news story on 15 November 2017, which states —

After months of campaigning from state lotteries and newsagent groups, the Northern Territory Government has stepped in and banned Lottoland from selling bets on Australian lotteries.

Further, the report states —

Prior to the Northern Territory's announcement, governments in New South Wales, Tasmania and West Australia had publicly stated their intention to ban synthetic lotteries in their states. In South Australia, legislation already prohibits bets on lotteries.

Further, I point to a report on *The Guardian* website of 2 April 2018 that states —

South Australia has already banned synthetic lotteries and the Northern Territory has banned betting on Australian lotteries ... while Victoria, NSW, Tasmania and WA are considering introducing legislation.

This was reported after the federal provisions were enacted. I will take members through that again. Victoria, New South Wales, Tasmania and Western Australia are considering introducing legislation to ban synthetic lotteries. That was reported in April 2018. If it is such an unnecessary provision and a provision about nothing, why are these states also looking at similar provisions? Why is the state of New South Wales, which last time I looked had a Liberal administration, considering this? Why was the state of Tasmania, which last time I looked had a Liberal administration, also considering this provision? It is because they know that action that is complementary to the federal legislation has to be taken at the state level.

These amendments that we are dealing with today will create an offence of betting on or offering betting on the outcome of lotto or lottery draws. It effectively bans what is known in some quarters as “fake lotto”, which we know is being aggressively marketed in Western Australia. Anyone who has watched television over the past couple of years will know that perhaps millions of dollars have been spent on Lottoland advertising. That is the key brand we are familiar with for fake lotto. Lottoland is using technology to do a couple of things. It is avoiding taxes and the costs of employing people and investing in local infrastructure. It is an unfair playing field. It is also jumping on the bandwagon of Lotterywest, which for decades and decades has built up a brand and a business with which many Western Australians are familiar. Lottoland and other fake lottery organisations benefit from something in which they do not participate. They do not pay to run the system, the draws, the ticket system or the marketing. They do not pay to provide all the infrastructure around the lottery. They simply jump on the bandwagon, pay no costs, but seek to benefit and profit from draws in which they do not participate.

The big issue for me is that, at the end of the day, this is about taking money out of the pockets of Western Australian charities and community organisations. That is my big concern. I want to take members to the Lottoland website and how it refers to its operation. I went on to the Lottoland website and the headline read —

Bet on the biggest lottery jackpots in the world—download the Lottoland App today. Over 7 million players worldwide with over 650,000 Australians since launch!

I do not know whether those figures can be verified, but if we believe those figures, we would assume that somewhere around 65 000 of those Australians would be Western Australians. The Lottoland website says that it has paid out millions of dollars in prize money, including to a \$1.3 million winner. Globally, I think there has been only a handful of \$1 million winners and I believe only one Australian has ever won anything approaching \$1 million, or just over. This is despite the well-known advertising of betting on US lotto jackpot draws, which advertise stakes as high as \$1 billion—sometimes \$2 billion. We can see the attraction and why someone might be tempted, but the reality in payouts is far less than what is advertised. Lottoland explains itself to some degree on its website. It says —

How can Lottoland pay such high jackpot amounts?

In its history, it has never paid a \$1 billion jackpot amount or anything in the hundreds of millions of dollars. The Lottoland website continues —

Lottoland operates an insurance model which means that each bet someone makes is insured. Lottoland will pay all smaller wins directly from the revenue they receive from sales. Larger jackpot wins will be covered by Lottoland’s insurance model. This insurance-based business model enables Lottoland to offer their players the ability to win huge jackpots, offered by official lottery operators, from all over the world.

There are 30 different lotteries around the world. It is gambling on lotto draws. People are not directly participating in the draw. I know that in this place, we are now aware of how Lottoland operates. I can tell members that my bet is that the vast majority of Western Australians who see those advertisements on television would assume that they are taking part in a lottery and not placing a bet with a bookie on the outcome of a draw.

The other issue for me is that companies in this market, such as Lottoland, Planet Lotto or MyLotto24, are trying to cash in on Lotterywest’s hard work over many decades. The lotto brand is synonymous with Lotterywest. People are also at risk of believing that when they bet on something such as Lottoland, or others with “lotto” in their name, they are participating in the Lotterywest competition. They see it as a draw whereby if they do not win, their money will go to worthy causes. The way this company and others operate is disingenuous. There is a very high risk that Western Australians will be participating in something that they are not familiar with and do not understand. Their investment is sent offshore, never taxed and never returns any benefit to the people of Western Australia, even though that is the belief of many people who take part.

Lottoland is based in the British territory of Gibraltar and is licensed in the Northern Territory. It attracted considerable attention when it entered the Australian market in 2016. One of the early headlines was that people had a chance to bet on a \$2 billion Powerball draw in the United States. As I said before, many punters would have been very interested in that and would have believed that they were directly buying a ticket in that draw. Lottery gaming companies argue that it is unfair to label them as synthetic or fake because they are simply online betting services and no different from sport or horseracing betting services. The critics say that synthetic lotteries argue that online betting businesses take customers away from existing state lotteries and do not contribute the same amount back in taxes or through charitable grants, and that is the point for me. There is no benefit to our community either in what we have seen in payouts, which I do not think represent an attractive proposition if one does win, and certainly there is no investment in infrastructure, no employment, no investment in the process of the draw, and no return to community organisations in this state or anywhere else.

I mentioned earlier that the federal Parliament passed laws that were enacted in August 2017 to come into effect this year banning those services and that other states around the country, including states that had Liberal governments, have also expressed their desire to follow through on this legislation.

I want to take members to the latest annual report of Lotterywest to talk about the benefits that Lotterywest brings to Western Australia. The latest annual report of 2017–18 shows that it had sales of \$855 million and, of that, \$463 million was paid to Western Australians in prize money and a further \$260 million was returned for grants to the community. That is an enormous cut of the pie that is being retained in Western Australia. The balance of that would have been for the costs of running the business and payments to agents, which would have added to that enormous cut of the pie. In fact, all the dollars stay in Western Australia one way or the other. Lottoland does not pay tax, it does not return its income after prize payouts and operating expenses back to the community, and it does not support agents across WA who also pay tax and employ Western Australians. It is cashing in on the “lotto” name built up over decades.

We are very fortunate in Western Australia to have the Lotteries Commission, or Lotterywest as it is now called. I remember years ago we used to be able to buy a ticket in the Lotteries Commission, as it was then called. I think the biggest prize pool that one could aspire to was about \$30 000. I think it was a monthly draw. I remember the very first \$1 million lottery draw. It must have been when the Lotteries Commission joined the Australian Lotto Bloc. I think this was in the very early 1980s. It was the very first \$1 million lottery draw. I remember it very well because there was a lot of excitement across Western Australia when we had our very first \$1 million lotto draw. There was live coverage of the draw and one of the local channels made a very big fuss of it.

Mr J.E. McGrath: You probably interviewed the winner.

Mr R.R. WHITBY: It was a bit early for me because I was still in high school. I remember it very well because the parents of one of the girls at our school won it. A family from Greenwood won the first \$1 million lottery. We thought, “Wow, their lives are going to change forever.” Back in about 1980 or 1981, their lives probably did change forever with a \$1 million win.

Lotterywest is an institution in Western Australia. It is unique. It is in line with our view in this state that we do things a bit differently, and I think with good results, in Western Australia. We talk about the pokies and how there has been a bipartisan position over many years from both sides of politics to stand against the scourge of the pokies. Anyone who has been interstate and gone up the high street in Melbourne or Adelaide and seen the dens or corners of pubs or even the big leagues club would know that it is pretty depressing stuff. Those things are wreaking social havoc on communities right up and down the east coast. We stand against that. They are gaming machines. They are interactive. People push a button and play again and again. That is the crucial difference why we stand against those gaming machines. Likewise, we have had a different approach to lotteries in Western Australia. We have kept the money in government hands. It means that we have a wonderful source of funding for community groups across Western Australia. I think every member in this place can tell stories about the work that Lotterywest is doing by way of grants in their communities.

Mr Z.R.F. Kirkup: Quite a lot of Labor electorates.

Mr R.R. WHITBY: I would not get into that sort of territory. For the member to assert that Lotterywest behaves politically is pretty woeful. It is really beneath the member to suggest that.

We know that all communities benefit from grants from Lotterywest. I want to talk members through a few that Baldvis has been lucky to secure. A \$3.2 million Baldvis south community centre is currently under construction in Lamorak Way in south Baldvis. It is expected that the project will be finished in the third quarter of next year. It is a multipurpose venue that will be capable of being used by a number of groups for a range of activities. One of the problems in Baldvis is that we have such an active community and many sporting groups and there is often no place for these organisations to meet. Thanks in part to Lotterywest, which is providing funding of \$900 000 towards this project, the City of Rockingham was able to go ahead with this \$3.2 million project. The council has been working on this project for some time. It will provide vital space to local community groups that before now have not had a place to meet and gather in this brand-new community. This facility will be very welcome in our local community.

Other very worthy organisations and groups in the Baldvis community are also seeking Lotterywest funds. They will have to go through the rigours of the process, in concert with the local council. They often seek dollar-for-dollar funding. One of those that I will mention is a men’s shed in Baldvis. We know the importance of men’s health and the vital importance of men’s sheds in improving the mental health of men, particularly older men. I know that the Baldvis community men’s shed has received funding from the local Rockingham council. It will also seek matching funding from Lotterywest to conduct a feasibility study to work out the exact requirements of the men’s shed in Baldvis—where it should be located and the business model on which it should proceed. I could mention the youth centre in Baldvis, which is a key project in the local community that I am fully behind. When we work on that project, we will be seeking support from Lotterywest. I know that the Baldvis Children’s Forest is a very important and crucial local community organisation that combines youth and the environment. That organisation is looking for Lotterywest support. Finally, I mention the group behind the Baldvis peace memorial. Baldvis does not have a war memorial. For the first time, we are looking to establish a peace memorial. There is a large service community in Baldvis. Hopefully, when that gets underway, it will receive a small grant from Lotterywest.

MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition) [4.28 pm]: I, too, rise to speak on the Gaming and Wagering Legislation Amendment Bill 2018 and reiterate the Liberal opposition's support for the legislation. We made a partyroom decision to support this legislation because we do not support Lottoland and betting on lotteries. Our members have articulated that. Members opposite who occupy the government benches are trying to confuse the issue and confuse the positions that we have taken on various issues. They have done that deliberately to try to get the Premier out of some hot water, because the Premier is the person who has had schizophrenic views in some of the media that the government has been putting out over the past few weeks. That is what we have highlighted and that is our job. We had the Treasurer come in here and criticise the Leader of the Opposition for pointing out, quite rightly, that the Premier has changed his position on a number of matters to do with gambling in Western Australia from when he was in opposition to now when he is in charge. It is our job to do that. The Leader of the Opposition did that very clearly. I take great umbrage at the Treasurer and others over there coming in here and saying that the Liberal opposition does not support small business, and that the Liberal opposition supports Lottoland—based in Belgium, or wherever it is—betting on our lotto, which we hold dearly in our hearts because of the value it puts back into the community. That is ridiculous and it is, frankly, wrong—it is completely wrong.

Mr P. Papalia: You weren't here listening to the speeches.

Mrs L.M. HARVEY: If I was not here, I was listening in my office. The minister knows we have TVs and we listen in our offices. Minister, you are on three strikes and I do not appreciate your interjections.

I want to go back over the points the Leader of the Opposition was making. The legislation we have before the Parliament is very, very clear. It is about preventing organisations like Lottoland and anything else that might emerge in the future from being able to offer odds and bets against the outcomes of our state-based lotteries. That is what the legislation is about and we support that. Our party room unanimously supports it. We do not stand here to oppose the legislation, but what we will do is point out the hypocrisy in some of the government's arguments. I believe it was last week—it might have been earlier—when we heard the Premier and this government make the announcement that it had made the decision to privatise the TAB and that as part of that it would permit Trackside to operate in TABs across the state, and that it would introduce a point-of-consumption tax to fund the racing industry. The now Premier said, when he was in opposition, that a Labor government would support the sale of the TAB if the industry supported it, and the industry supports it at this time. When we were in government we laboured for four years, trying to bring the industry to the table, and every time we started to communicate with the sector and portray the benefits of privatising the TAB to the industry and the mismatch of a government running a gaming and betting organisation, those people who now occupy the government benches were going out into the industry, stirring everything up, and making it incredibly difficult for us to settle with the sector. As a result, the value of the TAB has significantly diminished. The Labor Party is in government now. It has made the decision to sell the TAB and to allow Trackside to operate in the TABs. The reason the Leader of the Opposition and people on this side were pointing out —

Mr P. Papalia interjected.

Mrs L.M. HARVEY: We have not made a decision on whether we support Trackside, because the government has not brought legislation forward for us to consider. We do not have a position on that. Our position is that the Premier changed his mind, and that is what the minister is fundamentally not getting. I will quote an article from *The West Australian* of 26 June 2016, titled “Keno carrot for TAB bidders”.

Several members interjected.

Mrs L.M. HARVEY: Acting Speaker, the minister is on three strikes.

The ACTING SPEAKER: Thank you, Deputy Leader of the Opposition. I am well aware how many strikes he has. You do not need to tell me that.

Mrs L.M. HARVEY: He does not like me pointing out these things. We are pointing out a fundamental change, a complete 180-degree change, in the position of the Premier. That is what we are pointing out and that is why members opposite are uncomfortable with it. “Keno carrot for TAB bidders” is the headline. It reads —

The State Government would consider allowing keno and virtual horseracing outside Crown Casino Perth at TAB outlets as part of any privatisation bid for the betting agency.

That is how the article opens. This is what Hon Colin Holt, who was then racing and gaming minister in the Liberal–National government, was floating to see what the community would think about the concept. What did it then prompt the then Leader of the Opposition, Mark McGowan, to say? The article states —

It prompted Opposition Leader Mark McGowan to accuse the Government of plotting to overturn WA's longstanding bipartisan ban on poker and gaming machines outside Burswood.

That is what he said. Further on the article makes it even clearer —

Mr McGowan said he was reluctant to expand any form of gambling beyond what was currently permitted.

Now we see him trying to weasel away from that position by saying, “Well, Trackside is actually not a gaming machine. Trackside isn’t a poker machine. We’re not expanding gambling.” Except the government is. In expanding Trackside, the government is saying that it will allow Trackside to operate in TABs because it offers another, I think, 2 000 opportunities for punters to bet, so it is expanding gambling opportunities. That is the first thing we refute.

According to, I think, the Tabcorp submission to the Productivity Commission, Trackside will give those operators around about \$4 000 a year in extra revenue. It is not going to save the businesses; it might help them a bit, but it will not actually save them. In any event, we have always been supporters of small business. When we see the proposal from the government for the privatisation of the TAB, we will make a decision, after consulting with industry, about whether to support it or not. But we are not the ones who in 2016 accused the government of plotting to overturn WA’s longstanding bipartisan ban on poker and gaming machines outside of Burswood casino.

The government can weasel around as much as it likes and say that Trackside is not a gaming machine, except I draw members’ attention to the Australian Capital Territory rules relating to Trackside’s betting conditions and the definitions. This is a great definition and it is why the Premier is so uncomfortable, as is his minister. That is why the Treasurer came in here to try to save this hapless minister. In the interpretations, the definitions, it states —

“**Trackside**” means the electronic game known as “**Trackside**” approved by the Minister pursuant to Section 7 of the Act.

Mr P. Papalia interjected.

Mrs L.M. HARVEY: I will say it again because I know how much the minister hates it —

“**Trackside**” means the electronic game known as “**Trackside**” approved by the Minister pursuant to Section 7 of the Act.

Trackside is an electronic game. That is what Mark McGowan, when he was in opposition, said he was opposed to the expansion of. That is the hypocrisy we, as an opposition, are quite rightly pointing out. We know the minister is squirming because he has been caught out in the media and he has been caught out in the community.

We are not against the racing industry. My very, very good friend the member for South Perth is well connected to the industry. He is a doyen of the industry. I would not be surprised if one day he has a racing track named after him, or at least a race. To say that we are anti the racing industry, anti-TAB and anti-small business because we are calling the Premier out on his 180-degree reversal on his position is inaccurate, false and misleading. We will not cop that. When the government brings forward its Trackside proposal, the introduction of Trackside—meaning the electronic game known as Trackside—we will throw this back in the government’s face again. It will not be because we are against Lotterywest, small business, TABs or any of that rubbish. We love Lotterywest over here. I just opened the Scarboro Surf Life Saving Club on Friday night. It had a \$300 000 Lotterywest grant. Do members know why I opened it? Not one minister of the government was available to come down to Scarborough and open the brand-new Scarboro Surf Life Saving Club.

Dr A.D. Buti interjected.

Mrs L.M. HARVEY: I was happy to do it. I am patron of that club and I am patron of Trigg Island Surf Life Saving Club. It has had a Lotterywest grant too. I was happy to have the event to myself with all my members. Neville Collard did a welcome to country. The Mayor of the City of Stirling, Mark Irwin, was there; as was Jody Ballard, the club president; and life members who have moved to other states. It was a grand event and I had it all to myself because Labor was too busy to come. That was okay.

We love Lotterywest. It is not about Lotterywest; it is not about the TAB or being anti-business. It is about the Premier saying categorically and emphatically before he was elected as Premier that he opposed the expansion of electronic gaming in Western Australia and now he has done a 180-degree turn and said he will allow Trackside as part of the privatisation of the TAB. We may or may not support that. The member for South Perth is a strong supporter of that but we will have a rigorous debate in our party room when we see the government’s proposal and decide whether we will support it. It is not about whether we support it. It is about the Premier fundamentally changing his mind, and that is because he stands for nothing. We will point it out every single time it happens between now and the election in 2021 so that the community of Western Australia knows it was fooled by this Premier—that he said anything to get elected. Now that he is in government, he is doing anything to get money into the coffers to pay for the government’s grandiose plans, for which it had no funding plan.

MR K.J.J. MICHEL (Pilbara) [4.41 pm]: It is a pleasure to rise and speak today on the Gaming and Wagering Legislation Amendment Bill 2018. This bill will amend the Betting Control Act 1954 and the Gaming and Wagering Commission Act 1987 in the interest of supporting and promoting responsible gambling, as well as to work towards uniformity across Australia in regards to gambling legislation. These important amendments are long overdue, and I congratulate the McGowan government and the Minister for Racing and Gaming for their determination to protect those vulnerable to gambling addiction, and their dedication to aligning legislation with other jurisdictions in an important economic sector.

The bill will also have the effect of protecting an institution that all Western Australians should be proud of: Lotterywest. We should be proud because Lotterywest remains the only lottery in Australia that is state government-owned. Recently, I had the pleasure to present Lotterywest grants to the City of Karratha and the Welcome Lotteries House in my electorate. An amount of \$1.5 million was presented to the City of Karratha toward the construction and fit-out costs of the Wickham Community Hub. This hub will be an important centre for over 4 000 people from Wickham, Point Samson and Roebourne. It will feature multi-use spaces, accommodation for not-for-profit organisations, a youth drop-in centre, an outdoor skate park, a library, an early childhood centre and childcare facilities. I believe that this is the hub that Wickham and surrounding towns have needed for a long time, and I am proud to see this project going ahead.

I also had the pleasure to grant \$109 000 to the Welcome Lotteries House in Karratha. That funding will support property improvements and equipment to improve the functionality, comfort and safety of the building; specifically towards security screens, air conditioning, carpet, an alarm system and IT. For those not aware, Welcome Lotteries House in Karratha provides accommodation for a number of important not-for-profit organisations currently delivering services from the house, including Empowering People in the Community, The Smith Family, One Tree Community Services, Regional Development—Pilbara, and the Pilbara Community Legal Service. The house really is a fantastic institution in Karratha, and I am proud to say that many community service organisations, and I, use the meeting room facilities.

These presentations gave me a real appreciation for Lotterywest's role in supporting the communities of the Pilbara. It was interesting to note that the Welcome Lotteries House was established in 2001 with a Lotterywest grant of over \$1.5 million for construction and fit-outs. It was also interesting to note that many significant City of Karratha infrastructure projects have received Lotterywest support, including the Karratha Leisure Complex, the Dampier Community Hub, and the Red Earth Arts Precinct. The Wickham Community Hub and the Welcome Lotteries House are institutions that serve many people in my community, and they owe a lot to Lotterywest's unique position as a government-owned lottery. That is just the City of Karratha alone.

In Port Hedland and South Hedland, Lotterywest has provided valuable assistance to the Youth Involvement Council, IBN Corporation, Hedland Toy Library, Hedland Women's Refuge and the Town of Port Hedland. These organisations all serve the community through a range of services such as supporting marginalised youth, promoting the Pilbara culture, supporting early childhood development, and providing emergency relief for women and children experiencing domestic violence. In Newman, Lotterywest has provided support for Kalyuku Ninti—Puntuku Ngurra Ltd, Red Dirt Blue Sky, and the Shire of East Pilbara. These organisations support the Martu Leadership Program, the Martu Community Garden, community arts and the Outback Fusion Festival. Lotterywest has provided \$2.5 billion to the good people of Western Australia in the regions and in Perth for the past 10 years. Lottoland and other synthetic lotteries have provided nothing to our communities. Through banning these synthetic lotteries, we are ensuring the future of Lotterywest, and allowing its valuable services to our communities to continue.

This bill will prevent wagering operators that are not licensed in Western Australia from establishing physical terminals in our public places such as shopping centres, and will ensure their overseas operations do not enter Western Australia. The prevention of physical terminals linked to synthetic lotteries will ensure that juveniles and problem gamblers are not exposed to this advertising in public places. This bill will also protect those most vulnerable in our community through banning live betting odds from being broadcast at sporting venues. We should not reduce our sportsmen and sportswomen to simple advertisements for gaming companies that do not serve our community. The contribution that Lotterywest makes to our fine state should be supported, and this bill will safeguard the future of Lotterywest by restricting other gaming companies that do not serve our community and prey on our most vulnerable. Thank you.

Debate adjourned, on motion by **Mr D.A. Templeman (Leader of the House)**.

House adjourned at 4.48 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

ROADS — KALOORUP ROAD

3995. Ms L. Mettam to the Minister for Transport; Planning; Lands:

I refer to safety concerns raised with me about the state of Kaloorup Road in the electorate of Vasse and the increasing number of heavy haulage vehicles that now use the road, and I ask:

- (a) how many fatal and non-fatal accidents have been recorded on this road in the past five years;
- (b) are there any plans to improve signage along the road identifying the increasing use of heavy haulage vehicles and possible turning/blind spots on the road:
 - (i) if not, why not;
- (c) will the Department consider reducing speed limits beyond the school zones to improve safety on the road:
 - (i) if not, why not; and
- (d) Is there a provision as part of the sand extraction operation on this road that could require the operators to remove mud and sand at the entrance to the property daily, as requested by nearby residents:
 - (i) if not, why not?

Ms R. Saffioti replied:

- (a) Crash data for the five-year period between 1 January 2013 and 31 December 2017 shows 14 crashes, with one of those being fatal. In addition, Main Roads is aware of a fatal crash that occurred on 27 July 2018, however annual crash statistics have only officially been recorded to 31 December 2017.
- (b) Main Roads is not responsible for the provision of this type of signage on Local Government Roads. Main Roads is only responsible for regulatory signs on Local Government roads.
- (c) Yes.
- (d) This is a Local Government road and as such this is a matter for the Local Government.

PLANNING — STATE ADMINISTRATIVE TRIBUNAL — CITY OF BUSSELTON

3996. Ms L. Mettam to the Minister for Transport; Planning; Lands:

- (1) How many development applications rejected by the City of Busselton were appealed to the State Administrative Tribunal (SAT) in the last financial year:
 - (a) of these, how many were overturned by the SAT?
- (2) How does this compare to the previous three years with respect to the number of applications appealed and the number overturned?
- (3) How much does each referral to the SAT cost the State Government on average?
- (4) What is the average timeframe for each application considered by the SAT?

Ms R. Saffioti replied:

- (1)–(2) These questions should be directed to the City of Busselton as the responsible authority.
- (3) The Attorney General has advised that SAT has over 920 legislative referral types. It is unclear which referral to which the member is referring.
- (4) The timeframes depend on the legislative referral type.

ENERGY — WARRADARGE WIND FARM

4010. Mr D.C. Nalder to the Treasurer; Minister for Finance; Energy; Aboriginal Affairs:

- (1) If construction of the Warradarge Wind Farm is delayed will the engineering, procurement and construction contractor be liable to pay liquidated damages?
- (2) If yes to (1), what percentage of the liquidated damages would be disbursed each to Cbus Super Fund, Dutch Infrastructure Fund and Synergy?
- (3) If the Warradarge Wind Farm is delayed and Synergy does not receive 100 per cent of liquidated damages, how will it meet its Large-scale Renewable Energy Target (LRET) shortfall?

- (4) What is the percentage and value of the dividends remunerated by the Greenough River Solar Farm, Albany Grasmere Wind Farm and Warradarge Wind Farm projects that will remain in Western Australia?
- (5) When Synergy's board approved Bright Energy Investment's structure, did it consider procuring the Warradarge Wind Farm through any different structures (i.e. a fund, government balance sheet, or tendering out Warradarge Wind Farm)?
- (6) What taxation structure has been used for Bright Energy Investments?
- (7) Will Bright Energy Investments taxation structure involve a double trust structure that will see dividends sent offshore to Netherlands, paying only a 15 per cent withholding tax?
- (8) If yes to (7), how does this benefit the Australian taxpayer that is funding the Power Purchase Agreement?

Mr B.S. Wyatt replied:

- (1) The engineering, procurement and construction contract is currently being negotiated and it is expected that the contract would include a liquidated damages clause.
- (2) The contract negotiations and final contract are commercial in confidence.
- (3) Synergy currently purchases Large-scale Generation Certificates (LGCs) from a number of WA renewable projects and would continue to meet its LRET obligations by procuring LGCs.
- (4) Synergy owns 19.9% of the equity in Bright Energy Investment. The value of the assets which will be part of BEI are subject to the finalisation of certain commercial arrangements, some of which remain under negotiation.
- (5) A number of options were considered in order to determine Bright Energy Investments was the optimal outcome.
- (6) Bright Energy Investments has a simple trust structure.
- (7) No.
- (8) Not applicable.

STATE DEVELOPMENT, JOBS AND TRADE — SOLAR AND WIND FARMS — JOBS

4011. Mr D.C. Nalder to the Treasurer; Minister for Finance; Energy; Aboriginal Affairs:

- (1) How many full-time equivalent jobs are currently established at the Greenough River Solar Farm?
- (2) How many full-time equivalent jobs are currently established at the Albany Grasmere Wind Farm?
- (3) Will any additional full-time equivalent jobs be created at the Greenough River Solar Farm during the operational period following the construction of Stage Two (GRSF2)?
- (4) Will any additional full-time equivalent jobs be created at the Albany Grasmere Wind Farm during the operational period, following the completion of the refurbishment?
- (5) How many full-time equivalent jobs will be created at the Warradarge Wind Farm during the operational period following construction?

Mr B.S. Wyatt replied:

- (1) 1 FTE
- (2) 2 FTE
- (3) Yes.
- (4) Yes.
- (5) 4 FTE

ENERGY — GREENOUGH RIVER SOLAR FARM AND ALBANY GRASMERE WIND FARM

4012. Mr D.C. Nalder to the Treasurer; Minister for Finance; Energy; Aboriginal Affairs:

- (1) Does Synergy need to remedy the structural or operational condition of either the Greenough River Solar Farm or the Albany Grasmere Wind Farm before the assets are transferred to Bright Energy Investments?
- (2) If yes to (1), what are the remediation works listed by item and cost per item for each the Greenough River Solar Farm and the Albany Grasmere Wind Farm?
- (3) If the Greenough River Solar Farm and Albany Grasmere Wind Farm are not able to be transferred to Bright Energy Investments until after remediation works, would the Government then consider retaining the asset?
- (4) Are there any plans to close the Albany Grasmere Wind Farm in the future?

Mr B.S. Wyatt replied:

- (1) Greenough River Solar Farm has been vested into Bright Energy Investments with no change to the structural or operational condition. Albany Grasmere Wind Farm is undergoing, and will continue to undergo, some remediation works.
- (2) One of the turbines at Albany Grasmere Wind Farm was struck by lightning in August 2018 and some repair works were required to the leading edge of turbine blades. The cost of the work is part of an Operations and Maintenance contract.
- (3) Not applicable. Greenough River Solar Farm has been transferred to Bright Energy Investments, and the transfer of Albany Grasmere Wind Farm is imminent.
- (4) The government has no plans to close Albany Grasmere Wind Farm.

ENERGY — GREENOUGH RIVER SOLAR FARM AND ALBANY GRASMERE WIND FARM**4013. Mr D.C. Nalder to the Treasurer; Minister for Finance; Energy; Aboriginal Affairs:**

- (1) What is the current Power Purchase Agreement term for each the Greenough River Solar Farm and the Albany Grasmere Wind Farm?
- (2) If answer to (1) is beyond 2030 for either project; what is the justification for this term?
- (3) Can Synergy confirm that if Bright Energy Investments was not constrained by contracted versus uncontracted revenues the Power Purchase Agreement price to 2030 would be less?
- (4) Why is the Government building up to 210MW of additional capacity in an oversupplied market?
- (5) Has Synergy considered writing a bundled Power Purchase Agreement on the National Energy Market to sell the energy at a profit and attain Large-scale Generation Certificates (LGCs) at no cost?
- (6) If no to (5), what is the reason this has not been considered?

Mr B.S. Wyatt replied:

- (1) This information is commercial in confidence.
- (2) This information is commercial in confidence.
- (3) Please provide further clarification about this question, it is not clear what the question is asking for.
- (4) Synergy has an obligation to meet its Large Scale Renewable Energy Target (LRET) obligations. After a detailed assessment of the options by which Synergy could achieve its LRET commitments, it was determined that the construction of new renewable plant in partnership with private equity within the SWIS was the best commercial decision for Synergy and the State.
- (5) Yes.
- (6) Not applicable.

ENERGY — WARRADARGE WIND FARM**4014. Mr D.C. Nalder to the Treasurer; Minister for Finance; Energy; Aboriginal Affairs:**

- (1) What is the financial impact on existing coal operations through the building and operation of the Warradarge Wind Farm?
- (2) If there is a negative financial impact on existing coal operations through the building and operation of the Warradarge Wind Farm, has there been any communication regarding this financial impact to employees at either of the Collie coal mining operations?
- (3) How will the Warradarge Wind Farm contribute to the Government's Large-scale Renewable Energy Target (LRET) given the wind farm will only become operational after 2020 when the Large-scale Renewable Energy Target (LRET) has been met?
- (4) Has Synergy considered procuring Large-scale Generation Certificates (LGCs) to fulfil its obligations to the Large-scale Renewable Energy Target (LRET) instead of building more energy through renewable energy projects in an oversupplied market?
- (5) If yes to (4), what were the reasons justifying the decision between the two options?
- (6) Will Synergy have operational control over Bright Energy Investments assets to allow it to limit the output of renewable energy to keep coal plants running?

Mr B.S. Wyatt replied:

- (1) Please provide further clarification about this question, it is not clear what the question is asking for.

- (2) Synergy has a close relationship with its fuel supplier. Any communications with employees of Premier Coal are the responsibility of the company.
- (3) The Federal Government's Large Scale Renewable Energy Target (**LRET**) requires that 33 000 gigawatt hours of renewable energy is produced at a national level by 2020. Under the LRET, Synergy, like other retailers, is liable to meet their share of this target and maintain those levels until 2030.
- (4) Yes.
- (5) Bright Energy Investments was determined as the preferred option.
- (6) Synergy will not operate Bright Energy Investment (**BEI**) assets. BEI owns the plant and an operations and maintenance service provider operates the plant in accordance with BEI direction. Like other wholesale electricity market participants, BEI must comply with the Wholesale Electricity Market Rules.

DEPARTMENT OF TRANSPORT — TRAFFIC INSPECTORS

4015. Mr P.A. Katsambanis to the Minister for Transport; Planning; Lands:

I refer to the Department of Transport (DoT) Traffic Inspectors, and ask:

- (a) how many traffic inspectors did the Department of Transport have for each of the years 2013, 2014, 2015, 2016, 2017 and as at 1 August 2018;
- (b) how many DoT traffic inspector positions have been approved for 2018;
- (c) how many infringement notices for non-compliance did traffic inspectors issue for each of the years 2013, 2014, 2015, 2016, 2017 and as at 1 August 2018;
- (d) how many traffic inspectors are there for each regional development commission boundary in Western Australia; and
- (e) do any traffic inspectors occupy Government Regional Officer Housing, and if yes, how many?

Ms R. Saffioti replied:

- (a)–(d) Nil.
- (e) Not applicable.

RAIL NETWORK — RAIL FUTURE FUND

4042. Mrs L.M. Harvey to the Minister for Transport:

I refer to the \$32 million Rail Future Fund, and I ask:

- (a) will the Minister provide a breakdown of the \$32 million allocated to the fund;
- (b) what is the average daily passenger boarding's at the Yarloop train station for the 2017–18 financial year;
- (c) what is the average daily passenger boarding's at the Cookerenu train station for the 2017–18 financial year;
- (d) what is the average daily passenger boarding's at the North Dandalup train station for the 2017–18 financial year;
- (e) what was the total number of boarding's at the Cookerenu train station for the 2017–18 financial year;
- (f) what was the total number of boarding's at the Yarloop train station for the 2017–18 financial year; and
- (g) what was the total number of boarding's at the North Dandalup train station for the 2017–18 financial year?

Ms R. Saffioti replied:

- (a) Of the \$32 million Rail Future Fund, \$30 million is allocated towards the procurement of the new Australind train and \$2 million is allocated for the construction of high level platforms at Yarloop, North Dandalup and Cookerenu stations.
 - (b) 0.56 average boardings per day. Note the station was closed for 33 days in 2017/18 for the construction of the new platform.
 - (c) 0.79 average boardings per day
 - (d) 0.54 average boardings per day
 - (e) 286 boardings / 295 alighting passengers
 - (f) 187 boardings / 184 alighting passengers
 - (g) 198 boardings / 188 alighting passengers
-

