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Tuesday, 22 September 2020

Legislative Assembly

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THE SPEAKER (Mr P.B. Watson) took the chair at 2.00 pm, acknowledged country and read prayers.

VISITORS — GREENFIELDS PRIMARY SCHOOL

Statement by Speaker

THE SPEAKER (Mr P.B. Watson) [2.01 pm]: On behalf of the member for Mandurah, I welcome to the Speaker's gallery students and staff from Greenfields Primary School, which is in Mandurah.

CORONAVIRUS — RESIDENTIAL AGED-CARE FACILITIES

Statement by Minister for Health

MR R.H. COOK (Kwinana — Minister for Health) [2.01 pm]: In responding to the COVID-19 pandemic, a key priority for the Department of Health via the State Health Incident Coordination Centre—or SHICC—has been the provision of the best possible care for older Western Australians whose homes are in aged-care facilities. This has involved a range of initiatives.

The commonwealth government is responsible for funding and regulating residential aged-care facilities in Australia. However, one of the first initiatives of the WA government was the investment of close to \$1 million to pilot enhancements to WA's Residential Care Line Outreach Service. This nurse-led service, which promotes care in place to older people in aged care and reduces their presentations to emergency departments and nights spent in hospital, has expanded from the metropolitan area to encompass regional WA. Importantly, the service now includes access to specialist geriatrician advice. These enhancements are now in place and early case studies are revealing the delivery of excellent outcomes.

Throughout the pandemic response, SHICC has engaged extensively with the aged-care sector. This has involved running stakeholder forums and hosting a webinar with senior Health personnel, as well as a forum with me as the Minister for Health. The sector has also been a partner in the development of the COVID-19 residential aged care outbreak response plan. A key tactical component of the outbreak plan is the clinical and logistic support team. Comprising a range of experts, such as infectious disease physicians and nurses and geriatricians, the team will provide on the ground support to facilities experiencing an outbreak to manage the COVID positive cohort and will lead and implement approaches to reduce the risk of further transmission. A further key element of the outbreak plan is the preparedness for SHICC to stand up an aged-care response centre in the event that WA experiences outbreaks of COVID-19 across multiple facilities. To date, SHICC has exercised outbreak scenarios in an aged-care setting on three occasions. Collectively, these have involved close to one-third of all WA providers.

SHICC is engaging further with the sector to provide personal protective equipment for training purposes and to roll out face-to-face infection prevention and control training. Every facility in WA will receive a kit containing 20 PPE training sets, with delivery of nearly 5 000 bundles of PPE to commence this week. Face-to-face training will initially be provided to facilities identified as high risk.

All these initiatives continue to further strengthen WA's preparedness for COVID-19 outbreaks in one of our most vulnerable population groups in residential aged-care facilities.

BEAGLE BAY AND DJARINDJIN VOLUNTEER FIRE AND EMERGENCY SERVICES UNITS

Statement by Minister for Emergency Services

MR F.M. LOGAN (Cockburn — Minister for Emergency Services) [2.05 pm]: I would like to take a moment to inform the house of the official opening of the Beagle Bay and Djarindjin Volunteer Fire and Emergency Services units last week. I was honoured to officially open the units on the Dampier Peninsula, which join Bidyadanga as the only three Aboriginal communities with their own VFES units. This is a fantastic achievement for Beagle Bay and Djarindjin and will make a significant difference to safety in their communities and the surrounding areas.

The Beagle Bay and Djarindjin VFES units provide a local emergency response across the Dampier Peninsula from protecting their communities from bushfires as well as assisting with road crashes and other hazards. The VFES volunteers come from the local major Aboriginal communities of Djarindjin, Lombadina and Ardyaloon and the volunteers include the Nyul Nyul and Bardi Jawi Rangers.

While the VFES Units were officially opened last week, the Toyota Light Tankers have been based at both Beagle Bay and Djarindjin since 2018 and the new units have already been put to the test. The appliances have responded to six fires that have threatened the communities during the 2020 northern fire season, and supported police at a vehicle accident. The vehicles are also used extensively to assist with community and homeland planned burning activities. The planned burns have continued to take place during COVID restrictions.

It is not an easy undertaking to start one of these units from scratch. It has taken many years and a lot of work to make these VFES units a reality, and I congratulate the local Aboriginal communities, the Department of Fire and Emergency Services and everyone else who has been involved. This work has included the installation of an extensive communications system, which consists of a 20-metre swing pole at Beagle Bay, and the installation of a repeater on an existing Telstra tower just south of Djarindjin to upgrade communications.

I have no doubt that the VFES units will continue to empower local residents to improve community safety and take charge of their emergency services. I wish to acknowledge the ongoing efforts of the Beagle Bay and Djarindjin VFES units, which are working together to ensure a safer community.

MUJA C POWER STATION — MEMORANDA OF UNDERSTANDING

Statement by Minister for Energy

MR W.J. JOHNSTON (Cannington — Minister for Energy) [2.07 pm]: Last week on 18 September, I travelled to Collie to facilitate the signing of critical memoranda of understanding between Synergy and Western Australian unions. The Electrical Trades Union, Australian Services Union and the Australian Manufacturing Workers' Union signed MOUs to ensure a smooth transition for Synergy's Muja C power station workers ahead of its staged retirement. The MOUs form a significant part of Synergy's workforce transition program, which provides an open and collaborative process for employees affected by the retirement. The program encourages employees to act early and choose a pathway that best meets their personal circumstances whether it is redeployment or assistance with job searching, upskilling, financial planning support, and preparation for retirement.

Synergy is currently receiving expressions of interest from employees indicating their preferred pathway upon the staged retirement of the Muja C units on 1 October 2022 and 1 October 2024. We will continue to work closely with Synergy, the workforce and unions to ensure all workers impacted by the closure will be supported and given options for future pathways. The McGowan government will continue to support economic diversity and jobs in Collie to shape the future energy market.

WATERWISE TOWNS PROGRAM

Statement by Minister for Water

MR D.J. KELLY (Bassendean — Minister for Water) [2.09 pm]: I rise to inform the house of the launch of the Waterwise Towns program for 2020 and 2021. The 2019–20 program was available to 14 towns. This year we have extended the program to 40 towns across five regions of Western Australia. The steep increase this year is due in part to the inclusion of several great southern towns that are experiencing water supply challenges linked to climate change. In areas of the south west, the impacts of climate change are being experienced more than in just about any region in Australia. As a result, it is vital we support and encourage waterwise lifestyle habits. For the first time, the program will be extended to several Kimberley town-based Aboriginal communities, offering free household leak inspections and minor repairs using local contractors. Since its inception, the program has saved around 1.27 billion litres of precious water. That is equivalent to 564 Olympic-sized swimming pools. Every drop of water is precious, particularly as we meet the challenges posed by climate change.

The program delivers community education campaigns to raise waterwise awareness and provides waterwise offers to encourage residents to make water saving lifestyle changes. Offers are tailored to suit the needs of each local community. The most commonly available offer is the free showerhead swap program, which allows customers in participating towns to swap two old, inefficient showerheads for water-efficient alternatives. Other initiatives offered in select locations include free plumbing checks, the rainwater rewards rebate and a water efficient evaporative air-conditioning service rebate. The evaporative air-conditioning service rebate is a trial running in Kalgoorlie–Boulder for 200 selected high-water-use households. Offers through the program are available from 1 October 2020 to 31 May 2021 or, in the case of the showerhead swap program, while stocks last.

QUESTIONS WITHOUT NOTICE

METRONET — ELLENBROOK RAIL LINE — CONSTRUCTION

709. Ms L. METTAM to the Premier:

I refer to the Liberal Party's local jobs guarantee that will ensure that major contracts will be designed so that mid-tier Western Australian companies can compete. Can the Premier confirm that today he announced that the preferred proponent for the Morley–Ellenbrook rail project is a privately owned British company headquartered in the United Kingdom?

Mr M. McGOWAN replied:

I can confirm that this government is building the Morley–Ellenbrook rail line.

Ms L. Mettam interjected.

Mr M. McGOWAN: The member asked the question. I can also confirm that in both 2008 and 2013, the Liberal Party committed to that railway line and nothing was built. It also committed to the Metro Area Express light rail. It even had an advertising campaign around MAX light rail and nothing was built.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: This year we will have seven Metronet projects underway across Western Australia, including the Morley–Ellenbrook line that has been talked about now for more than 12 years. This government has announced a preferred tenderer and it is getting on with it. Obviously, when we build a rail line, we go through a competitive process and we have to get a bidder and a builder that can do the work. It is a competitive process for a company that will employ thousands of Western Australians and hundreds of Western Australian subcontractors and build an outstanding railway that the Liberal Party could not do.

METRONET — ELLENBROOK RAIL LINE — CONSTRUCTION

710. Ms L. METTAM to the Premier:

I have a supplementary question. Why has the government repeatedly designed and awarded massive construction contracts for tier 1 foreign contractors —

Several members interjected.

The SPEAKER: Members, I want to hear this. Members on my right!

Ms L. METTAM: — while mid-tier Western Australian companies miss out, sending contracts and profits overseas?

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN replied:

This is the same Liberal Party that was building a bridge, which was a \$50 million project, in Malaysia.

Several members interjected.

The SPEAKER: Member for Bateman! Member for Vasse, you have had two goes.

Mr M. McGOWAN: This is the same Liberal Party that managed to get two per cent local content when building railcars in Western Australia. We are actually building railcars in Western Australia under this government. I make the point that this is a massive project. This will be one of the biggest projects in Western Australia in the last 20 years—a bit like the stadium and other projects out there. We have to go through a competitive process. Obviously, the big builders are the ones that do the big projects. The Liberal Party does not know much about contracting if it does not understand that.

Ms L. Mettam: You need to get out more.

The SPEAKER: Member for Vasse, I will not warn you again.

Mr M. McGOWAN: Honestly, Mr Speaker. The Liberal Party is so embarrassing these days.

If we get big projects, we have to get a builder that is capable of doing it. Obviously, what it will then do under our Western Australian Jobs Act industry participation strategies is detail the local jobs, the local apprenticeships and the Aboriginal employment; all those things will be detailed in it. Clearly, when this project is built, there will be thousands upon thousands of Western Australians jobs as part of it. I think that this is a great day for Western Australia and a great day for the north-eastern suburbs. They have been promised a railway now for the best part of 20 years and this Labor government is doing it.

DEFENCE INDUSTRY FUNDING PACKAGE

711. Mr R.R. WHITBY to the Premier:

I refer to the McGowan Labor government's commitment to creating local jobs for its unprecedented investment in supporting WA's defence manufacturing industry.

- (1) Can the Premier outline to the house how the \$18 million defence industry funding package that was announced today will create more employment and training opportunities for Western Australians?
- (2) Can the Premier outline to the house how this investment will ensure that WA has the skilled workforce required to secure more defence contracts?

Mr M. McGOWAN replied:

I thank the member for Baldivis for the question.

- (1)–(2) We have obviously been very, very committed to securing defence manufacturing work for Western Australia, especially in the maritime field. Obviously, we put in place the Defence Advocate, who is based in Canberra, and also Defence West, a specific component of the Department of Jobs, Tourism, Science and Innovation that is designed to work to secure major defence work. As part of our recovery plan from COVID, we announced \$87.6 million for infrastructure at Henderson—wharf improvements, pathways and the like—particularly for defence-related work, and new sheds and the like for shipbuilding. It is a massive investment in the defence industry. But we also need to make sure our workforce is skilled up for these sorts of jobs, so today we announced over \$18 million of additional investment in defence skills. This will include incentives of \$20 000 for employers in defence manufacturing, particularly in some of the electrical trades,

in order to train apprentices. Employers can apply for that and hundreds of employers will be able to receive \$20 000 grants over four years in order to employ apprentices in defence-related trades. On top of that, we are funding 335 additional apprenticeship commencements as part of this package, so in total that is around 800. On top of that, we are creating scholarship programs to help veterans—those people leaving the Defence Force who want to get trained up for those sorts of manufacturing roles—get into defence-related jobs. We are also creating new defence jobs and skills centre at Rockingham TAFE, obviously in proximity to HMAS *Stirling*—as members would understand, Rockingham has the highest proportion of people working in defence—to attract and get young people connected with employers through the local TAFE.

This is an \$18 million package on top of our \$87 million infrastructure investment, all designed around defence work, clearly with the Collins-class full-cycle docking decision yet to be made by the commonwealth government. We are pulling out all the stops for the commonwealth to select the obvious location for that work to be undertaken. Western Australia's industry and the skills here are clearly above and significantly more robust and capable than South Australia's, and with the submarines based in Cockburn Sound, it would make sense to have them repaired in Cockburn Sound. We are doing everything we can to ensure that that work comes to WA.

CORONAVIRUS — INTERSTATE BORDER RESTRICTIONS

712. Mrs L.M. HARVEY to the Premier:

Can the Premier confirm that it is government policy that interstate borders will not be opened until 28 days after community spread has been eradicated across Australia, and will he please table the most recent health advice on this matter?

Mr M. McGOWAN replied:

It is like groundhog day. I have tabled the health advice now twice for the Leader of the Opposition. Yes, I have. I have tabled it twice in this Parliament. The health advice has not changed. I have given it to the Leader of the Opposition twice. Hundreds of pages of advice have been tabled right here on this table, and for some reason the opposition has not noticed, even though I have pointed out every single time we do it—standing here—that we have health advice that is very, very clear about this, and we have tabled it for the members opposite.

For some reason the Liberal Party rails against what we are doing. Liberal Party members seem to hate what we are doing. Let us have a look at what we have done. Members opposite do not seem to understand what we have done. I will tell members who else endorsed it, not just the medical advice—the Federal Court looked at the rules, the border we put in place. The Federal Court ruled as part of Clive Palmer's legal action. It stated that the border arrangement is far more effective than any other model we could have adopted. That is what it did. It heard from all the experts. For some reason, the eastern states media does not seem to understand that. It has actually been before a court that heard all the evidence from experts around the country and has now submitted that to the High Court.

I will tell members opposite what has happened so they understand it. We have now had 160-plus days without any community spread of the virus in Western Australia. Other states cannot say that. Very few countries around the world can say that. What has that meant, Mr Speaker? That has meant that, first, we have a healthy population and, secondly, we have in Western Australia the most robust economic activity of any state in Australia by a country mile. Last month, we had 32 000 jobs created in one month. That is the largest number of jobs created in a single month in the history of the state, since records were created 180 or so years ago. The strongest growth in one month in the history of the state.

Mr D.C. Nalder interjected.

The SPEAKER: Member for Bateman, I heard you the first time, and no-one laughed, or the second time.

Mr M. McGOWAN: We achieved 30 per cent of the nation's jobs growth with 11 per cent of the population.

Mr D.C. Nalder interjected.

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

Mr M. McGOWAN: How is that being received nationally, Mr Speaker? Today, the Deputy Governor of the Reserve Bank of Australia said —

The strongest recovery has been in WA ... There has also been a sharp rebound in activity in the housing sector in WA boosted by the support from both the federal and state governments.

He was thankful for the resources sector propping up the national economy. Once again, Western Australia carries the nation. It would be good if the Liberal Party, certainly at a state level in Western Australia and in other states, understood that. It is Western Australia that carries the nation. It is the industries here that deliver the revenues to the commonwealth government that are shared with the other states. It is Western Australia that does that. Although people were calling for the closure of industry in this state when COVID first hit, we said no. Had they been successful in their calls, the consequences for the nation would have been diabolical. Once again, this state and the people of this state who go out to work every day have carried this nation again. Our view is that we need to continue to make sure this state stays strong and safe. That is what we are going to do no matter what the Liberal Party has to say.

CORONAVIRUS — INTERSTATE BORDER RESTRICTIONS

713. Mrs L.M. HARVEY to the Premier:

I have a supplementary question. The Premier has not tabled any recent health advice from our Chief Health Officer; however, how is it possible to determine when Western Australia's interstate border will open when the criteria is entirely dependent on community spread in other jurisdictions, which, by its nature, is impossible to determine?

Mr M. McGOWAN replied:

Once again, I do not understand the Leader of the Opposition. I suspect her colleagues do not either. That was a very bizarre question and a very bizarre thing she is putting forward.

The SPEAKER: I do not know whether it was a supplementary, but you can answer.

Mr M. McGOWAN: I will just say about the opposition and the Liberal Party that if they had their way, the virus would have come back, people in this state would have got sick and we would have lost jobs. That is what would have happened, Mr Speaker.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: I will also pose a question about the other states. What is the situation in those states calling for the border to come down? They have the four-square-metre rule in place, all sorts of restrictions on functions and events, and in fact say that if people can work from home, they should work from home. States over east are saying, "Pull down Western Australia's border", but within their own boundaries, they have the four-square-metre rule, limits on funerals, weddings, functions and events, and are telling people to work from home—yet they are saying it is all safe there. If it is so safe in the eastern states, why do they have all these rules in place that we do not have in Western Australia?

Mr Z.R.F. Kirkup interjected.

The SPEAKER: Member for Dawesville!

Mr M. McGOWAN: I know the Liberal Party is desperately trying to pull down our borders, but we are not going to do it until the evidence is there and the medical advice is there that it is safe to do so.

CORONAVIRUS — ELECTIVE SURGERY

714. Ms J.M. FREEMAN to the Minister for Health:

I refer to Western Australia's success in responding to COVID-19 that has allowed our health system to return to normal sooner than expected. Can the minister update the house on the government's elective surgery blitz and the impact it is having on our health system, and outline to the house what measures our government is taking to respond to any increase in activity in our hospitals?

Mr D.C. Nalder interjected.

The SPEAKER: Member for Bateman, I call you to order for the second time. You just cannot keep chatting.

Mr D.R. Michael: He's angry about South Fremantle.

Mr R.H. COOK replied:

He is bitter, and not just about South Fremantle.

The SPEAKER: Members, we will not talk football, but it was a good result!

Mr R.H. COOK: I thank the member for the question and her ongoing support for the McGowan government and the measures that we are putting in place to put patients first in Western Australia.

At the beginning of 2020, we had to quickly switch our focus to protecting Western Australians from the global COVID-19 pandemic. Thankfully, in Western Australia our public health response has been incredibly successful—thanks to the work of Western Australians. As a result of our proactive and strategic approach, we had to postpone all category 3 and non-urgent category 2 elective surgery. I want to put on the record my thanks to the people of Western Australia for their patience and understanding during this time. However, because of our success, member, we are now in the position, following a \$37 million investment, to restart elective surgery as part of a blitz to ensure that we get our elective surgery process back on track.

It is no secret that our hospitals are busy, many are carrying out elective surgery at levels around 120 per cent of capacity. This is an ambitious approach to get on top of our elective surgery waitlists and deliver treatment that puts patients first. Since the start of the elective surgery blitz, over 35 000 patients have been admitted. For category 1 and 2, we have returned to the same as or better than pre-COVID-19 levels. It has been a highly successful program. Obviously, we will be focusing very much on getting to those category 3 over-boundary cases as soon as possible.

The ongoing requirement to cohort emergency department patients into respiratory and non-respiratory streams, however, as part of the COVID-19 response, is having a significant impact on ED efficiency and patient flows at metropolitan hospitals. The reason behind the high demand at our hospitals, not just at EDs, and importantly the unusual surge that St John Ambulance had on Friday, 18 September is being investigated by St John and the Department of Health. However, I can advise the house that in partnership with St John Ambulance, we will be implementing St John Ambulance hospital liaison managers at our busiest hospitals to assist the process of transferring patients from ambulances and ensuring patient flow and getting ambulances back on the road. This is a similar protocol to the one we usually use in the winter months when we have such high demand. We will be funding these officers at Sir Charles Gairdner Hospital, Royal Perth Hospital, Joondalup Health Campus and Fiona Stanley Hospital to meet the high demand currently being experienced. For October and November this year, the cost will be around \$175 000.

We came to the election in 2017 with a range of commitments designed to improve the services that patients receive, including our urgent care clinic network pilot, which has seen over 3 000 urgent care appointments with the GP urgent care network to the end of July 2020. Our medihotels are being developed, with one already open at RPH and our larger commitment is making progress at Murdoch. We are expanding the emergency departments at Joondalup Health Campus, Peel Health Campus and Sir Charles Gairdner Hospital, where we are introducing our behavioural assessment urgent care clinics, which we have already opened at Royal Perth Hospital. These are all part of creating capacity in our system and ensuring that our doctors and nurses working on the front line have the resources they need to meet the demand from our hospitals. There is no doubt that our hospitals are under pressure. They are doing a great job bringing us back up to speed on elective surgery. We will continue to expand our EDs to ensure that they have the resources they need.

ROAD SAFETY — SOUTH WESTERN HIGHWAY — BUNBURY

715. Ms M.J. DAVIES to the Minister for Transport:

I refer to the dangerous stretch of South Western Highway between Hynes Road and the Picton Road rail crossing and repeated calls from the community and businesses along that stretch to reduce the speed limit.

- (1) Will the government commit to immediately reducing the speed limit from 100 kilometres an hour to 80 kilometres an hour?
- (2) Will the government include funds in the upcoming state budget to improve road safety for the 6 000 vehicles using the road each day as a priority project for Main Roads?

Ms R. SAFFIOTI replied:

- (1) I thank the member for that question. The member for Murray–Wellington, who unfortunately is not in the chamber today, has raised this issue with me. As I responded today to a media inquiry in response to an advertisement in the paper today, we are undertaking an urgent review of the speed limit in that area. That review is being conducted by the police, Main Roads and an independent road expert. I will await the response of that review, but, of course, I am always keen to improve road safety.
- (2) In relation to the allocation of funds, as the member will be aware, we are injecting a record amount into regional road safety. As part of that review, we will look at any engineering or other structural issues that need to be addressed.

ROAD SAFETY — SOUTH WESTERN HIGHWAY — BUNBURY

716. Ms M.J. DAVIES to the Minister for Transport:

I have a supplementary question. Will the minister commit to ensuring that funding is available for those engineering works in the budget as a priority to improve the configuration of those dangerous intersections and turnoffs between Hynes Road and Martin Pelusey Road, where there have been several deadly road incidents in the past?

Ms R. SAFFIOTI replied:

As I said, this review is happening now. Not only did the member for Murray–Wellington raise this issue with me, but it was also raised with me after my presentation to the Livestock and Rural Transport Association of Western Australia conference last Saturday. All the announcements will be made in the budget. In relation to additional funds in that area, that is subject to the independent review to see what improvements are required at key intersections and any other road safety improvements. As we have always said, regional road safety is our biggest transport priority. That is why we went to the commonwealth government and worked on developing a business case to get \$100 million this financial year. Today I think we will reveal the amount of money that will be spent and where it will be spent across WA. We are spending record amounts. We want to continue to work in regional WA in particular to improve road safety.

I do not want to make this too much of a political answer, but I do want to say that the previous government did underinvest in regional road safety.

Several members interjected.

Ms R. SAFFIOTI: I want to say that the pent-up demand to improve our roads in regional WA is enormous. We have embarked on a number of programs and big projects, like the Bunbury Outer Ring Road and the Albany ring-road, projects that have been waiting for many years. All that being said, I am continually focused on making sure that we invest in regional WA to again improve road safety and save lives.

CORONAVIRUS — ECONOMIC RECOVERY

717. **Ms S.E. WINTON to the Treasurer:**

I refer to Western Australia's successful response to stopping community transmission of COVID-19 that has allowed WA to open up its economy more than any other state.

- (1) Can the Treasurer update the house with any new data on how WA's response to COVID-19 is supporting local jobs?
- (2) Can the Treasurer outline to the house the reasons the Reserve Bank of Australia has said that WA is leading the country when it comes to economic recovery?

Mr B.S. WYATT replied:

- (1)–(2) I thank the member for Wanneroo for her question. When we were, as a globe, I guess, rolling out the response to the coronavirus, we saw some dramatic economic impacts around the world, and we are starting to see what that meant. The United Kingdom has 20 per cent contraction, the US, 10 per cent, and some countries are faring much worse. Those countries important to Australia by way of investment and trade have certainly felt some significant falls, as has Australia. As we have learnt more about the impact of the coronavirus and the extent of the restrictions that we have had to impose on the operation of our economy, Western Australia is perhaps the best place on the planet in respect of how we have responded to the coronavirus. As more data emerges and more analysis is done, not just in respect of the health outcomes but in respect of the economic outcomes, if we control the virus and put health first, that is often clearly the best economic policy as well.

When the Treasurers have met, we have been briefed by the Governor of the Reserve Bank, who has made the point that we need to do three things. The first is income support. The commonwealth more broadly has been doing that through JobKeeper and JobSeeker. The second is infrastructure support, and that is what the state governments are broadly doing. The third in general is regulation reform to make it easier for businesses to invest. The one thing the governor is worried about—he makes this point time and again in his public commentary—is that we need to keep people somehow connected to their jobs or to work as quickly as we possibly can because history has taught us that when these disruptions occur, we often have quite a high unemployment rate for long periods. That is what we need to address and that is the focus of our \$5.5 billion recovery plan. We are trying to keep people connected to work. Certainly, for me, 2021 will be the key year when the commonwealth's support and, indeed, some of the state government interventions in the economy, wind back, so we need to focus on 2021.

It is undisputed that the WA economy is performing very well; in fact, it is the best performing economy in Australia. To be honest, Australia is one of the best performing countries on the planet when it comes to our economic response and how we are recovering from the impact of those restrictions we had to impose. Last week, we saw the figures around job creation. We had the largest increase in jobs in July, with just over 32 000 jobs. Similarly, with aggregate hours worked et cetera.

Today I was pleased to read the speech by Guy Debelle, the Deputy Governor of the Reserve Bank of Australia. He reflected on the national economy, stating —

The strongest recovery has been in WA. Part of this reflects the turnaround in investment in the resources sector that was already in train before the onset of the pandemic.

By way of aside, that is undoubtedly the case. The Premier has outlined in detail how some political leaders were very keen for the mining sector to also go into hibernation during those early months of the coronavirus. The deputy governor continued —

There has also been a sharp rebound in activity in the housing sector in WA boosted by the support from both the federal and state governments.

Indeed, members would have seen the Premier's announcement last week around extra money going into our building bonus policy. It has been so successful, it has been oversubscribed; that is, Treasury did not expect the level of uptake that came in. It has been enormously successful. It is delivering those jobs for the tradies in Wanneroo who want to ensure that they continue to have a pipeline of work.

Today, the payroll jobs data came out again. It is a new series of data that has been released by the Australian Bureau of Statistics, basically over the coronavirus pandemic. It highlights the fact that WA continues to lead the way in payroll jobs data. Broadly, 89 per cent of the jobs lost since mid-March have been recovered. WA continues to lead the way in respect of that payroll jobs data.

I will conclude with this point: Western Australia is leading Australia when it comes to the economic response to the impact of the coronavirus. This is important for Western Australians and jobs, member for Wanneroo, but as the Premier just said, it is actually important for the entire nation. Other Premiers who should know better have critiqued Western Australia's response. Every single Treasury in Australia benefits from the WA mining sector and the WA economy because we contribute far more than we take out of the commonwealth Treasury. That is why we will continue to protect the hard border despite the calls and the efforts and the innuendo from the Leader of the Opposition to bring that border down.

AMBULANCE RAMPING

718. Mr Z.R.F. KIRKUP to the Minister for Health:

I refer to the record levels of ambulance ramping across our hospitals, which have occurred under this government, including at a time when there is basically no flu and no second wave of COVID. Why are the minister and the Premier being so arrogant and intentionally trying to downplay the ambulance ramping crisis, which is putting the lives of Western Australians at risk?

Mr R.H. COOK replied:

I thank the member for the question. As I said in my earlier answer to the question from the member for Mirrabooka, our hospitals are working flat out at the moment to get our elective surgery numbers up and our waiting times down, and to ensure that we are getting back as quickly as possible to those people, particularly those who had to wait during the COVID-19 pandemic response and had their operations postponed.. As I have reminded the member time and again, there is a move amongst all health jurisdictions in Australia to move from an ambulance ramping measure to a transfer of care measure.

Mr D.T. Redman: You railed hard against us on the ramping issue, when we were sitting over there. It is just hypocrisy that reigns here.

Mr R.H. COOK: Member, I remember the previous government's response to ambulance ramping. What was it? It was, "I give up!"

Mr D.T. Redman: It is different now.

The SPEAKER: It is different now, ex-minister; I am in the chair. I call you to order for the first and second times. You did not hear me the first time.

Mr R.H. COOK: Member, it is certainly different now; we have a competent government! We remember the previous government's response to ambulance ramping; it was "I give up; I don't know why ambulance ramping is so high!"

Several members interjected.

The SPEAKER: Members, please!

Mr R.H. COOK: We took a close look at ambulance ramping. This is in addition to our policies to introduce urgent care clinics.

Mr D.T. Redman: If it is not working, you change the measure.

The SPEAKER: Yes, and I call you to order for the third time, member for Warren-Blackwood.

Mr R.H. COOK: We introduced urgent care clinics, which, as I said recently, has allowed over 3 000 patients to be diverted away from our emergency departments. We have introduced medihotels —

Mr Z.R.F. Kirkup: Behind time; not on budget.

The SPEAKER: Member for Dawesville, I like your voice, but not all the time; that is enough. I call you to order for the first time.

Mr R.H. COOK: We introduced medihotels, which are operating at Royal Perth Hospital and being constructed as we speak at Fiona Stanley Hospital. We expanded our EDs. We have a behaviourist assessment urgent care clinic, which we introduced at Royal Perth Hospital and are currently introducing at Sir Charles Gairdner Hospital. We are expanding Peel Health Campus, which the member for Dawesville will be very pleased about because the former Liberal-National government did nothing about Peel Health Campus. We are expanding the EDs at Joondalup Health Campus and Sir Charles Gairdner Hospital. We are doing all these things as part of putting patients first. It is true that we have shifted from ambulance ramping as a focus. We will continue to provide the avenue for members—even those as clever as the member for Dawesville—to find those statistics. We are not hiding from them, but we are focused on transfer of care. That is what the Australasian College for Emergency Medicine wants us to focus on and that is what other Australian jurisdictions are focusing on. We have a transfer of care median time of about 22 minutes. This means that the median time it takes us to get a patient out of an ambulance into the care of our EDs is about 22 minutes. This is the best in the country.

Mr Z.R.F. Kirkup interjected.

Mr R.H. COOK: The member for Dawesville hates this stuff.

Mr Z.R.F. Kirkup interjected.

The SPEAKER: Member for Dawesville, I call you to order for the second time. You do not ask a question and answer it; you wait to hear it and then you ask a supplementary.

Mr R.H. COOK: They hate the success that we are having by focusing on patients. It is true that our EDs are under pressure. It is true that on Friday, 18 September, St John Ambulance had a really tough day—a lot of call-outs. It required the chief executive of St John Ambulance to put a call into the director general and they scrambled protocols to ensure that all our EDs had executive directors based in them, ensuring that we could meet the unprecedented demand on that day. That occurred between 1.00 pm and 2.00 pm and between 5.00 pm and 6.00 pm. We are trying to get to the bottom of understanding why there was a particular surge that day, but this is what happens. We need a hospital system that is able to respond to these demands; can continue to operate at a high level to ensure that we are treating those people as often as we can, but also making sure we have the capacity and resilience and the protocols to ensure that we can flex up where necessary. That is what happened. It was a tough day for everyone, but the hospital system responded really well.

My concern, obviously, is that we have ambulances out on the streets, but my priority is to make sure that we get people out of those ambulances into the care of the EDs as quickly as possible. We are focused on transfer of care because we are focused on patients. We will continue to do that and we will continue to see that our hospitals—as I said, and I will say it time and again—are the best in the country. Under the four-hour rule, we are the best in the country: better than New South Wales, Victoria and Queensland. I know they will continue to go on and do well. That is because we are continuing to fund them, they are committed to the public health system and they are doing a great job.

AMBULANCE RAMPING

719. Mr Z.R.F. KIRKUP to the Minister for Health:

I have a supplementary question. Can the minister confirm that a major contributing cause of ambulance ramping at our state's emergency departments has been the level of mental health presentations that is occurring from a silent mental health epidemic that has plagued us since the advent of COVID-19?

Mr R.H. COOK replied:

On 18 September, there were 147 metropolitan hospital attendances related to mental health. This was 32 attendances higher than the same day in 2019, or 22 per cent. Overall, metropolitan mental health attendances have been higher in the last two weeks by about nine mental health attendances per day, when compared with the same period in 2019. That is one of the reasons we are investing so strongly in mental health observation areas, which we have put in at Royal Perth Hospital. They have also been installed at Sir Charles Gairdner Hospital and Joondalup Health Campus. The complexity of those patients is increasing. We will continue to make these investments. Our EDs are doing an amazing job with patients presenting with some very complex and difficult issues. We need a government that is willing to invest and ensure that our hospitals are able to meet this demand. Thank goodness we have a McGowan Labor government.

CITY OF PERTH — INVESTMENT

720. Mr J.N. CAREY to the Premier:

I refer to the state government's commitment to creating local jobs and supporting small businesses by securing a \$1.5 billion Perth City Deal with the commonwealth government and the City of Perth. Can the Premier outline to the house how the Perth City Deal will help support our economic recovery, transform the CBD and deliver an unprecedented amount of economic activity through the city?

Mr M. McGOWAN replied:

I thank the member for Perth for the question. Over the term of this government, we have been negotiating with the commonwealth on delivering a city deal for Perth. I signed a heads of agreement with Malcolm Turnbull when he was Prime Minister and the discussion has gone on since then, in particular with the current Prime Minister and also with Senator Cormann and Minister Tudge, involving, in particular, myself and the Minister for Transport. We have secured a game changer for the City of Perth—\$1.5 billion worth of government and private sector investment in the city. This has been done in partnership with the commonwealth, the City of Perth, universities and local businesses. We expect that this will create around 10 000 jobs—not just construction and building jobs—and it will improve the liveability of our state and indeed of our city for all people across Western Australia, and deliver long-term vibrancy and excitement to the heart of the city.

We have secured the development of three inner-city university campuses—that is, \$1 billion worth of investment—and around 25 000 students and staff will be brought into the city as a consequence. It is a massive guaranteed job generator for our city and our state. As part of the deal there will be three inner-city campuses. Edith Cowan University will move its world-renowned Western Australian Academy of Performing Arts as well as its business and law school into the CBD. WAAPA in the city will mean that all those creative people will be dancing and singing through the streets. It will be like an episode of *Fame* once it is set up. Every day in the city it will be just like fun—people dancing and singing and jumping off cars. It will be marvellous. Murdoch University will build a campus for the first

time in the city, which will include Western Australia's first e-sports hub, linking Singapore and South-East Asia. Curtin University will expand its CBD footprint with a healthcare hub, which will support nursing, medical and allied health students, and it will expand its law and business schools. We have provided \$50 million to each university.

On top of that will be the Swan River pedestrian and cycling bridge, amongst other things in transport. There will be the long called for upgrades to the Perth Concert Hall. I will not have to take Richard Goyder's phone calls about this anymore—he has been a strong advocate for that one. We have rolled into the deal the Common Ground facility in the heart of the city, which will be an important addition to help people who are homeless. There is also the WACA oval redevelopment, which will receive \$30 million from the state and \$30 million from the commonwealth, and we expect a swimming pool to be provided by the City of Perth.

On top of that, Mount Lawley Senior High School and the Mt Lawley community will receive the most advanced drama and gym facilities of, I think, any school in the world. That will be a great addition to the Mt Lawley community. As well, the member for Mount Lawley will be involved in redevelopment plans on the land over coming years.

This is very exciting. It is another demonstration of this government's capacity to work with the commonwealth government, local government and industry to achieve outcomes irrespective of politics. I am very pleased that we have worked cooperatively to achieve this long-term job-generating set of projects for our state.

POLICE — MID WEST–GASCOYNE DISTRICT

721. Mr I.C. BLAYNEY to the Minister for Police:

Given the increasing demands placed upon the Mid West–Gascoyne police district at this time and the shortfall of 15 authorised police officers in the Mid West–Gascoyne region for over a year and a half, when will this government provide much needed resources for the Mid West–Gascoyne police force who are already stretched beyond capacity and who also have to deal with increased visitation and activity in the region?

The SPEAKER: Member, in future, could you just talk a little bit louder, because I cannot hear you properly from up here, so I do not know how Hansard is going up there.

Mrs M.H. ROBERTS replied:

Thanks, member. I am actually stunned to get that question from the member for Geraldton given the increase in the number of police officers that our government has put into regional Western Australia. When we compare the numbers in regional Western Australia with June 2016, we have 110 more officers in regional Western Australia. I did not have notice of the question, but I have some relatively recent figures on the Mid West–Gascoyne district. The actual number for the Mid West–Gascoyne district in 2016 was 205.73. The actual number on 30 June this year was 233. We have 27 more officers in the Mid West–Gascoyne than we had three years ago. We have delivered an additional 300 police officers, something that the member's government did not do. It did not make any promise to deliver any additional officers. We have delivered 300 additional officers. We already have 110 more police officers in regional Western Australia because we created more positions in regional Western Australia. In the midwest, there are 27 more officers—boots on the ground. They are the facts. I am tired of hearing this National Party beat-up that somehow the bush is being neglected or it has fewer police officers or it is operating understaffed.

Ms M.J. Davies interjected.

The SPEAKER: Leader of the National Party.

Mrs M.H. ROBERTS: Regional areas now have many more officers than they had when the National Party was in office, when it was part of the Liberal–National coalition.

I am very pleased, too, that additional COVID-19 funding is going out to regional stations so that they can be improved. Recently, I was in Derby, which is getting a \$1.5 million upgrade. Kununurra is getting a \$500 000 upgrade. Katanning is getting \$1.5 million; Narrogin, \$2 million; Wagin and Williams are each both getting a \$1 million upgrade; Collie Police Station is getting \$1.5 million; and Donnybrook is getting an extra \$1 million. That is on top of routine maintenance. The fact of the matter is that the Liberal–National government really ignored policing in regional Western Australia. It talked up royalties for regions; it spent it all on plastic cows and singing toilets. We saw police stations completely deteriorate.

Several members interjected.

Mrs M.H. ROBERTS: Look at the facts. The former government spent very, very little royalties for regions money on policing, on additional police officers or on those police facilities.

Ms M.J. Davies interjected.

The SPEAKER: Leader of the National Party!

Mrs M.H. ROBERTS: We are currently trying to improve the disgusting state —

Ms M.J. Davies interjected.

The SPEAKER: Leader of the National Party, I call you to order for the first time.

Mrs M.H. ROBERTS: — in which the former government left so many regional stations.

POLICE — MID WEST–GASCOYNE DISTRICT

722. Mr I.C. BLAYNEY to the Minister for Police:

I have a supplementary question.

The SPEAKER: Member for Geraldton, you will try to talk a little bit louder, please; it is very hard to hear you.

Mr I.C. BLAYNEY: There are 104 unfilled positions in regional police districts across regional Western Australia, including 15 in the Mid West–Gascoyne. When will the number of police officers be increased to reflect full authorised strength?

The SPEAKER: That is much better, member for Geraldton; thank you.

Mrs M.H. ROBERTS replied:

This is a funny little game we are playing here. The fact of the matter is that there are no more vacancies now than when the Nationals WA were in office. The member for Kalgoorlie knows that it takes a little while to deploy officers and there is often that little gap period. It happens all the time. When the National Party was in office, there were a similar number of vacancies. The real difference here is that when it comes to people on the ground, there are now 110 more real bodies, real police officers, actually in each of those regions than there were when the Nationals were in office.

PERTH CITY DEAL

723. Mr S.A. MILLMAN to the Minister for Planning:

I refer to the job-creating Perth City Deal that the McGowan Labor government has secured with the commonwealth government and the City of Perth.

- (1) Can the minister outline to the house what economic opportunities will be unlocked by the Perth City Deal and the development of three new inner-city university campuses?
- (2) Furthermore, can the minister outline to the house what this will mean for Mt Lawley and investment in Mount Lawley Senior High School?

Mr B.S. Wyatt: Wonderful question. There's a wonderful answer coming.

Ms R. SAFFIOTI replied:

I thank the Treasurer, in anticipation.

The SPEAKER: Order, Treasurer! I want to hear the minister.

Ms R. SAFFIOTI:

- (1)–(2) I thank the member for Mount Lawley for his commitment to his electorate in particular and to the good folk of Mt Lawley for making sure that, as part of this deal, Mt Lawley becomes a winner, and it absolutely has. It was a big weekend, as the Premier outlined before. The good Senator Mathias Cormann—happy birthday to Mathias for his fiftieth birthday on that Sunday—Andrew Hammond from the City of Perth and a number of other representatives and I announced the city deal. It was a big weekend. We announced the zip-line on Saturday. The zip-line is up and ready to go. As I outlined before, I presented to the Livestock and Rural Transport Association of Western Australia's annual conference.

Mr B.S. Wyatt: You had quite a big weekend.

Ms R. SAFFIOTI: It was quite a big weekend. After that last question from the National Party, I realised that the National Party was not at the annual conference of the Livestock and Rural Transport Association of WA. The Liberal Party was represented and the Labor Party was represented—even after some initial hiccups with the member for Collie–Preston in his first year when he was representing me—but the National Party was not there. That is curious. There must have been an event on at Claremont Quarter, I suspect.

One of the most exciting elements of the city deal was, of course, the university campuses. The Premier has outlined that Edith Cowan University is moving to the city and that Curtin University is expanding its presence and Murdoch University will have a presence. There is so much more, including the pedestrian and transport links, and, as I said, the new Causeway Bridge. I am glad that we are partnering with the commonwealth on that project. Improvements will be made to our cultural institutions. This is really about vibrancy and activities in the city centre. As the member for Perth outlined, and as the Premier said today, this is a game changer. It will change the dynamics of the city centre. Future generations will look back at that decision and say that it changed the City of Perth.

What does Mt Lawley need as part of this overall deal? As the member for Mount Lawley rightly put to us, Mount Lawley Senior High School is an iconic school in that area. This deal gives us a massive opportunity in relation to the facilities and services that the high school can provide, particularly in that local area. There are so many excellent facilities at ECU, particularly the performance spaces. As part of the deal, we want to incorporate those into a bigger and better Mount Lawley Senior High School, with an expanded capacity, noting that there is already pressure on enrolments at that school. We believe that other parts of that area can add to the Mt Lawley community. In a sense, this is a win–win situation. It is a win for the city and also for Mt Lawley. I thank the member for Mount Lawley for his strong advocacy for his electorate and making sure that Mount Lawley Senior High School is a huge winner as part of this deal.

AGED AND CONTINUING CARE DIRECTORATE — PROFESSOR LEON FLICKER

724. Mr K.M. O'DONNELL to the Minister for Health:

Greetings, Mr Speaker. I refer to the front page of this morning's *The West Australian* and the article regarding Professor Fletcher —

Mr R.H. Cook: Flicker.

Mr K.M. O'DONNELL: Flicker. I knew I should have read it. I tried to get up here and do it without reading. I apologise.

The SPEAKER: Preamble. Get it going.

Mr K.M. O'DONNELL: I refer to that article. He is the chair of the expert reference group, the Aged and Continuing Care Directorate. Is the government ignoring the advice of Professor Flicker and that expert group, and can the minister confirm that that is the reason Professor Flicker resigned?

Mr R.H. COOK replied:

I thank the member for the question. At the outset, I pay my respects to Professor Leon Flicker and thank him for the time he has served in the role. He has been chair of the Aged and Continuing Care Directorate expert reference group for the last six years. I know Leon very well and have been the recipient of his advice and ongoing guidance since I was in opposition, so obviously I greatly appreciate the great expertise that he brings and also his status; he is a leader among geriatricians and has done, and will continue to do, great work on behalf of the community.

It is true that we have reorganised the Department of Health in the context of that reference group and where it fits into the overall directorate. That was done in 2017 as part of the reorganisation of the Department of Health when we reduced the number of senior executive service positions, which resulted in divisions and associated directorates being reorganised. Late last year, plans were afoot to move the aged-care function within the Department of Health into the governance division of the Department of Health and bolster it. This would align it with aged care being more closely related to policy and planning and intergovernmental relations, as this is a mixture of commonwealth and state responsibility. That happened a fortnight ago, and obviously we are expecting to see some great work done. There are plans to form an aged-care clinical network in the Department of Health under the Clinical Excellence division. This work was, by and large, held up as a result of the COVID-19 pandemic response, but that certainly does not diminish our commitment for aged care. As all members know, we neither fund nor regulate aged care, but it is an important part of caring for the Western Australian community. In the context of the COVID-19 pandemic, we set up a separate work team under the State Health Incident Coordination Centre before we even declared an emergency under the Emergency Management Act. We understand the vulnerability of aged-care residents, and from that point of view they have been a very important focus for us in relation to COVID-19. I work very closely with all our geriatricians and have met with them on a number of occasions since coming to government. I will continue to work closely with them and, from that perspective, I thank Professor Leon Flicker once again for his great work.

AGED AND CONTINUING CARE DIRECTORATE — PROFESSOR LEON FLICKER

725. Mr K.M. O'DONNELL to the Minister for Health:

I have a supplementary question. Why are the elderly such a low priority for this government that Professor Flicker would resign, especially during the middle of the COVID crisis when the elderly are particularly vulnerable?

Mr R.H. COOK replied:

How we treat aged care in the context of the organisational charter with the Department of Health is very different from how we treat aged care in the context of an effective response to COVID-19. As I said, the work that we have done around COVID-19 has been extensive and comprehensive, and it continues today. I met with the entire aged-care community last month at a forum at which we talked about the issues the industry is confronting and how we can better support it. I think the member would find among the aged-care sector that all would speak very highly of the close relationship they have with the government, and I thank them all for the great work they have done. As I said, Professor Flicker has been in that role for six years and I will continue to work with him. Aged care remains an important part of what we do in caring for vulnerable Western Australians. The fact is that the commonwealth regulates and funds aged care. The fact that we are seeing such devastating responses in relation to the deaths in the aged-care cohort in Victoria is a fundamental failure by the federal government to properly fund this area of care and health. That is entirely regrettable. Because of the great work the Department of Health has put into the aged-care sector during COVID-19, we would not see that situation occur in Western Australia. That is because of us and not because of the commonwealth government; it is despite the commonwealth government.

The SPEAKER: That is the end of question time.

PAPERS TABLED

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

**“DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND
CULTURAL INDUSTRIES ANNUAL REPORT 2018–19”**

Correction — Statement by Speaker

THE SPEAKER (Mr P.B. Watson): I have received a letter dated 14 September 2020 from the Minister for Local Government requesting that an erratum be added to the Department of Local Government, Sport and Cultural Industries’ 2018–19 annual report, which was tabled on 26 September 2019. The erratum corrects the omission of a fair value disclosure in note 8.3 of the financial statements. Under the provisions of standing order 156, I authorise the necessary corrections to be attached as an erratum to the tabled paper.

[See paper [3686](#).]

BILLS

Notice of Motion to Introduce

1. Railway (BBI Rail Aus Pty Ltd) Agreement Amendment Bill 2020.

Notice of motion given by **Mr M. McGowan (Minister for State Development, Jobs and Trade)**.

2. Building and Construction Industry (Security of Payment) Bill 2020.

Notice of motion given by **Mr J.R. Quigley (Minister for Commerce)**.

McGOWAN GOVERNMENT — POLICIES

Notice of Motion

MR D.C. NALDER (Bateman) gave notice that at the next sitting of the house he would move —

That this house condemns the McGowan government for its handling of the domestic economy and local jobs, and the impact its policies have had on households and small businesses resulting in high unemployment, record levels of mortgage stress and mortgage defaults, and a raft of social issues, including a spike in crime and ambulance ramping.

Several members interjected.

The SPEAKER: Member for Dawesville. I will hear this in silence, please. It is good to have the crowd back, though.

CORONAVIRUS — INTERSTATE AND INTERNATIONAL BORDER RESTRICTIONS

Notice of Motion

MR Z.R.F. KIRKUP (Dawesville) gave notice that at the next sitting of the house he would move —

That this house calls on the McGowan Labor government to show more compassion towards Western Australians trapped interstate and overseas through no fault of their own, and calls out the callous disregard, even contempt, for our fellow citizens.

McGOWAN GOVERNMENT — PERFORMANCE — HEALTH

Removal of Order — Statement by Speaker

THE SPEAKER (Mr P.B. Watson): I inform members that in accordance with standing order 144A, the private members’ business order of the day—sorry, member for Mount Lawley, you make me start again. I inform members that in accordance with standing order 144A, the private members’ business order of the day that appeared in the last notice paper as number 1, “Western Australia’s Health System”, has not been debated for more than 12 calendar months and has been removed from the notice paper.

AMBULANCE RAMPING

Standing Orders Suspension — Motion

MR Z.R.F. KIRKUP (Dawesville) [3.12 pm] — without notice: I move —

That so much of standing orders be suspended as is necessary to enable the following motion to be debated forthwith —

That this house condemns the McGowan Labor government for its mismanagement of the Western Australian health system, including record levels of ambulance ramping, which is unnecessarily putting lives at risk.

I understand that we have reached agreement with the Leader of the House; I assume that he will amend the motion.

Standing Orders Suspension — Amendment to Motion

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [3.13 pm]: I move —

To insert after “forthwith” —

, subject to the debate being limited to 15 minutes for government members and 15 minutes for non-government members

In speaking to the motion, again, I highlight to the opposition that there is an opportunity for a matter of public interest today. The opposition should take up those opportunities. It refuses to take up this one, but the government will allow debate to occur on this suspension.

Amendment put and passed.

Standing Orders Suspension — Motion, as Amended

The ACTING SPEAKER (Mr S.J. Price): Members, as this is a motion without notice to suspend standing orders, it will need an absolute majority in order to succeed. If I hear a dissentient voice, I will be required to divide the Assembly.

Question put and passed with an absolute majority.

Motion

MR Z.R.F. KIRKUP (Dawesville) [3.14 pm]: I move the motion. We undoubtedly have the worst government in the history of the state when it comes to ambulance ramping levels in Western Australia, and that is putting lives at risk right across our state's health system. The crisis that we are facing is not a new one—it has existed for years under Premier McGowan and the Western Australian Labor government—but last week we hit a new low.

The ACTING SPEAKER: Sorry, member for Dawesville. Members, if you are having a conversation, can you take it outside, please. Thank you. Carry on.

Mr Z.R.F. KIRKUP: Thank you very much, Mr Acting Speaker. Last week, we hit a new low in Western Australia. There was a systemic failure that has only come about because of this government's lack of leadership and investment in this critical area of our health system, our state's hospitals, and in response to the record levels of ambulance ramping. Last week alone, a terrible situation put lives at risk right across our state, but particularly in metropolitan Perth. On Monday, ambulances were ramped for 162.3 hours. It was the ninth worst day in history since records have started to be kept; outside of the state's 2019 flu season, it was one of the worst results we have ever seen for ambulances being ramped out of our state's hospitals. At the time, we thought it could not get worse than that, but it did get worse as we went through the week. On Tuesday, right across my district in Dawesville and the districts of the members for Murray–Wellington and Mandurah, every ambulance in Mandurah was ramped. Calls coming out from Pinjarra and Dudley Park were being responded to by ambulance crews in Rockingham.

On Friday, when we thought it could get no worse, ambulances were ramped for 177 hours in our state's hospitals. Without a doubt, this was a new low. Beyond that, 13 ambulances were waiting ramped at Fiona Stanley Hospital. There were 13 ambulances with people in the back waiting to be handed over to the hospital emergency department who could not get the treatment they so deserve in our world-class health system because of the failures of the McGowan Labor government. Then, at 1.00 pm and 5.00 pm on Friday, there were no ambulances available to respond to any priority calls north of the river. Let that sink in for a moment, members: no ambulances were available to respond to a critical 000 call north of Perth. That impacts districts such as Joondalup, Kingsley and Wanneroo. There was not a single ambulance available to respond to someone's father who might be in cardiac arrest, or to a child in anaphylactic shock. No ambulance able to respond is a new low in our state's history and a reflection of the McGowan Labor government's poor handling of our health system. It should not be feasible or imaginable that in our state's \$9 billion health system, our world-class health system with amazing doctors, nurses, paramedics and ambulance crews, not a single ambulance is available to respond to a priority call-out in our state. Any Western Australian would find that an absolutely unthinkable and harrowing proposition.

The member for Wanneroo smiles and smirks as we go about this debate. This is putting communities in the member for Wanneroo's districts at risk. I hope that the member stands up in this place and joins us as we condemn this Minister for Health for putting the lives of people in our communities at risk, because that is what is happening. We cannot have a situation in which a grandfather has a heart attack in Wanneroo and cannot get an ambulance because of the failure of the health minister. That is what is happening, member for Wanneroo. I hope that the member speaks up in caucus, because otherwise she and members for the northern suburbs and the Labor Party are completely silent in this place on putting the health of Western Australians at risk. The people of WA deserve better than the terrible representation that they are getting from members of the Labor Party, who are silent on the matter of putting the lives of Western Australians at risk.

Ms S. Winton interjected.

The ACTING SPEAKER: Member for Wanneroo!

Mr Z.R.F. KIRKUP: We could not believe it could get any worse on that Friday. It was absolutely unacceptable.

Ms S. Winton interjected.

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

Mr Z.R.F. KIRKUP: Unfortunately, this is not a single day, week or year of this government's terrible mismanagement of our state's health system. This has happened ever since the McGowan Labor government took office. In 2016, the final year of the former Liberal–National government, ambulance ramping in Western Australia was sitting at

somewhere around 700 or 800 hours a month. In 2015 and 2016, when ambulance ramping levels were at 700 or 800 hours a month, the current Minister for Health, who was then in opposition, called for the resignation of then health minister, Hon Dr Kim Hames. Now we find ourselves in a situation in which ambulance ramping in the last full year of the McGowan Labor government has averaged 2 034 hours a month. It has gone from a couple of hundred to 2 034 on average in 2019. This year, when we have not seen a COVID-19 second wave and the flu crisis that was blamed in 2019, ambulance ramping has reached new record highs and it is putting Western Australian lives at risk. That is absolutely unacceptable, and that is why we stand together united as an opposition, the Liberal Party and the Nationals WA, to condemn the government for its failures in our state's health system. This work does not reflect appropriately the amazing work of our talented clinicians, nurses, doctors, paramedics and ambulance officers, who are doing an amazing job in very difficult circumstances. This government is not providing them with the leadership that they so deserve. The government will say a couple of things in response. The minister will say that the government has changed the definition and "We no longer care about that because we've hidden it and pushed it aside." The minister will say that time for cleaning an ambulance and paperwork is taken into account. It would be a blatant mistruth if the minister were to say that in this place. That is not true. By definition, "ambulance ramping" is the same as it was in 2016 when the government was in opposition and it called on the then Minister for Health to resign. Now we stand united as an opposition and say that this government has put more Western Australian lives at risk than has any other government in the history of Western Australia due to its inadequate leadership of the Western Australian health system, and for that it stands condemned.

MRS L.M. HARVEY (Scarborough — Leader of the Opposition) [3.21 pm]: I rise to support this motion. I take members back to 4 August 2015 when there was a newspaper story about how shameful it was that we had ambulance ramping averaging around 32 hours a day. At that time, Mr Roger Cook, who was then the shadow Minister for Health, stated —

"This means we still have patients left in hospitals, left in ambulances waiting to receive the care that they need ...

I move on to the August 2016 comments of the then shadow Minister for Health, Mr Roger Cook, who stated —

... figures that revealed this month was on track to be the worst ever for ramping showed too many patients were being forced to wait in the care of paramedics before being able to see a doctor.

"In the first 10 days of August we have seen over 800 hours of ramping ...

"Every hour of ambulance ramping represents a patient, anxious, potentially in pain, waiting to receive the treatment they deserve."

That was in 2016 at a time when 800 hours of ramping over the first 10 days of August was unacceptable. Now I move forward to 2019 and 2020. We raised the issue of ambulance ramping towards the end of last year and, as has been outlined by the member for Dawesville, the minister decided to change the reporting mechanism to try to hide the government's shameful performance in ambulance ramping. We have now averaged more than 2 000 hours a month of ambulance ramping. In December 2019, when the minister was talking about the changes he was going to make to the reporting, Dr David Mountain from the Australian Medical Association stated the following in a December 2019 WAtoday story —

"The new KPI is fine, it does match the college definition, but the St John's data tells you how much strain ramping is putting into the system, the effect it has on patients, and how many ambulances you're taking out of the system.

"Currently, they're averaging about 100 to 150 hours of ramping a day, which is five to seven ambulances off the road for the day."

If we fast-forward to August 2020, we had 2 702 hours of ambulance ramping, which is an average of 87 hours a day. That is patients being stuck in ambulances waiting to be admitted into an emergency department to see the health specialist they need to see. People who travel to an emergency department in an ambulance do not make the decision to do so lightly, because ambulances cost money. They are in an ambulance because they are having a heart attack or are in pain and that is the only safe way to transport them to a hospital emergency system. That is who these people are; they are the sick and seriously unwell. They are cancer patients who have gastric bleeds. They are the people who are queued up and waiting on gurneys inside ambulances because of the poor performance of the Minister for Health and the stinginess of the government in not properly resourcing the health system. That is the problem. The minister has come in here and touted his success. I ask him to tell the people in the northern suburbs that success is 13 ambulances ramped at Fiona Stanley Hospital at the same time. Not a single ambulance was available to respond to emergency calls north of the river last Friday afternoon. Heaven help us if this is what the government calls success. If this is evidence of its success, God help us if we have a COVID-19 outbreak in Western Australia. Our system is under pressure and at breaking point right here and now with no COVID-19. What is the preparedness of this government if we have 2 702 hours' worth of ambulance ramping in the month of August with virtually no flu patients and no COVID-19 cases? It is no wonder that the Premier wants to keep the border up; our health system is on the verge of collapse without COVID patients. It is not good enough. I need to be able to say to my people in the northern

suburbs, “If you’re having a heart attack and you call for help, an ambulance will come and take you to the ED.” What if it were the minister’s mother, father, daughter or grandmother waiting for an ambulance, having had a heart attack? That is who these people are and the minister should hang his head in shame.

MS M.J. DAVIES (Central Wheatbelt — Leader of the Nationals WA) [3.26 pm]: Earlier during question time, the Minister for Health’s message was “Nothing to see here. We’re doing a great job”, yet we have seen the biggest debacle in ambulance ramping in the history of the state and that has some serious ramifications. Not an ambulance was to be had and hospitals are at capacity. There is no flu season and we have no COVID-19 cases, but this government is the best! It does not marry up. I am very happy to support this motion because when we start to see that kind of ramping in the metropolitan system, there is a twofold impact. First, it is having an impact from a regional perspective because volunteer ambulance drivers come from the regions. They are forced to ramp and are unable to be in their communities supporting their community. We have raised this issue with the Minister for Health on a number of occasions; indeed, 12 months ago we expressed our concerns about ramping, particularly for ambulance services coming from the member for Moore’s electorate—Toodyay, Northam and York. They would go to the hospitals and have to sit for four to six hours before travelling back long distances. That leaves communities without ambulances and it is certainly not the best outcome for the patient.

The second impact is that regional communities do not measure ambulance ramping. The opposition has some understanding, albeit the rules have been changed over the last 12 months, but it has very limited data about ramping at regional hospitals. I am seriously concerned that given we have had literally no impact from the flu season and limited impact from a COVID perspective, we are seeing this level of ramping. From a regional perspective, this leaves those community volunteers exposed. Their time is precious and they cannot afford to be away for their businesses and communities. They are sitting at a hospital waiting for their patients to be dealt with before they turn around and drive sometimes four to six hours to get back to their community. That is completely unacceptable. We wholeheartedly support the opposition’s motion because, quite frankly, this government, knowing that it is not keeping its hand on the tiller, has changed the reporting rules and muddied the waters and that is all coming to the surface. As the Leader of the Opposition said, over the weekend people in the northern suburbs were not able to access an ambulance, and that is a scary thought.

MR R.H. COOK (Kwinana — Minister for Health) [3.29 pm]: Thank you for the opportunity to speak on this motion today. First of all, I want to clarify a few issues. No-one is hiding anything. The numbers are all easily available on the websites. If people click on a link on the Department of Health’s website, it will take them straight to the figures that the member for Dawesville spoke about today. A lot of members have been talking about my time as shadow Minister for Health. That time was spent having to investigate the ambulance ramping numbers on an almost daily basis, via parliamentary questions and questions on notice, and by getting what information I could from the Department of Health’s website, and then constructing the numbers. The fact that the member for Dawesville can click on a link on a website to get the numbers he is quoting is a sign of the fact that we are not hiding anything.

Mr T. Healy interjected.

Mr Z.R.F. Kirkup interjected.

The ACTING SPEAKER: Member for Dawesville!

Mr Z.R.F. Kirkup interjected.

The ACTING SPEAKER: Member for Dawesville, I call you to order for the first time. You were not interrupted, and when you were, it was controlled. Carry on, minister.

Mr T. Healy interjected.

The ACTING SPEAKER: Member for Southern River, the minister is on his feet.

Mr T. Healy interjected.

The ACTING SPEAKER: Member for Southern River, I call you to order for the first time as well. Carry on, minister.

Mr R.H. COOK: No-one is hiding anything. We do not oversight the ramping numbers. The statistics are compiled by St John Ambulance.

Mr A. Krsticevic interjected.

The ACTING SPEAKER: Member for Carine! Carry on, minister.

Mr R.H. COOK: The fact that the numbers are in front of us—that we make this information available—is a testament to the openness of this government. The fact that the member for Dawesville can access the numbers with a single click is because of us, because we want to make sure that we hold our entire health system up for examination by the public to see how well it is operating. In particular, we do not oversight the ramping numbers. As part of our audit of ambulance ramping, we realised that it is essentially a statistic associated with the speed with which we get an ambulance from the emergency department back onto the street. It is an important measure, so it is important that it is in the public domain, but it is not a measure of how well the ED is working. We want to get patients into the ED as quickly as possible so they can be cared for. The Leader of the Opposition’s quote from David Mountain is quite true. Ambulance ramping is a sign

of the pressure on the system, but it is not a sign of the pressure on the ED. Emergency departments have to continue to get people out of ambulances as quickly as possible in order to make sure they can care for those patients. As I observed in 2015 and 2016, and as quoted by the Leader of the Opposition, the speed with which we get people out of ambulances is the measure we want to use to demonstrate that our hospitals are doing great work.

Members made observations that we are not in a flu season and that is quite true, but we are experiencing the same number of patients this year as we were at this time last year. That could be for a range of reasons. In question time today, the member for Dawesville drew attention to the fact that a high number of mental health patients are presenting to EDs at the moment. That is true. It is creating real pressure on our hospital system. As I said in my answer to the member's question, on 18 September, 147 metropolitan hospital attendances related to mental health. That was a 22 per cent increase in the number for the same time last year, so we are obviously experiencing busy times. It is simply not accurate or truthful to say that because there is no flu season, the EDs are therefore not under pressure. That is not the case. It is truthful to say that the EDs are under pressure for different reasons.

As I said, we are focused on getting people out of ambulances to be cared for as quickly as possible. How quickly ambulances get back onto the road is up to the private operator, St John Ambulance. We want it to be able to get ambulances out there as quickly as possible. The median time for ambulance transfer of care in August 2020 was 22 minutes. That means the median time that it took us to get people into the care of the ED was 22 minutes. That is an increase of one minute on the same period in August 2019. We are continuing to work at pretty much the same pace. That is not to say that every patient sits there for 22 minutes or that every patient does not wait longer than 22 minutes. Our category 1 patients come out of the ambulances as quickly as possible. The Leader of the Opposition described a cancer patient who may have had a gastric bleed. Obviously, that would be a category 1 and the person would be transferred immediately to the ED. We endeavour to get as many people as possible out of the ambulance within 30 minutes. That is the transfer-of-care measure that we are focused on.

It is true that there was a big spike in demand on 18 September. It is true that very few ambulances were on the road. This is an operational issue that St John Ambulance confronts all the time—making sure it puts enough ambulances out to meet demand but not so many that ambulances are sitting idle. It tries to get that balance right on a day-to-day basis. On that day, there was a big jump. Although it usually gets around 30 calls an hour, on that day there were between 40 and 50 calls an hour—a huge spike. It led to the chief executive officer of St John Ambulance contacting the director general to implement protocols and alert people that they needed to shift up a level to get on top of the spike. It was managed very well. That is not to say it was not difficult or that people were not stretched, but it was managed. That is what we expect from our teams. We expect our executive directors in our hospitals to get on the floor of the EDs to make sure that they can decant any patients as quickly as possible or make sure they can identify any extra resources that might be needed. It is important that St John's can put out an alert to all its crews to get them back on the road. It is important that protocols are switched on to make sure that the whole system can respond as one. By and large, it did just that. I think the system worked well under very difficult circumstances. It is not ideal to have a situation in which ambulances are stretched, but that is the call we expect St John's to make and, by and large, it makes really good calls. It provides an outstanding, world-class ambulance service. We are very proud to have it as our partner in health care.

We try to make sure that we get people out of ambulances as quickly as possible in order to care for patients and get the ambulances back on the road. That is why I announced that we will be instigating what are usually flu season protocols around the appointment of ambulance liaison managers in hospitals. They will make sure that we have St John's crews in the EDs to assist the hospitals, working together with the ambulance crews to get the ambulances back on the road. Normally, this would not be required with a non-flu season like this, but we are seeing high numbers of ED presentations, including complex cases. We are resourcing the system and the system is responding to the needs of the Western Australian public. As I said, I am very proud of the work St John's does.

The other thing that a government has to do is ensure it examines the system to make sure it is capable of responding. As I said, when the previous Liberal–National government was confronted with ambulance ramping times, it did not look into these issues to see how they could be better managed. It did not cross-examine the statistics. It did not undertake an audit. It did not put in extra resources or services. Previous Minister for Health, Hon Kim Hames, said, "I give up. I can't work this out." We are not prepared to accept that astonishing admission. We are not prepared to take that approach. In 2017, when we came to government, we implemented a range of policies that were designed to equip our system and respond to the changing nature of emergency department presentations and to make sure that the system could cope.

I will take the chamber through those changes. First of all, there is the medihotel policy. The medihotel policy is designed to ensure that we have better patient flow through our hospitals. Most people will explain that the problem is not in our EDs; the problem is actually a question of patient flow. If we do not have the capacity in our hospitals to move patients through to hospital beds, we can get a blockage in the system that leads to the difficulties that we confront in our EDs. That may be one of the contributing factors to the current situation. As I said, our hospitals are operating at about 120 per cent of their elective surgery capacity and it is fairly likely that we have a large number of people in hospital beds, which puts the system under pressure. That is why our medihotels policy is designed to allow hospitals to have that flexibility to get people out of them and into medihotels. That creates space and then we

can move patients through. The other thing we did was to introduce urgent care clinics. They came about through the GP urgent care clinic network and has enabled a range of patients who need urgent, unplanned care but do not need to be transferred to a fully-fledged emergency department to get their care in a GP clinic. To July 2020, the clinics have treated over 3 000 patients, which has diverted those patients from EDs.

We are also implementing changes inside EDs, with the implementation of mental health observation areas or mental health emergency centres. These are places where patients who come into EDs with mental health issues can be accommodated in an appropriate setting. It also includes behaviour assessment units. Patients with a range of intoxications, from alcohol or other drugs, can be taken to these units to be de-escalated and cared for in a proper environment. In addition to that, we are investing significantly in increasing the capacity of our EDs, with an expansion of Joondalup Health Campus, Peel Health Campus ED, and Sir Charles Gairdner Hospital ED, including the installation of a behaviour assessment unit and an urgent care clinic there as well.

People look to a government to do all these things. The government should work with its partners at St John Ambulance to improve the system. We have done that. The government should make sure that it focuses on the things that matter—that is, care for patients. We have done that. The government should make sure it has invested in our EDs to ensure that they have the right staffing levels. We have done that. The government should ensure it is investing to expand EDs and bring on extra services. We have done that. We have done all the things that we said we would do and I am very proud of our record.

Mr A. Krsticevic: You might as well take the rest of the day off then!

The ACTING SPEAKER (Mr S.J. Price): Member for Carine.

Mr R.H. COOK: I look like the “Energizer Bunny” on a Sunday compared with the member for Carine’s work ethic, so I am not particularly worried about him accusing me of not doing enough.

We will focus on the transfer of care because we are focused on the care of our patients. We continue to work with St John Ambulance to make sure our partner can keep its vehicles on the road, and we continue to rely upon it to provide a world-class ambulance service.

Mr P.J. Rundle interjected.

The ACTING SPEAKER: Member for Roe!

Mr R.H. COOK: Mr Acting Speaker, we have been successful. I am not saying it is easy or that there are not days when the system is under pressure; there will be days when we are under pressure, particularly because we are doing so much elective surgery at the moment. I am not saying that this is necessarily a question of volume; it is a question of complexity and acuity. I am not saying this is easy or that we are not up to the challenge; we are up to the challenge and we are investing in our EDs and the systems that improve the care of our patients. We will continue to make those investments and provide strong leadership for our EDs to ensure that we can continue to put patients first.

Division

Question put and a division taken, the Acting Speaker (Mr S.J. Price) casting his vote with the noes, with the following result —

Ayes (17)

Mr I.C. Blayney	Mr Z.R.F. Kirkup	Ms L. Mettam	Mr P.J. Rundle
Ms M.J. Davies	Mr S.K. L'Estrange	Dr M.D. Nahan	Mr A. Krsticevic (<i>Teller</i>)
Mrs L.M. Harvey	Mr R.S. Love	Mr D.C. Nalder	
Dr D.J. Honey	Mr W.R. Marmion	Mr K.M. O'Donnell	
Mr P.A. Katsambanis	Mr J.E. McGrath	Mr D.T. Redman	

Noes (33)

Ms L.L. Baker	Mr D.J. Kelly	Mr S.J. Price	Mr D.A. Templeman
Dr A.D. Buti	Mr F.M. Logan	Mr D.T. Punch	Mr P.C. Tinley
Mr J.N. Carey	Mr M. McGowan	Mr J.R. Quigley	Mr R.R. Whitby
Mrs R.M.J. Clarke	Ms S.F. McGurk	Ms M.M. Quirk	Ms S.E. Winton
Mr R.H. Cook	Mr K.J.J. Michel	Mrs M.H. Roberts	Mr B.S. Wyatt
Mr M.J. Folkard	Mr S.A. Millman	Ms C.M. Rowe	Mr D.R. Michael (<i>Teller</i>)
Ms J.M. Freeman	Mr Y. Mubarakai	Ms R. Saffioti	
Mr T.J. Healy	Mr M.P. Murray	Mrs J.M.C. Stojkovski	
Mr W.J. Johnston	Mrs L.M. O'Malley	Mr C.J. Tallentire	

Pairs

Mrs A.K. Hayden	Mr P. Papalia
Mr V.A. Catania	Ms A. Sanderson

Question thus negatived.

ANIMAL WELFARE AND TRESPASS LEGISLATION AMENDMENT BILL 2020*Third Reading*

MR J.R. QUIGLEY (Butler — Attorney General) [3.48 pm]: I move —

That the bill be now read a third time.

MR P.J. RUNDLE (Roe) [3.49 pm]: I want to make a short contribution to the third reading debate to consolidate the position of the Nationals WA that we will not be supporting the Animal Welfare and Trespass Legislation Amendment Bill 2020 in its current form. We still consider that this bill is about two totally separate issues. One is a crime issue; the other is an animal welfare issue. As I said during the second reading debate and in consideration in detail, Linda Black and her committee still have not reported on the inquiry into the Animal Welfare Act. It is premature for the Attorney General to come into this place and talk about how the animal activism section of this bill will only go through contingent on the animal welfare section going through. It is quite bizarre in a way that the Attorney General has introduced this bill when the committee led by Linda Black is looking at the animal welfare bill at the moment. This government has no genuine intention of passing this bill when it is linking two totally separate issues. As I said previously, this is demonstrated by the fact that the legislation will be listed as item 16 in the Legislative Council. That shows how interested this government is in getting the animal trespass section through, trying to link it to animal welfare, and listing it at item 16 in the Legislative Council. There is no genuine intent.

The other thing that is really disappointing is that just about every other state government managed to bring in animal trespass and animal activism legislation by September 2019. They have not complicated their legislation with animal welfare legislation. That clearly indicates to me that this government does not have a genuine intent to deal with animal trespass and animal activism. We have a genuine intent to deal with animal activism and animal trespass. We went to a lot of effort to put a string of amendments on the notice paper last week. They were all lost, of course; voted down by the government. We have an intent to get the animal trespass section through. As I have previously pointed out, my private member's bill has already been drafted by Parliamentary Counsel's Office, which could be introduced at the appropriate time. It is ready for when this government is genuine about bringing some legislation through. It will be good to see that put on the agenda.

I want to run through a couple of things that we raised during consideration in detail. All members of the Nationals WA are very concerned about the designated general inspectors. I know that the member for Warren–Blackwood is very concerned. There is very little clarity about the general inspectors, apart from the fact that they can be appointed by the director general of the Department of Primary Industries and Regional Development. As we learnt the other day, the only qualification they seem to need is some animal husbandry experience and maybe a certificate IV. Anyone with those limited qualifications and experience can wander onto properties unannounced. We have some real issues with that. For starters, we have concerns about the biosecurity factors. We are not happy that these inspectors will be able to wander into anyone's place unannounced, nor are our stakeholders. The designated inspector proposal was floated in 2017. It was rejected by industry and by the majority parliamentary committee as not being needed as the RSPCA and DPIRD already had sufficient powers. It has been roundly rejected by all stakeholders and the parliamentary committee in the other place, but the minister is bringing it in to try to link it to his animal trespass legislation as a way of trying to slide it through. We are awake to it. We are not impressed with it. All our stakeholders are overwhelmingly concerned that this bill and this unexplained link between animal trespass and animal welfare does not cut it. The Pastoralists and Graziers Association of WA, the Western Australian Farmers Federation, pork producers, egg producers, the Green Shirts Movement and the Livestock and Rural Transport Association of WA are all of the same mind. That is a real concern for me.

During consideration in detail we also raised the issue of the narrow scope of the places covered by the government's animal trespass/welfare legislation. That was a real weakness. My amendments tried to bring in animal source food production places and supply places such as saleyards, ports, road train assembly areas, supermarkets, agricultural colleges, restaurants and the like. As I said, we have a genuine intent to improve the legislation and to improve the number of places that are affected. This legislation has such a narrow scope. I find it quite disappointing. Quite frankly, if this legislation goes through, those activists would move further down the food supply chain. The government has made it so limited, they will just move on. As I said, we have set out our concerns about qualifications and training of inspectors. They are not up to it. The member for Moore and I raised our real concerns about biosecurity issues during consideration in detail—whether the inspectors would have the qualifications and the knowledge that would cut it as far as inspecting these places and having biosecurity knowledge. I think it falls well short.

Another concern we had was the stocking density issue. The Attorney General moved his amendment on that, which helps the cause, but we are still concerned. To be honest, during consideration in detail the Attorney General did not answer the question about deferred grazing. That is a very common practice in farming today. At the break of the season, farmers bring all their stock into a narrow small area to allow the clover and pasture to get away. That deferred farming practice is becoming more and more common. It is bringing in that intense production method. We did not seem to get an answer to that. The other issue that fell well short in consideration in detail, which the member

for Moore and I also spoke about, related to the grazing areas that are next to abattoirs. I raised the example of 20 or 30 hectares of pasture that sit alongside the likes of the Western Australian Meat Marketing Co-operative Limited in Katanning. It irrigates that pasture. Some sheep might be left out for two, three or six weeks, depending on the numbers going through the abattoir. That is another weakness that has not been covered properly.

Ms J.M. Freeman: Are you saying those things are cruel? Are they cruel to animals?

Mr P.J. RUNDLE: No, I am not saying they are cruel.

Ms J.M. Freeman: If they're not cruel to animals, then what's the problem?

Mr P.J. RUNDLE: That is a totally separate issue. The Attorney General's legislation refers to abattoirs. He does not have the concept that there are grassed areas next door to abattoirs. All he is talking about is holding yards. It is not covered properly in the legislation. I am not talking about cruelty or anything like that; I am talking about the limitations of the legislation. I did not think that area was covered properly during consideration in detail or in the legislation, quite frankly.

In summary, we have tried to widen the scope of the legislation. We have tried to improve the bill. We have tried to move amendments to allow the trespass activism bill to go through without the Attorney General's wording that it is contingent on the animal welfare part of it, which is totally lacking when a committee is looking at it as we speak. As I said, the problem of trespass will move down the supply chain. As far as I am concerned, this legislation demonstrates that this government is disingenuous when it comes to dealing with this issue.

MR P.A. KATSAMBANIS (Hillarys) [3.59 pm]: I, too, rise to speak on the third reading of the Animal Welfare and Trespass Legislation Amendment Bill 2020 and make the Liberal Party's position very clear, as it was made clear during the second reading debate and consideration in detail, that it is prepared to support parts 3 and 4 of the bill. Although parts 3 and 4 are not ideal, the Liberal Party supported the amendments that were moved to part 3 to make them better. They are not exactly what we would have introduced if we were in government, but this is the best attempt that this government could be dragged kicking and screaming to provide. The agricultural sector and the food supply sector have suffered from animal activism protests for far too long. Those protests have gone beyond the bounds of free discussion of ideas and the right to protest and are essentially attempts to damage businesses and shut them down illegally by methods of either trespass, or sometimes even worse than trespass—direct criminal damage. The Liberal Party pointed out during the second reading debate and consideration in detail that these changes do not go far enough. As the member for Roe reiterated, they will move the problem further down the supply chain and allow activists to target other areas that perhaps they have not yet targeted. The proposed changes in parts 3 and 4 of the bill are not comprehensive, but they are better than what we currently have. If this is the best the government can come up with—obviously we need to get it through a chamber such as this—we are willing to support the changes in parts 3 and 4 on the basis they are better than they are currently and hope that in the future a different government, with perhaps a sharper and better focus on protecting the livelihoods and the homes of the people who are suffering from this illegitimate activity, which crosses the bounds of fair and legitimate protest, could consider some better changes. What we do not support is this attempt, by stealth, to introduce this new form of “designated inspector” that is included in part 2 of the bill. It is completely unrelated to the issue that is supposed to be addressed by this bill—that is, when animal activists cross the line from legitimate protest into illegitimate activity that harms and threatens the livelihoods of others.

Part 2 of the bill cannot be supported because, right now, there is a ministerial review underway looking at these particular issues in relation to the Animal Welfare Act 2002. The legislation before us essentially neuters the ability of that ministerial review to report to the minister, which raises the question: why was the review called in the first place? We know why it was called: it was because the government tried to introduce these changes a bit earlier in this term, in 2017. It was caught out then and scurried along and called for a review rather than admit total defeat. Give that review panel—those people who are volunteering their time—the opportunity to complete its work, hear from all the stakeholders and make a set of recommendations. The fact that the government has not even bothered to wait for its own review panel to report to the minister highlights once again that it is not coming to this Parliament with clean hands with regard to part 2. Most stakeholders this will affect are diametrically opposed to it. As I and others pointed out during the second reading, the Western Australian Farmers Federation and the Pastoralists and Graziers Association oppose it. The Attorney General argued the PGA probably will not be subject to this sort of inspectorate—maybe that is the case; maybe it is not. Both organisations are legitimate stakeholders and they are entitled to their opinion. Their opinion is very strong on this—it is wrong and it should not go ahead. None of the other stakeholders that the member for Roe pointed out are supportive of this.

The Liberal Party was looking forward to the ministerial review panel, chaired by Linda Black, reporting on this issue so it could weigh up the pros and cons of needing an additional group of designated inspectors over and above the inspectors from the department and from the RSPCA who are out there in the field, and considering the pros and cons of going down this path, but the government has not waited for that. It has not bothered to wait for its own review panel to report. It has just continued on its merry way trying to find another window of opportunity —

Mr J.R. Quigley: It is not our review.

Mr P.A. KATSAMBANIS: It is called a ministerial review. Whose review is it? It is the Minister for Agriculture and Food's review. If she is not part of the government, let us know, let the people of Western Australia know and perhaps let the Premier know! It is the government's review.

Mr J.R. Quigley interjected.

Mr P.A. KATSAMBANIS: The Attorney General's government commissioned it. The Attorney General sits in cabinet. I do not know what he was doing that day! Did this not go through cabinet? Does the minister for agriculture have this sweeping portfolio in which she can do anything she wants outside of cabinet, including forcing the Attorney General to include a clause in his own bill that he has no responsibility for? I do not get it. The Attorney General, who is responsible for this bill, says, "It's not our review." It is the Attorney General's government. It is its ministerial review; it commissioned it. It is on the Department of Primary Industries and Regional Development's website! If the Attorney General does not know about it, do not blame me; but it is the government's review and it has not waited for its report. I understand that the Attorney General is wedged here because this is not his legislation. He is not responsible for the Animal Welfare Act; he is just bringing this in because he was told to do so—balancing up those various sections of the Labor Party that were at war over this.

If a Liberal government or a Liberal–National government were in place, we would not have waited this long. We would have brought in amendments to deal with the issue at hand—the amendments to the Criminal Code and the amendments to the Restraining Orders Act. But the Labor Party is in government and it sought to bring it in this way. In its current form, we would be letting down the very people who are waiting for this bill in order to get the protection that they deserve. But they are not going to get it. We would be letting them down if we supported the bill in its current form, and we will not. We hope that when this bill goes to the other place, like many other bills, it comes back to this place in a better form and that the Animal Welfare Act changes are excised. They ought never have appeared in this legislation in the first place. We hope they are excised and that this bill can come back to this place in a form and manner that we can support. Make no bones about it: this Western Australian Labor government is letting down the agricultural sector. It is letting down the animal production sector in this state and it is letting down everyone along that food chain—from paddock to plate, from farmers to the people who run abattoirs, to the people who run the stockyards, to the transporters, to the butchers, all the way into the restaurants and supermarkets. The government is letting down every single person along that food chain, including the retail and hospitality workers who have to bear the brunt of some of this unfair and completely illegitimate activism masquerading as legitimate protest.

The Liberal Party's position is very clear: it cannot support this bill in its current form. The Liberal Party is disappointed that it cannot support it, but the reason it cannot is all on the government's head. The government has chosen to bring in two completely unrelated concepts and merge them together. It has tried to use the goodwill of a sector that is crying out for support—the sort of support that would be brought in by parts 3 and 4. It has tried to use that goodwill against that very sector by introducing part 2, by stealth, before the ministerial panel has even had a chance to report to the minister. When the government sees its way to separating these two principles and comes back with a bill after part 2 has been excised from it, and when the ministerial panel reports to the minister and the government comes up with a properly calibrated set of amendments to the Animal Welfare Act that can be supported by all parties, we will be in a much better place. Make no bones about it, I do not think anyone in the agricultural sector will feel let down because people who are not in the Labor Party are not prepared to support the changes that the government is introducing in part 2. In fact, the agricultural sector is asking us not to support part 2 and we are standing up for it.

MR D.T. REDMAN (Warren–Blackwood) [4.10 pm]: I also want to speak in the third reading debate of the Animal Welfare and Trespass Legislation Amendment Bill 2020 to reinforce much of what has been said and to highlight that the government has chosen to bring together in a bill two entirely different concepts that are not acceptable to our constituency. Unfortunately, I was not here at the close of the consideration in detail stage on Thursday—I had to get back to my electorate—but I listened to the debate on the radio. Both the member for Roe and the member for Moore did an outstanding job to represent the Nationals WA and the interests of regional Western Australia as they apply to this bill. They endeavoured to put on the table a strategy that the government would support to deal with these issues and to get the bill through this house and through the upper house, in particular, and to respond to what the Attorney General said in very emotive language 18 months ago, when he said that he would fully support new trespass laws to deal with issues that are confronting farmers and other people in that sector. The Attorney General said that he wanted to respond to those issues and even said that it would be two to three weeks away.

We gave the house a chance last week. The member for Roe, in particular, did a lot of work to move amendments to separate two parts of the bill and to enhance some of the issues in the bill to make it better. But those amendments were not accepted. The government is now prosecuting the argument that the Nationals, and the Liberal Party for that matter, do not support upgrading trespass laws. We absolutely do, but when a bill is packaged like this, it does not have the support of regional Western Australia and, therefore, it does not have our support.

It has been pointed out on a number of occasions that the government did not wait for the benefit of the independent panel's report so that its recommendations could be put into this bill. Instead, the government chose to draft something and ram it through this house so that it could be taken to the upper house. Who knows when the independent panel is

going to report and who knows whether that work will benefit the bill as we move forward. A lot of work has been done by Nationals WA members, including work on a private member's bill. That is on the table. That would give us a chance to deal with an issue that the government rightly pushed 18 months ago but has not done a damn thing about since.

I want to reinforce a couple of things that have happened. The sector that is probably most impacted by the scope of the bill—the very nature of how it works in terms of both animal welfare and trespass laws—is the agricultural sector. The agricultural sector is defined by a range of different groups; they collectively do not support the bill. I would have thought that when the government introduces legislation to deal with trespass and animal welfare matters, it would consult with the very sector that could have an input into the scope and nature of how that legislation works. It is not good enough to say what the member for Mirrabooka said. It is not good enough to say, “Are there animal welfare issues, because if there are not, it does not matter.” That is not good enough to say that.

Ms J.M. Freeman interjected.

Mr D.T. REDMAN: It is not good enough to say that, because it is about the scope of the act. The legislative provisions are in the act.

Ms J.M. Freeman interjected.

Mr D.T. REDMAN: Yes. People who are likely to be impacted by the bill have a right to put forward their views, but the government did not seek that advice or get a response. That is why we find ourselves here. In the collective, we do not have those organisations in regional Australia. The bill provides for rights of entry and a range of matters that potentially impacts upon them. It is right that they should be included in that consultation and it is right that if the government does not accept any changes at this point, and if it is unpalatable to them, then it will be unpalatable to us.

I found it interesting that the member for Moore—I did not hear this bit when I was travelling down south—talked about deferred grazing and those sorts of strategies that are employed by farmers. Indeed, I recently visited a farm in South Stirling where deferred grazing was in play; because of the nature of the season, they were trying to take the pressure off the pastures. The member for Moore wondered whether the quasi-feedlot arrangements that occur as a product of deferred grazing would fall under the legislation. The member for Roe said that the Nationals did not receive a response. Again, there is an issue about whether parts of these management strategies used by farmers in Western Australia are captured by this legislation. Clearly, that is unclear. Why is it unclear? It is because consultation has not happened. The various groups that will be impacted by this legislation have not been consulted and they are none the wiser about whether what the Labor Party is going to pass through this house today will affect those particular arrangements. It makes sense that they should be consulted and have some input into it. The very sector that is likely to be substantially impacted by the bill is not supportive for a range of reasons. Largely, the Nationals have prosecuted those arguments.

For that reason—I highlighted this in my second reading contribution—we see that what has happened here is largely political. The government has packaged something into this bill that it knows is probably going to be unpalatable to the National Party and the Liberal Party. It knows the likely consequences of those decisions but it is saying, “We looked at the trespass laws. We tried to put that through caucus and struggled, so now we have to do something that satisfies other parts of caucus. Let’s put this stuff together knowing that it is not going to be palatable.” The government is really not serious about dealing with these issues because 18 months went by before the government presented this unacceptable bill to us. Therefore, this is political. This is not about making a difference to those people who are impacted by others who choose to trespass on their property and take action that can compromise farming activities and result in biosecurity risks. The member for Moore prosecuted a very good argument that biosecurity risks are significant, particularly for intensive agricultural sectors. Spreading of disease and pests by its very nature can impact on the welfare of animals. He said that the government does not seem to be taking seriously the issue of biosecurity risks posed by people who trespass onto property. Control over those biosecurity issues is being taken away and this legislation is an example of that. Therefore, this would seem to be very political, which is sad, because it is not the right outcome for those who are impacted by trespass issues, which we saw play out in very stark terms not that long ago.

I, with my colleagues, will not support this bill. We also do not accept the government’s argument that we do not think the trespass issues are real; we do not think that trespass issues are something that should be dealt with by the government. The government has put up a package that is not going to work and, therefore, it needs to wear the consequences of this legislation perhaps not getting through the upper house.

MS C.M. ROWE (Belmont) [4.20 pm]: It is with great disappointment that I listened to Nationals WA members talk about why they oppose the provisions in the Animal Welfare and Trespass Legislation Amendment Bill 2020. I spoke during the second reading debate exclusively about the animal welfare provisions because I feel so passionately about the need for them. That was apparent when watching the footage of former racehorses on 7.30 and the wholesale cruelty that was going on in abattoirs right across the eastern seaboard. It was quite shocking. In fact, it was sickening to watch. People in my community and friends of mine from all walks of life were absolutely disgusted that it was going on and they wanted assurances that it was not going on here.

I find it bizarre that anyone in this place can argue that there is no need to having transparency and oversight in any industry, let alone an industry that deals with live animals. A member talked about the qualifications of inspectors, which I thought was interesting. What kind of qualifications would be appropriate to conduct an audit or a review of the processes going on in intensive farming to ensure that the animal welfare legislation is upheld? I would be very keen to know what qualifications those who are opposed to the legislation insist such officers should have, because I feel that is a very poor argument. There are easy ways around that by ensuring that appropriate training is provided to the inspection officers to ensure that there is no risk to biodiversity and that the inspectors do not intervene in the production on a farm that is subject to a random inspection. If I am honest, I feel that is an absolutely pathetic reason not to want to see better animal welfare outcomes in this state. It is a farce.

I come back to the point that I mentioned in the second reading debate about the random inspection provisions that we included in the bill. Their randomness is precisely the point; they are random. They are neither expected nor anticipated. That is the case for hospitality venues. Cafes and restaurants are subject to random health inspections at any time. That is precisely the point of them.

Ms J.M. Freeman: Do you think those inspectors would be able to think about the biosecurity and health concerns around that? Do you think they would have the appropriate qualifications?

Ms C.M. ROWE: I am glad the member asked that question because I was pondering that when listening to the Nationals labour the point about qualifications. I draw members' attention to the health inspectors. I would like to know what their qualifications are. What expectations do we place on them? Do they have university qualifications and the appropriate training? They go into people's businesses unannounced to inspect food production. There is very little difference, in my view, between them and the proposed inspectors. I respect the right of farmers to run their business, but I also expect them to run their business in a way that ensures that no animal cruelty is going on in their premises. If there is nothing to hide, they should not be afraid. They should in fact welcome these provisions with open arms. They should say, "This is great. We have nothing to hide here. You can come and see how well we are treating these animals." I am shocked that the Nationals are opposing these reforms.

I will highlight something else that I touched on in the second reading debate, and that is the continual instances of animal cruelty that we see in abattoirs and the like right across this country. An article I have just seen is titled "NSW abattoir's cruelty sickening: court". The article states —

A Sydney abattoir has been hit with a \$60,000 fine for treating animals in a sickening and grossly inhumane manner.

Hidden-camera footage emerged in February last year showing livestock that were conscious being brutally bashed with poles and slashed with knives at the Hawkesbury Valley Meat Processors, in Sydney's northwest.

One worker was seen bleeding out a pig that hadn't been properly stunned.

When the pig continued to kick violently, it was repeatedly bashed with a metal pipe.

An inadequately stunned goat was subjected to a prolonged decapitation and a stockman deliberately used an electric jigger on a bull, and the animal behind it, even though they couldn't move to escape the shocks.

If anyone in this house thinks that is okay, I think that is appalling. If they think that it is okay for this to go on behind closed doors, something is clearly wrong. The community expects more from us. We have an obligation to protect the animals that we use for our own food consumption, even more so than other animals. If we are using them for meat or for any other product, we have an obligation to do the right thing. Farmers should not be afraid of transparency; they should welcome it. If they have nothing to hide, there is nothing to see and nothing to fear. I commend the bill to the house.

MS J.M. FREEMAN (Mirrabooka) [4.25 pm]: I, too, rise to speak on the third reading on the Animal Welfare and Trespass Legislation Amendment Bill 2020. I am also very disappointed, shocked and, frankly, disgusted that the opposition parties—it is the opposition, really; they are one and the same party, but they just like to act like they are not—which have very little relevance in this state, have shown themselves to have less relevance by opposing this legislation by creating a dispute around two separate principles. The principles are the same. They are about crimes that occur on farms. It is either a crime against a farmer when someone trespasses or it is a crime against the animals. This bill is about ensuring that crimes against animals cannot be perpetrated and that crimes against people cannot be perpetrated, in the manner of trespass. Let us get away from the idea that there are two different principles, and, therefore, why is the government confusing things? Let us just say that it is about addressing what we, as a government, are very good at addressing, which is community safety and crimes in the community. The farming community is one community in which crimes occur.

The member for Belmont outlined that these are hideous crimes on defenceless creatures that have no way of going to the police and reporting it. At this point, that occurs only when something is revealed by activists or in other surreptitious ways. That is why this bill is important, positive and proactive in its ability to deliver to the community. This bill upholds animal welfare standards by making provisions for monitoring and randomly inspecting abattoirs, knackeries and intensive food production places. It introduces a compliance and inspection regime, which is

needed. On the other hand, this bill responds to knowing what is of benefit to the animals. I thought that farmers would want provisions that are of benefit to the animals. This is their livestock, their business and their production. The bill will also ensure that farmers will have recourse when animal activists do something illegal or people trespass illegally. There are very serious penalties for doing something that puts others at risk when they commit a crime. The bill basically tells animal activists that we understand that they have been actively trying to prevent cruelty against animals. What we are going to do, as a state, is put in the processes, procedures and people who can inspect farms to ensure that the activists do not need to break the law. Activists can campaign and argue and express what they think about our society's industry of animal husbandry or wifery—I cannot quite get over why it is such a male word; in any event, I digress—and be active against people who grow animals for production and food. However, this legislation means that activists can no longer put those people at risk. They can no longer trespass. We will make sure that the penalties are appropriate deterrents against that. But we will also take into account the fact that the government has been vacant in this area. It has not been able to defend the rights of these sentient beings—these animals that can feel pain in the course of cruelty. We have seen demonstrations of that. We saw the cruelties to retired racehorses revealed by the ABC's 7.30 report. It was stomach churning; it was sickening. We wanted to turn our heads away from how anyone could do that. That situation has brought this to the fore. It has made us more aware that these cruelties occur. They should not occur; there should be proper inspections to prevent these situations.

This legislation will ensure that these inspections will be effective. The member for Belmont pointed out that, like health inspectors, the inspectors will be able to turn up at any time. That is how health inspectors ensure food health and safety, which allows us to be assured of the quality of our food. Those health inspectors are trained. Many of them have university degrees, but they have to gain further qualifications to become health inspectors. But what is really impressive about this legislation is that it will deliver the necessary resources for these investigations. It will ensure that there are good guidelines to execute these investigations, and a capacity to prosecute. The member for Belmont pointed out that it is about transparency and accountability, and no industry should hold itself above that. No industry should see itself as being somehow unable to be investigated. The community wants transparency and accountability, the community requires and demands it, and we are delivering it.

On the other hand, people who engage in animal source food production demand protection from activists trespassing on their property. In response, we have put together what could really be called a protection bill. This legislation will protect animal production. This bill is a very powerful disincentive to the abuse of animals, but it is also a powerful disincentive to people who wish to use trespass in their activism against the abuse of animals. It is a really important framework that fits together. This is not a framework that we can suddenly separate, because the foundations of this bill—the things that this bill are established on—will fall away if we separate those two things. It is an intermeshed idea. The opposition has the idea that we can somehow separate those two things, which is just bizarre and obscene, and undermines this good piece of legislation.

This bill does not say that people cannot protest. I come from a long background of protesting. I have engaged in protests for most of my adult life—probably before my adult life began—and I know that to protest is not to break the law. Protesters make their voices heard so that they can outline what is not right in the community and what should change. If we did not have protests for women and the vote and women in Parliament, I would not be standing here today, because people said that we should not allow that to happen. People said that it was not the role of women. The opposition says that it is not the role of government to go onto farms to investigate and reveal abuse. No; we should only do it in the way that the opposition thinks it should occur.

This legislation is specific. It is targeted at activities that have an adverse effect on the animal source food production industry and the people in it. The bill introduces “circumstances of aggravation”, whereby a person interferes with or intends to interfere with animal source food production, or assaults, intimidates or harasses a person in the context of their engagement in that production. I think that is a really reasonable way of dealing with this. The penalty for the new aggravated trespass offence is double that for trespass, meaning those who are convicted will face a potential penalty of imprisonment for two years, a fine of \$24 000, or both. What is really interesting is that this legislation allows for a community order. The intention of that is that an offender cannot crowdfund a community order away. They cannot get support from people who say, “We agree with what you did and we’re going to fundraise so that you don’t have to pay this fine.” The government and the legislator are saying that if someone commits aggravated trespass, they have to be held accountable for their crime and make amends to the community for what we say is not acceptable. We are not telling people that it is not acceptable to be an activist or to protest. We are saying that we are putting in place a process and procedures and really good, strong legislation to ensure that the industry will be regulated and investigated. We hear people’s concerns and we will make sure that we meet them. Activists have never been allowed to trespass onto a property—it has always been a crime to trespass—but some believe it is right and just to trespass for the purpose of their protest. This legislation makes it clear that trespassers are acting beyond their protest. They put people at risk, they put livelihoods at risk, and, as the definition makes clear, they put production at risk.

I am also impressed that this legislation introduces the protection of a misconduct restraining order, so that those who are affected can take their own action. I cannot believe that the opposition is opposed to these protections. People

want for themselves the protection of being able to get a restraining order against activists, but they are not willing to consider those protections for the animals that are part of their production, that they profit from and that form their business. People in this business may say, “Only we know. Only we get it. Don’t you tell us these things.”

I was particularly taken by the member for Armadale’s second reading contribution on the Animal Welfare and Trespass Legislation Amendment Bill 2020. He pointed out the hypocrisy of opposition members, particularly the Nationals WA members, and how they conduct themselves in this place, particularly on this sort of legislation.

The member for Maylands gave a great contribution to this debate. One of the strongest things she said was that this legislation will send a clear message to people who seek to do things that are illegal because it provides for more jail time and increased penalties. That message will be sent to people who do illegal things by either trespass or cruelty to animals—damaging animals and not caring for animals. This bill is a clear message to both types of people. It is not a separate principle. It is not something we can simply divide and say, “You just give us this because we don’t want you to question us. We don’t want you to scrutinise us. We don’t want you to think that we could do anything wrong because if you think we are doing something wrong, you must be animal rights people.

Those are the only people who think that we don’t do things right because we could never do anything wrong.” That is not what we are saying. What we are saying is that if they want protection, to deliver that protection and make sure that activists stop trespassing in an aggravated manner on their property, we need to take action to provide protection for the animals.

It is incomprehensible to me that the Nationals WA moved a motion to remove “animal welfare” from the short title of the bill. Can I just say that again? The National Party sought to remove “animal welfare” from the short title of the bill. It wanted those words deleted because it concocted the idea that it somehow has to protect farmers and their livelihoods but it does not have to protect the animals that give them that livelihood. It has concocted a spurious argument because it does not want to be told what to do. Cruelty against animals is a crime. Trespass is a crime. This bill deals with crime. It is about the prevention of crime and I am really proud of this legislation. As was referred to by the member for Belmont, Nationals members are also concerned about the designated general inspectors. This is about a sector that has the worst occupational health and safety record in the state. These people injure more people than does any other industry in the state. These people, frankly, kill more people in a workplace than any other people in this state. Farms are workplaces but they are telling us that we cannot have inspectors. Occupational health and safety inspectors are limited in the way that they can enter farms. They argue that they cannot inspect farms because they are also people’s homes. Meanwhile, children lose limbs and suffocate in wheat bins. Those are dreadful accidents. Dreadful things happen because farmers think they stand away from the rest of us. Frankly, I am over the squattocracy. These people should stop saying that theirs is a different industry. Farms are a workplace and farming is an industry. Farmers have responsibilities and they are the same responsibilities that we all have in workplaces. I am over hearing, “You don’t understand; it’s different.” I understand that this nation’s history was well and truly established on the sheep’s back and on the export of wheat. We have a lot to thank the farming community for. My partner comes from a farming family. He grew up on a farm in Corrigin. Farms now are big business. My partner’s family would not be able to survive on that farm now. It was sold to a bigger business. Farms nowadays are massive, as is food production, such as chicken farming and abattoirs. These are not small niche industries on the back of which we have built a nation. These are now large organisations that absolutely have to meet the requirements of a modern-day industry, the requirements of community interest and the requirements of ensuring that the animals used in their production are not subject to cruelty. I am flabbergasted by the whole idea that no-one can question their expertise. I am lost for words that people in a certain industry think that no-one can question them. I have to say it—that is so male! It is so male in that paternalistic, patriarchal way—not men in particular, but patriarchy. The whole idea of patriarchy is “Don’t you question us. Don’t you question power. Don’t you question how we operate.”

Mr R.S. Love: What a ridiculous thing to try to run down an entire industry. That’s a disgrace.

Ms J.M. FREEMAN: I am not running down the industry. I am running down the member for Moore. I read what the member said and it is arrogant.

Several members interjected.

The ACTING SPEAKER (Mr T.J. Healy): Members! Member for Mirrabooka, are you seeking to take interjections?

Ms J.M. FREEMAN: No, but I will respond to that.

The ACTING SPEAKER: Member, if you can please talk to the Chair.

Ms J.M. FREEMAN: Yes, I will talk to the Chair.

I am not talking about an industry. I am talking about the people in this chamber who act like they represent an industry and who say things such as, “We could potentially be looking at a scenario in which a 21 or 22-year-old graduate from the University of Western Australia, with absolutely no experience in the livestock industry, could wander onto someone’s farm.” Another member went on to judge the Department of Primary Industries and Regional Development and stated, “The Department of Primary Industries and Regional Development is no longer the department of agriculture, as it once was. It is a very broad department.” Of course, I am not quoting from the

uncorrected *Hansard*. I am reading it for reference. I was not picking on the industry. I was picking on particular members of the National Party whose arrogance basically says, “Don’t question us. We represent these people and no-one else can claim to have any other knowledge.” Of course, the Attorney General pointed out that those inspectors would have adequate training and capacity to do that work. But for some reason, the member decided to go on and stated, “We do not want people who happen to be geographers or economists venturing out and putting themselves forward as inspectors, charged with the zeal of ensuring animal welfare.” That is arrogant, paternalistic and unacceptable. The member went on to say, “We are not talking about the way we would treat our pets.” Do we treat only our pets with humanity and kindness? We cannot possibly treat other sentient beings as we would treat our pets. The member for Moore said we could not possibly do that. The arrogance of it is palpable. He implies that saying we can treat animals like we treat our pets is akin to not understanding what it takes to run an efficient and humane commercial production system. Animal welfare is animal welfare; there should not be a different focus on cruelty depending on what it is applied to. I asked the member for Moore whether docking or mulesing still occurs and he said that it is now done with anaesthetic and painkillers. I am old enough to remember a time when sheep were docked or mulesed without anaesthetic or painkillers. When the system changed because of a push on agricultural departments through regulations, there was an outcry. People asked, “How can we do that? How can we possibly have to put that into our production system? What about the cost?” Things can change. This bill is about change. The bill is important in a framework to bring together two elements so there is a change, and so animal activists know that we, as legislators, want change. They need to know that we want change otherwise they think that we are not responding to and we do not hear their concerns. They think we do not see the things we see on our televisions or hear the stories we heard from the member for Belmont about people not properly stunning a pig and then beating it.

All through the state, our public servants are well trained, well placed and well qualified to do all sorts of work, whether they are occupational health and safety inspectors or public health inspectors. They may be people who work for the Department of Biodiversity, Conservation and Attractions as forestry workers who know about biosecurity risks from going to one place from another and not taking dieback. The idea that members can somehow try to unpick a really good piece of legislation because they are worried about some sort of spurious argument around people not being trained in biosecurity is arrogant. It is because those members do not want to support this bill. They want to act like they represent their communities but, frankly, I cannot believe they do. If that really was the case, those members would be going out to reassure their communities that this legislation is important to underpin the delivery of what producers and farmers are concerned about, which is aggregated trespass, and carrying it out in a way that delivers animal welfare and animal safety. If those members were really good representatives in this chamber, they would not be playing politics—they would just deliver.

DR A.D. BUTI (Armadale) [4.53 pm]: I would like to follow on from the words of the member for Mirrabooka. The Animal Welfare and Trespass Legislation Amendment Bill 2020 is a balancing act between complex issues. That is what we do in this place. We deal with complex issues and they often have to be balanced. We cannot always get what we want and we have to try to get the best outcome overall. I am incredibly surprised and disappointed that the Liberal Party does not support this legislation. Its members will be answerable to their constituents. I am not sure whether the member for Hillarys’ constituents will be happy that his party does not support this legislation. Of course, then I will come to the Nationals WA. I think I may have said enough things about the Nationals WA in my contribution to the second reading debate, but I will say one more thing. The member for Warren–Blackwood goes on about us not being concerned about agricultural regions or anything like that. Member for Warren–Blackwood, go back to my inaugural speech. I sat where the member for Belmont is sitting and I think he sat in the front row where the Attorney General sits. I will quote from page 6 of my inaugural speech —

Let us become the clean and clever country. We must ensure that the agricultural sector is not cast aside for the mining and resource industry. This we must ensure for reasons of sustaining a stable domestic food supply, and out of respect for generations of farmers and pastoralists who have an attachment to the land not unlike our Indigenous people.

I will not listen to any more accusations that I do not care about the agricultural sector. We do care about it, but we need to balance complex issues. It cannot all be one way. I wanted to put that on the record. I reckon I am probably the only person to have those words in their inaugural speech!

The member for Roe, whom I respect enormously, is currently a farmer. I take his concerns very seriously but I do not understand what the real concerns are about this bill. One part of the bill deals with the animal activists who trespass on agricultural properties and, in some cases, in people’s homes, which is not acceptable. Penalties have been increased for those cases. Surely, the member must be delighted with that. I do not quite understand why he has concerns about the enhancement of the animal welfare regime that this bill seeks to address. It deals with intensive agricultural production. As the member for Roe and his colleagues have said, farmers have concerns for and care about their animals, and not just their pets. I totally agree but my question is whether the member is saying animal welfare is not compatible with sustainable economic agricultural production. Can we have animal welfare and an economically viable agricultural industry?

Mr P.J. Rundle: Yes.

Dr A.D. BUTI: Yes, of course we can. As the member and I both know, most farmers do the right thing. But as in every industry, some of them will not do the right thing. The member for Belmont highlighted some cases of animal cruelty. That will happen. Occasionally, there have even been corrupt politicians. There are corrupt police officers. In every industry, there will always be some bad apples. This bill seeks to improve the surveillance regime of intensive animal agricultural production. The member for Warren–Blackwood used the analogy of a police officer using a search warrant to get onto someone’s property. He was definitely comparing apples with oranges. A police officer goes onto someone’s property to investigate a criminal matter. They have completely different powers from those of an inspector. Members do not complain about food safety inspectors going to restaurants. They understand the need to inspect restaurants and so forth to ensure that food is safe for people to eat, so they do not complain about that. Food safety inspectors do not need reasonable suspicion to act; it is done on a random basis.

As I mentioned in my contribution to the second reading debate, being a sports expert, the member for Roe would understand the anti-doping regime that we have in sport. In that case, the Australian Sports Anti-Doping Authority agent does not need a search warrant to knock on the door of an athlete’s home. They do not need a search warrant or suspicion; the key is that the search is random. Because it is random, hopefully 99 per cent of athletes—but maybe fewer—would ensure that they are clean. If they are on a doping substance and know that an inspector is coming to test them, they will ensure that they stop taking it for the time needed to get a negative reading. We need a random regime to ensure that people behave. Having an inspector at someone’s property 24/7 is obviously not sustainable from a resourcing point of view and I am sure no farmer would want an inspector on their property 24/7, so the random nature of the regime will act as a deterrent.

I return to the point of whether farmers are doing the right thing. I honestly believe that most farmers are, but some are not. The cruelty to animals that we have heard about and seen has to make one cry or feel that it is just not right. All we are doing is giving these inspectors the same powers that restaurant inspectors have. The powers are less than those of anti-doping testers, because they can go into someone’s house or flat, and if the athlete is not there and does not have a reason for not being there, they will have committed an offence. They have that power as a deterrent. Rightly or wrongly, there is no doubt that at times animal activists have discovered animal cruelty. I am not justifying the means; I am just saying that when they have put secret cameras in animal premises, they have discovered animal cruelty. If those cameras had not been there, we would never have known about those cases. The 7.30 report last year about animal cruelty in Queensland came about because there were cameras and whistleblowers et cetera. I am not justifying animal activists trespassing onto people’s properties, but the fact is that their actions do result in revealing some animal cruelty. We are trying to remove that aspect. Of course, Nationals WA members are happy that we are trying to remove or increase the penalties for trespass on people’s properties, but they cannot then expect us not to think about what legal, orderly regime that is not all-pervasive for farmers should be put in its place. What we will put in place is no more and no less than restaurateurs have to deal with. That is all we are doing, and the Nationals are still voting against it.

I really do not understand that because, as the member for Mirrabooka said, surely farmers would want to ensure that their animals are treated properly because they are part of their economic sustainability. I will argue any day against members opposite who say that increasing the animal welfare regime is detrimental to the economic sustainability of agriculture. Most farmers are doing the right thing, so how would the regime we are trying to implement detrimentally affect farmers? I just do not get it. If most farmers are doing the right thing, how will tackling trespass and allowing inspectors to have the same powers as inspectors who enter restaurants and so forth be detrimental to farmers? It is not going to be detrimental to farmers. We need a way to ensure that we can find those small cases of animal cruelty, because there always will be some farmers, or some pet owners in the city, who will engage in animal cruelty. Unfortunately, it is just human nature. Surely members opposite do not want that; they want their industry to be well-respected. The industry is well-respected and this regime poses no danger to it.

Why is the National Party coming to this place seeking to vote down this bill? Is there something to hide? I do not think there is anything to hide, but Nationals WA members are acting as though this legislation will endanger the livelihoods of farmers in Western Australia. We all rely on agriculture, so why would we do something to endanger that industry? In fact, we will enhance it, because cruelty to animals is not necessarily economically sustainable in any case. It does not have an economic benefit. For the life of me, member for Hillarys, it is beyond me why the Liberal Party would oppose this bill. I was not in the chamber for the member’s contribution to the third reading debate, but I heard nothing in his or his colleagues’ contributions to the second reading debate that indicated any rational reason why they oppose this bill. Maybe the member brought up something that provides a rational basis for that opposition to the bill in his contribution to the third reading debate or maybe the member was just supporting his National Party colleagues. I do not think that is a strong reason to vote down this bill. Anyway, the member will have to live with that, and when it comes to the ballot box next March, his constituents will live with it. I would like to see the members for Nedlands and Churchlands go to the polls standing on this approach to animal welfare.

I will bring my contribution to an end shortly. This bill tries to balance two complex issues that are linked. No-one can say that they are not linked; they are linked. The bill deals with trespass on agricultural properties, which, of course, is linked to what happens on those properties. We are trying to deter and punish animal activists who trespass and at the same time ensure that an enhanced animal welfare regime is in place to deter and eliminate animal cruelty.

That is what we are trying to do. The National and Liberal Parties have not convinced me that this regime will affect the livelihoods of farmers—they just have not. The main reason given in the second reading debate for voting against this legislation was that a review of the Animal Welfare Act is going on. That is not a good enough reason. Anyhow, that is the way they want to run this, and that is up to them. But, as I said, good animal welfare equals good animal husbandry practices and good farming, and that is good economics. I know that the member for Roe practices good animal welfare but I do not quite understand why he cannot see that there is no danger to that livelihood. We are asking the agricultural industry to agree to a factor as a deterrent that other parts of other industries have to agree to, such as random inspections of restaurants and so forth. As I said to the member for Warren–Blackwood, I will not sit here and listen to him again say that we are not concerned about the agricultural industry. He should look at my inaugural speech on 30 October 2010—nearly 10 years ago. Thank you, Acting Speaker.

MS L.L. BAKER (Maylands — Deputy Speaker) [5.09 pm]: I rise to make a contribution to the third reading of the Animal Welfare and Trespass Legislation Amendment Bill 2020. All the issues that I will refer to are directly related to my speech on the second reading, and a couple of points that I missed in the heat of the moment, as one does in a second reading contribution, but they are all relevant to the comments I made. I started by talking about the issues around farm animal welfare, moving from what was probably a peripheral issue in the minds of the public 20 years ago—not something that stood out as being of concern to the majority of Western Australians and not something that challenged farmers’ social licence. We trusted farmers—it was okay—to look after animals and produce the things that we either eat or use from animals with extensive ethics and moral integrity. That is the whole issue around animal husbandry.

In the last 30 years—this is evidence based, as I took great lengths to point out in my second reading contribution—this issue has moved to a very central issue in the minds of the public. I want to start by picking up an issue that was raised that I did not address specifically. I have found the reference, so I want to tidy up my comments. I have heard members of the opposition say that this is an urban issue, not a rural issue, or an issue that concerns people who live in the city, not people who live in the country. I want to refer members to the “Inquiry into the Impact of Animal Rights Activism on Victorian Agriculture”, which is a document I referred to during my second reading contribution. I want to paraphrase the summary of chapter 5. It states —

The Committee also considered the question if a divide between urban and rural communities can explain criticisms of animal production methods.

That is exactly the point that the opposition made—that it is all about the urban versus rural divide. I continue —

It found a lack of knowledge of animal welfare practices and related legislation is a bigger driver of community attitudes than an urban–rural disconnect. The Committee recommends ways in which it believes regulators and industry can work together to better inform the public.

In essence, it is saying that no matter whether some think that the issue of animal welfare is an urban versus rural divide, it is an issue of knowledge and information and not based on urban or rural divides at all. That was the finding of the Victorians, who presented that report only in February 2020, just before COVID hit the country. I thought it was worth putting that on the record because I understand why it is easy to pigeonhole farm animal welfare into an urban versus rural divide issue. That is not the evidence gathered by this committee. I wanted to put that on the record. Also, it used to be the attitude that the industry would give us. Sometimes I still hear that echoed in comments made by opposition members when they say, “Everybody just look away; it’s all okay. Don’t worry. Trust us.” When it comes to the animal production industry, that does not hold true with the public anymore.

The discussions and exposés that have taken place over the last eight years in particular and the very vocal and visible pushback that has arisen against the abuse of animals are making it absolutely vital that the members opposite who claimed to be the farmers’ representatives—we represent farmers as well, of course—understand that the pushback is very real and they need to address it, which is why this bill has been crafted in the way that it has been. I will talk about that in a little more detail by referring to the 2019 Futureye report. I referred liberally to that—pardon the pun—in my second reading contribution. I wanted to refer to a couple more excerpts of that report. One particular focus group participant in the Futureye research is quoted as saying —

“If animal welfare was regulated properly by the industry and the government, the consumer wouldn’t have to make a choice, they would be assured that the animal products they bought had good animal welfare standards”.

That is the crux of the issue. At the moment, the public does not trust that the government regulations are doing enough to ensure that we have good welfare standards. There is a trust issue as well, which I will refer to in a minute. The report states —

Following the current trajectory of the social maturity curve, we could expect the growing numbers of exposés and media scandals implicating farm animal welfare issues. Less-informed members of the general public will continue to call for more dramatic and firm regulation as farm animal welfare issues become public presenting a growing social licence threat for the government. A perceived lack of responsiveness from the government ... will only amplify outrage and extend the expectations of these members.

Futureye's findings clearly show that the Australian public's view on how farm animals should be treated has advanced to the point that they expect to see more effective regulation. I am quoting directly from the opposition's own report—the Futureye report. It continues —

In Australia today, 95% of people view farm animal welfare to be a concern and 91% want at least some reforms to address this.

I hope members opposite took that on board. Ninety-five per cent of people view it as a concern and 91 per cent want reforms to address this. It continues —

This perceived gap between expectations and regulation spells increasing risk for the ... government ...

It also spells increasing risk for the industry and for agriculture in general. I am not making these comments up; I am quoting directly from the opposition's own research paper—the industry's independent report. Another comment from one of the people interviewed was, "I don't trust the industry, or the way things are portrayed. Certain things are kept hidden."

It is clear that this legislation should really be about cleaning up, not about covering up. Industry transparency is absolutely vital to keep the respect of people. I think I referred to the link between trust and transparency in my second reading contribution. They are integrally linked; we cannot have one without the other. The Futureye report states —

Industry transparency was also raised ... stating "we don't know what happens on industrial farms, we don't know enough about industrial farms to determine whether the standards are good" ... Quantitative data —

It is quantitative, not qualitative —

found 29% of respondents did not trust the information available to them on animal welfare, while 31% felt that the agricultural industry is not transparent about its practices ...

A demand for regulatory transparency was also noted by participants in that Futureye research, with the report stating —

"I feel that there's a lot we don't know. It's not actively put out there and we don't know what is happening." Where there is an apparent lack of transparency, perceived conflicts are more likely to arise—"government should make sure there isn't any conflict of interest ... "the government should do more to ensure the transparency of agricultural practices" ...

Futureye was also told that there should be better oversight, regulation and governance of animal welfare issues. Those quotes are from page 8 of the report, under the heading "Societal expectations on farm animal welfare are evolving"—in the words of the opposition's own industry. It refers in some detail to the issue of public trust and the link to this bill, which endeavours to catch people doing the right thing and return some of the trust and integrity around farm production methods and processes. It will give the industry a very real opportunity to show that it is doing the right thing. The proof of the pudding will be in the audits. Farmers will be given the chance to show they are doing the right thing. There will be far more integrity.

I have just had a meeting with the head of Racing and Wagering Western Australia and we talked about the regulation in that industry. His comment was, "We don't have an industry if we don't have integrity in it and if we can't keep the trust of people in what we do." He completely gets it. I said, "I really wish that some members of the National Party would understand that principle too."

Mr P.J. Rundle: Did you ask him about his \$800 000 salary as well?

Ms L.L. BAKER: No, because he is retiring next week and going on to a different job.

Mr P.J. Rundle: I would retire, too!

Ms L.L. BAKER: I can only hope that he is going on to at least double that. Good luck to him. It is a job that, I am sure, many members of this house would love a chance to get!

I have had the pleasure of working with RWWA for four years now to try to look at the integrity issues. We have done a lot of work around government regulations and how to apply them to the benefit of the industry. There will be no industry if it cannot meet public expectation. I hate to say this, but I think that is exactly where we are at publicly with our animal production industries as well.

The increasing media attention given to animal welfare activism has resulted in a growing proportion of the population becoming more aware of the issues around the welfare of farm animals. People will understand how important it is to make sure that the industry is regulated effectively. Members have heard me quote directly from farmers in the industry who say that that is not happening. What does it take to build and maintain trust in animal farming systems? It takes genuine transparency and a commitment to continuously improve. I know that farmers understand continuous improvement. They have had to live with that for probably 25 years; that I can remember anyway. It is part of their language. Farmers understand that, but they also have to understand that genuine transparency also shows warts and all. It acknowledges limitations where they exist. It acknowledges that some things may need to improve with some people who do not do things quite the way they should. What builds trust? This is what builds trust, and this is what can bring the community along with industry. If public relations is dressed up as transparency, it has the opposite

effect, particularly if and when the portrayal of public relations is juxtaposed with reality. I mentioned the live export industry as an example of what happens when we keep saying, “There’s nothing to see here; it’s all okay”, and when people stand up to defend that industry, yet the reality of what is being exposed—more often than I would ever care to want—is a horrific situation. The public understand the horror of what they are seeing.

Temple Grandin, who, of course, is one of the leaders in abattoir building and animal welfare—I think she is an adjunct professor in the US—said that animal welfare practices, particularly farm animal practices, should stand the airport departure lounge test. She said that if it can be shown on television in an airport departure lounge that this is how an animal is slaughtered—this is how this works—we are doing okay. Systems have been designed and things put in place. We all know that food production and animal welfare must be managed and balanced, but if someone is brave enough to show it, and it is transparent enough and there is enough rigour in the practices, we are doing okay. Temple Grandin was in Western Australia helping us design feedlots at one point. She is an amazing woman. Nothing damages trust more than when the public feels that they have been taken for a ride. If it does not pass the airport departure lounge test, it should not be done. The practices in 1950 are no longer publicly acceptable—we know that. Things have changed. Culture changes; the world changes. It is up to us to keep up with it if we want to keep that social licence to operate.

I would like to say a few things on the importance of having a balanced approach to illegal trespass and farm animal welfare. The Victorian upper house inquiry into animal activists condemned animal activist trespassing. It also made a number of recommendations to strengthen animal welfare compliance. It suggested mandatory CCTVs in abattoirs; reviewing blunt force trauma of goats, cows and pigs, and the maceration of chicks; and establishing an independent standards-setting body at the federal level to oversee these issues.

If we ask what are the additional arguments for compliance monitoring powers with better regulation, I would like to finish by saying a few things about that. WA is the only jurisdiction in Australia that does not have compliance monitoring powers. I mentioned that in my second reading contribution. Major investors, including the big four Australian banks and international pension funds, are increasingly incorporating animal welfare into their investment and banking policies and strategies. They will increasingly want assurances around animal welfare before investing in WA agriculture. This bill will provide a doorway for safety, and for public and trade credibility.

Australia is currently negotiating free trade agreements with the Europeans and the British, two of the most sensitive markets for animal welfare anywhere in the world. If WA wants to continue to access those lucrative markets, we need a robust system of animal welfare compliance. This bill will help us open that door.

These are very strong points about the way we should be moving forward in order to protect the industry. The Futureye report, which I have referred to a lot, is titled “Australia’s Shifting Mindset on Farm Animal Welfare”. I will cite a number of its findings. The first finding is that there is a high level of concern about the treatment of farm animals and the way farm animal welfare is regulated. I have already given the percentages—95 per cent and 91 per cent. There is a gap between the expectations of society around farm animal welfare and the regulatory reality. In other words, governments are seen to not be doing their job at the moment. The public is demanding stricter regulations. The final finding is that there is an increasing tendency for the public to align with the views of activists because they see activists as the only way to get information about what happens to animals on farms. It is not rocket science. I heard the gentlemen from the other side—and ladies—say that these two issues are not linked. I am sorry, but they are not looking at the issue in an intelligent way that is going to help support the industry into the future. These two issues are integrally linked.

At the very beginning of my second reading contribution, I mentioned the member for Hillarys’ argument that increasing the fines for illegal trespassing and the length of jail time—although it is a fine aspiration—will not stop illegal trespassers. It absolutely will not stop it. This argument looks at the modern theories of law and justice. I will use mandatory sentencing as an example. If we say we will lock up everybody for doing X, Y or Z, but have not looked at the causes of why they are committing crimes—say, drug addiction or violence—all we would be doing is locking up someone in a cell. If we were to ever let them out, we would need to be responsible for addressing what went wrong. We have to understand why they are there. If we do not strike a balance with our policies, such as the balance we are trying to strike with the Animal Welfare and Trespass Legislation Amendment Bill, we will be trying to stop something without finding out what created the problem in the first place. We must absolutely do both because one without the other does not work; all it does is fill up our jails. Members should remember that we are writing this legislation for only six people at the moment. If the intention of the bill is to capture and lock up any one of those six people without looking at why they are there, then all we will be doing is creating laws and increasing fines to stop law-breakers.

What are we going to do? Are we going to bring in the death sentence for breaking into an animal production facility? That is where we could end up going with this argument. As with all criminal justice issues, at the beginning we need to ask why a crime would be committed and what we as a society could and should be doing to stop the offence occurring. If we can do that, we should do it. That is how I see this. We are trying to stop the cause of the problem. We are trying to address transparency in the industry. We are trying to strengthen the industry and give farmers the reassurance that they need so they can go about their business. At the same time, we need to be taking some of the

wind out of the sails that causes people to become activists and forces them into a corner so that they feel as though they can only take this kind of action. Historically, this is activism. When governments are seen to be not regulating effectively or something is galloping in an unregulated fashion, problems occur and people act against it.

Before I sit down, I want to mention the Dog Amendment (Stop Puppy Farming) Bill 2020. I mentioned that bill in my contribution to the second reading debate regarding the opposition of the Liberal Party and the Nationals WA to this bill. I said that there had been three bills that had dealt with improvements in animal welfare. The puppy farming bill was the second of the three. The Royal Society for the Prevention of Cruelty to Animals WA has been quoted as saying that the puppy farming bill is the most significant improvement in animal welfare in 20 years in this state. Members may have seen the news today about a New South Wales puppy farmer who has been charged for sending animals to a Claremont pet shop. They may have seen the photographs of a dead boxer, which are beyond disgusting. I do not think anybody in this room would sanction that, knowing that the puppies that that poor bitch had given birth to were being sold in a Claremont pet shop only a few weeks later. She was less than a year old when she was left to die on the floor with rotting puppies in her tummy. When these kinds of issues arise and there is this kind of public exposure, members must understand that the government needs to step in and regulate these unregulated industries.

The National Party and the Liberal Party's opposition to this bill, the puppy farming bill and the original Animal Welfare Amendment Bill, which was debated nearly three years ago, is soul destroying for the people in this state who care about these issues. Members opposite should realise how much that undermines their party and the people whom they claim to represent. If they truly represent them, they would stand up for the credibility of the industry and support the steps that the government is trying to take to reassure people that these animals are being looked after and to take away from activists the reasons why they think they have to expose bad practices on animal production facilities.

That is all I want to say in support of this bill. I thank the Attorney General and his staff for the very long journey that they have taken to get this bill to this place. I commend the bill to the house.

MR R.S. LOVE (Moore — Deputy Leader of the Nationals WA) [5.34 pm]: I want to make a contribution to the third reading debate on the Animal Welfare and Trespass Legislation Amendment Bill 2020. I say at the outset that Peter Rundle is the Nationals WA spokesperson in this area. I think he has done a fine job in prosecuting the Nationals' argument as we progressed through the second reading, consideration in detail and now the third reading of this bill. We think this bill is poorly thought through legislation and we have made that point consistently throughout the debate.

I want to take up one point that the member for Maylands made at the conclusion of her speech. We have not opposed the Dog Amendment (Stop Puppy Farming) Bill 2020. We put forward amendments that were not accepted by the government. I do not think there was a voice raised in dissent in the final vote. Certainly, we reserve the right to oppose that bill if it is not amended, but that is not a decision that we have reached so far. Our position is that we will support the bill with the amendments that we discussed.

Our opposition to the provisions of this bill that pertain to part 2—the Animal Welfare Act amendments—is not based on a view that animal welfare is not important or that animal welfare cannot be improved or that animal welfare should not be continually improved, nor does it indicate that the Nationals consider animal welfare to be a secondary aspect of farming and food production. That is certainly not the case. We have said that a far-reaching review, being led by an eminent person in Linda Black, which has been going on for some time, will come up with a number of important recommendations. We expect that the minister, who initiated that review, will be willing to take on board the findings of that review and bring forward legislation that can be considered on its merits and will make necessary changes to the Animal Welfare Act. We are not saying that that act cannot be improved or that we should not be having that discussion. We are saying that the conflation of the two arguments—parts 3 and 4, which amend the Criminal Code and the Restraining Orders Act 1997, along with the Animal Welfare Act 2002—is a mistake and that the two should be treated separately. That is our position. That position is not based on a view that animal welfare is not important. It is not a position based on any sort of view of farming as an industry that ultimately produces food—food is something that most people take a great deal of interest in to ensure that that food is produced in a clean, ethical manner.

We have seen the consumer drive towards certain types of changes in farming produce. We have seen the rise of free-range eggs, for instance, as a reaction to consumer concerns about some of the practices that take place in the production of eggs. Whether a person believes that caged eggs are produced in an inferior welfare condition, free range is a choice that a consumer makes, and that choice is there for them. Free-range eggs are slightly more expensive to buy, but if people want to make that choice, that choice is available. Fundamentally, this is a consumer-driven industry, so we understand the importance of people having confidence in the product that they are consuming and purchasing. That is why we are not opposed to changing the animal welfare legislation, per se. We are saying that we are concerned about the conflation of these two issues. Towards the end of my contribution, I will talk about why that particularly concerns me. I have mentioned eggs. I noticed today an article in *The West Australian* about the increased trust consumers have in the safety and efficacy of egg production. People are now more trusting of the products that they are offered. That is important if we want them to continue buying them. We understand that completely. It is the conflation in this bill that we are opposed to.

I will run through a few of the other issues that we have discussed. Clause 4 introduces the definition of “designated inspectors”, which is a class of inspector that was attempted to be introduced in 2017. That went to a committee, I believe, but did not come to fruition. We saw that attempt fail in 2017 and it is being tried again in 2020 without coming through as part of a review into animal welfare. We have not seen any evidence produced of the need for these inspectors. There is no clear understanding of why these inspectors are seen to be necessary. Clause 6 of the bill defines “animal source food production” and “intensive production”. The government needs to understand that biosecurity, which we have been talking about, and the safety of these businesses, equals food security for our communities. I just spoke about the importance of the egg industry and the increasing trust in it. To give members some idea, because I think the Attorney General mentioned a few chooks running around the yard, we are discussing an industry in Western Australia in which 1.5 million eggs are consumed each day. Some enterprises may have 500 000 birds on the property to produce some of those eggs. To have unannounced visits and inspections is a worry from a biosecurity front. I spoke about that during the consideration in detail stage. It is a genuine concern that we have.

Questioning during the consideration in detail stage on those unannounced inspections by the designated inspectors, which are authorised under clause 8, revealed that as yet no protocols have been drawn up for the entry of inspectors and the methods of inspection or the biosecurity measures that will occur during those unannounced visits. Some protocols are in place for the inspections that currently occur through the front door, if you like, but the necessary protocols are not in place for unannounced visits, and they are different. That really illustrates that this process is being pushed through without a great deal of thought or the necessary understanding of the industries that is required. There are huge risks to food security. There is also the risk to the safety of the designated inspectors and the workers in some of these environments. Going into an abattoir is an active and potentially very dangerous workplace. I do not mean that in any way to be a threat to the inspectors, but an abattoir is a dangerous place. Processes are in place because there are sharp objects, heavy objects and chains. They are potentially dangerous places for someone who does not understand the layout of that premises. That is why it is very important that these inspections are not done without regard to what is going on in the industry. People would need to talk to the industry and work out what is a safe way to enter the premises and discuss how people can keep themselves safe while also ensuring the biosecurity. That work has not been done yet, and that is of great concern to me.

Clauses 6, 7 and 8 include provisions allowing inspectors to enter abattoirs. The Attorney General spoke about the need to ensure that the beef or pork belly that he eats is produced humanely. We know that we have a clean and efficient abattoir system in this state. Most of the operations that are carried out in Western Australia are very heavily inspected and regulated. The safety of the product and the humane treatment of the animals, as I understand it, is already being well catered for. Therefore, to bring abattoirs into the discussion at this point is a mistake. I note that the member for Belmont, and maybe the member for Mirrabooka, spoke about the need for inspectors to visit knackeries in the eastern states. However, the members—especially the member for Belmont—seem to be confused about the difference between a knackery, which is a place for the destruction of unwanted racehorses and other livestock that are not fit to go into the human food chain, and an abattoir, which is where our food is processed. Abattoirs are very heavily regulated already, as I said. I do not know enough about knackeries to know whether the same level of inspection is going on, and that could be a valid point, but I think that the inclusion of abattoirs within clauses 6, 7 and 8 needs to be re-examined.

There was a discussion about the definition of “intensive production”, as defined in clause 6. That discussion revealed there is a fair bit of uncertainty about the situations that the member for Roe described regarding deferred grazing. The member’s recollection of the discussion is that those matters were not defined, or at least were not captured, by the definition of “intensive production”. However, from my reading of the uncorrected *Hansard*, admittedly, which I think gives the gist of the discussion, is that the Attorney General responded to some comments I made. I talked about animals being penned for a time when the animals are either to be finished off for market and are fed in a small feedlot on a property or they are penned in confinement during a drought or other tight seasonal conditions. Animals might be penned when farmers are waiting for the rain so that the animals do not destroy the land by walking over it when there is no food at all on the land. When they are penned, they are totally reliant on the farmer to feed and water them. My understanding is that the Attorney General indicated that in the ordinary course of commercial food production, the premises could be subject to inspection when intensive grazing of animals is occurring. My understanding is that those deferred grazing systems could be caught under the definitions in clauses 6 and therefore be subject to the inspections of the designated inspectors as outlined in clause 8. That was my take, which was different from that of the member for Roe. That just goes to show the uncertainty around that and the need for further definitions and further work to ensure that we know exactly what types of operations will or will not be subject to these measures.

We certainly supported the Attorney General’s amendment to the definition of “intensive production” in clause 6. I understand from what the Attorney General said that that came about because of the concerns of the Nationals WA. In spite of the bagging that we have received from some members, apparently the Attorney General listens to what has been brought forward and discussed in briefings and at least moved to tighten up the provisions of clause 6 to take out the powers, through regulations, to change what would be defined as an “intensive production system” and

to make it clearer at the outset what those production systems might be. Having said that, I go back to the point that the definitions need to be tidied up and the industry needs to be provided with clarification on exactly what will be captured under clauses 6, 7 and 8.

In the main, the Nationals WA support the measures being brought forward in parts 3 and 4, which will make changes to the Criminal Code and the Restraining Orders Act. However, in expressing that support, we moved that the measures be broadened to include other places. At the moment, as we know, there is a fairly narrow definition of what areas are captured by the additional trespass regulations. We were hoping to see a further amendment to expand the definition of what an animal source food production activity, place or facility might be, because we felt that the definition should include places such as shops and supermarkets where food suppliers are being harassed by activists and, in our view, should be afforded greater protection. It would have been good if those amendments had been accepted by the government and those narrow definitions had been expanded to include those other places and activities, which could be captured under parts 3 and 4.

Some government members made comments in the third reading debate that I want to talk about briefly. The member for Armadale spoke about the need for animal welfare to be seen as an important aspect of the food and animal production industry. We do not disagree. However, we do disagree with its inclusion in this bill—with its very narrow and, I have to say, preconceived measures in animal welfare changes—rather than a bill that is dedicated to a much wider review and understanding of animal welfare.

Mr D.R. Michael: So you would be open to supporting it if the review found that that's what should have occurred?

Mr R.S. LOVE: We would look at the merits of the review and support or not support measures that are brought forward, but we would have that discussion in the context of that review and what comes out of it. We would pay very close attention to the recommendations and pay due respect to the work done by that group and to the concerns or recommendations that they brought forward, and consider them properly in the light of that as a standalone bill and a standalone measure. As I said, we are not opposed to increasing animal welfare outcomes. We understand that consumer and public confidence is important to animal production industries because, ultimately, those industries rely upon people feeling safe and comfortable and buying the product believing that the animal has been treated well and the food is safe to eat. There are those two aspects. We do not want to see biosecurity or food safety systems interfered with by the inappropriate introduction of inspectors without having looked at the wider ramifications of that across the industry.

I felt that some of the comments were quite condemning of the agricultural industry, and I take umbrage at that. I thought that some of the speakers made comments that indicated that they lacked a certain degree of confidence in the industry under its current regulation and the good intent of people within that industry. Intrinsic to the view advanced in the discussion by some government members is that the activities of activists are somehow a public good and need to be replaced with these inspectors. We have heard people say that activists are important, and that activists and protesters initiate some changes that are to the public good. That may be true in some cases, but when we are talking about people trespassing on private property and exposing the industry to biosecurity and other risks, and exposing people to physical intimidation and making them feel threatened in their own homes and places of work, that is not to the public good. I take umbrage at members of this government who seem to feel that activists play some sort of part in monitoring activities. They ask who will monitor the activities if we restrict activists from entering these premises. I am paraphrasing what I heard from several members in the discussion here. I utterly reject that notion. There is no public good to be had from these activists entering people's places of work illegally and irresponsibly. Notwithstanding the improved measures in parts 3 and 4, if we employ language like that, we will be not stopping but encouraging further activity from those activists, and I think that would be a very poor outcome.

With that, I will conclude my contribution to the third reading debate. I will just say that, in the main, Western Australian farmers and food producers are very proud of their activities. They are very proud of the product that they grow. They take pride in producing food of a very high standard and ensuring that people in Western Australia have access to some of the safest food products from animals that are the most humanely treated in the world. The surplus that we produce in Western Australia is sent overseas. Consumers in other countries pay a premium to buy Western Australian product because they know that it is consistently of a high standard and is grown in an environmentally safe and sustainable manner, and that we have the hygiene and high animal welfare standards in this state that ensure both the safety and ethicalness of the food that they are purchasing. People across the world are voting with their wallets by buying Western Australian produce, and that is why I am very proud of the Western Australian livestock industries. I do not feel that they need animal activists to be monitoring their activities and I do not feel that the removal of animal activists from the scene should necessarily trigger the imposition of an inspection regime that has not been defined properly. The government does not seem to have thought through the implications of inspectors coming onto people's properties, which include implications to not only safety, but also biosecurity, and, in some circumstances, the welfare of the animals. If biosecurity is breached, there could be a poor outcome for the animals. There could be 500 000 birds in one shed, and they would be threatened by an inappropriate intrusion.

We are concerned about the qualifications of the inspectors and the manner in which they will be operating. Nothing has been designed or brought to our attention that allays any of those concerns. That is very disappointing. This legislation has been two years in the making; it is two years since the Attorney General first said that he would bring these measures forward. I remember asking these questions to the Attorney General, who said that there was going to be some action taken very shortly. “Very shortly” turned into “not too shortly”, and then turned into “a very long time”. Then the bill that came forward had two arms—the inspectors and the changes and modifications to the trespass legislation. We do not believe that was appropriate. Given the time that the government had to do it, we would have thought that it would have actually gone and spoken to the industry about an appropriate way to introduce the inspection regime and had protocols drawn up, so that we, as parliamentarians, could feel assured that the inspections would be carried out in a responsible way. The government has not done that, despite the fact that it has had two years. To me, that is a failing on the part of the government. It has failed to take action for two years and, when it did finally take action, it failed to introduce legislation that has the important issues at its heart.

Sitting suspended from 6.00 to 7.00 pm

MR J.R. QUIGLEY (Butler — Attorney General) [7.01 pm] — in reply: I will now speak in reply to the third reading debate on the Animal Welfare and Trespass Legislation Amendment Bill 2020, which we promised to bring in; of course, Labor always keeps its promises, and we did bring it in. It is perplexing that after almost taunting us to bring in this legislation, the opposition is now going to vote against it. It has come up with all manner of excuse to oppose the legislation in this chamber. As Attorney General, I thought that the calls for the legislation in the first place were perhaps a little unwarranted, but on reflection and on balance I thought, “Yes, I can see the point given the remoteness of some of these properties.”

Through all the hot words that have been said in this chamber, especially by members of the Nationals WA and, for that matter, by the member for Hillarys, no more than six offenders, maybe eight maximum—I think six—have been brought before the courts, and I do not think there would have been more than 12 convictions for those six offenders. It was not a matter of pressing community interest in the sense that we were being overrun by housebreakers, car thieves, amphetamine addicts or clandestine laboratories producing drugs or anything like that. Rather, six or eight offenders entered farm properties that were not just farm properties—they were mainly places of intensive agricultural production—to protest against the manner in which some intensive agriculture was being conducted. They were absolutely misguided and their protest absolutely misplaced. As I said, there were only six or eight offenders and they committed about 12 offences. That does not excuse the offences or lessen the gravity of invading someone’s place of business. The government was berated for taking 18 months to bring the legislation forward, but I note that in my less than four years of being a minister, this is the fifty-sixth bill that I have presented to the chamber.

Mr Z.R.F. Kirkup: Outstanding; well done!

Mr J.R. QUIGLEY: I thank the manager of opposition business.

Mr P.A. Katsambanis: Where’s the uniform evidence bill?

Mr J.R. QUIGLEY: See, that is what I get: “Where’s that one?” We are trying to do them all, member for Hillarys.

Mr P.A. Katsambanis: You gave me a solemn promise three years ago.

Mr J.R. QUIGLEY: It has been drafted and the consultation draft will be out. See what happens, member for Roe? There are so many demands on a reforming government that keeps on reforming. My record is different from that of my predecessor, who introduced only 21 bills in just under seven years. In the less than four years that I have had the pleasure and responsibility of being a minister, I have been told—not that I keep count—that this is my fifty-sixth bill, and later tonight we will get to body count number 57 with the Sunday Entertainments Repeal Bill 2019. We have to look at the priorities of legislation when getting bills drafted. We had to consider that six or seven offenders had committed a dozen offences, which got a lot of publicity, and where that ranked, for example, against the law reform surrounding the lifting of the statute of limitations for child sexual abuse. I know the member for Roe is also interested in that legislation because there are many victims in country towns that fall within his electoral district. We had to determine where this bill fits in the hierarchy of things. I do not accept the criticism that the government was dilatory in the ordering of the legislation. We promised to bring this legislation forward.

I thought it was rather cynical of the member for Warren–Blackwood, unless he was being funny, to mimic me as saying at the cabinet table, “We’ll give it to them but we’ll put these inspectors in to upset them.” Would I do that? That is a very cynical view of the way that I approach legislation. I try to approach it in a balanced way, and the balance that is exhibited in this bill is that the community has suspicions that there is endemic cruelty in places of intensive agriculture. It is not a theory that I subscribe to because, as one member of the Nationals WA said, the production of animals in our food chain is part of a profit business and it is best that farmers look after what they are producing rather than cause them harm and diminish the value of the stock they produce. It is counterintuitive to behave in that way but, nonetheless, from time to time vision has appeared, which has been illegally gathered, of

gross cruelty to animals in intensive farming situations and in knackeries and abattoirs. We are all responsible people in this chamber and when we see that sort of cruelty on our television sets we, like the rest of the like-minded public, are shocked by it. No-one could have seen the vision of *The Final Race* and what was happening to retired racehorses at the knackery without being appalled. No-one who looked at their TV set and saw the cruelty that live animals were exposed to in the practice of the live baiting of greyhounds could have been anything less than appalled. No-one who has seen the recent still photographs in newspapers of chickens with broken legs and wings in intensive chicken production can be anything less than shocked and saddened that this is happening to live animals.

These rather rare instances that seep out cause public disquiet and suspicion about what is happening in intensive agriculture. I do not accept that it is a widespread practice but any repetition of it is, of course, disturbing to the general public. It has been brought to the general public's attention only by people illegally entering properties and videorecording it, or making other recordings, and I believe in one case a recording was made surreptitiously by an employee. I do not accept the assertions made by members of the Nationals WA that we see public good and purpose in the activities of trespassers upon the properties of farmers who practise intensive agriculture and that we are now going to replace those who are doing public good—the trespassers—with inspectors. That is contrary to what is set out in this legislation because it states that trespassers will face greatly increased aggravated penalties for their incursions onto other people's properties for the purpose of their protests.

We do not see trespassers as performing any public good at all. Indeed, as I have pointed out, in *Kadir v The Queen*; *Grech v The Queen* [2020] HCA 1, the High Court decision published on 5 February 2020 held that evidence gathered by protesters was gathered illegally and that it would be against the public interest to allow the product of their illegal activity to be adduced into evidence in an animal cruelty case. The conviction of Kadir and Grech was overturned and the judgement of conviction vacated because their activities were adjudged by the High Court to be illegal, and it was therefore not in the public interest that anything they gathered during those incursions be used in a court of law.

We do not gather around the cabinet table to ask, "How can we make the bill unpalatable to the opposition so they will not support it?" It is far from that. I stand here with no doubt in my mind that if we took a referendum in Western Australia on the question of whether certain establishments should be permitted to let government officers go inside and see whether cruelty is occurring, members of the public of Western Australia would vote in favour of those inspections taking place because they are revolted by the images they have seen on TV. The referendum would look not at particular, isolated electoral districts or at general farming, but at places where intensive agriculture is carried out—where the animals rely upon humans for their food supply and they cannot go out to forage—at abattoirs where animals are slaughtered, and at knackeries where racehorses are slaughtered and turned into pet food. We are not talking about the member for Roe's constituents. I do not think there would be many, if any, circumstances of intensive agriculture in the member for Roe's electorate. There might be abattoirs at Katanning, but the general farming population does not engage in intensive agriculture—containing animals within enclosures where they are wholly reliant upon humans for their food supply and are not allowed outside to forage.

In the closing speeches of the second reading debate, references were made to the inadequacy of definitions. The member for Warren–Blackwood said that more work needed to be done on the definitions. I thought his criticism was that we had taken too long to do the work, but now he wants us to extend the definitions and do more work. That does not make sense. We have said that inspectors will be able to inspect abattoirs and the yards associated with them. Goodness gracious, someone does not need a veterinary degree to go in and gather evidence by taking a picture or video footage. That is all that is required. There are all these questions about, "What's their training?" As I have said, they will have a TAFE certificate IV qualification in investigation and they will be trained by the Department of Primary Industries and Regional Development in biosecurity safety. If I came into this chamber and said that this government was going to ban anyone from entering onto any property to shoot a kangaroo, anyone from entering onto any farm to shoot a rabbit or anyone from entering upon any farmer's land to pick a mushroom, the Nationals WA would not be railing against biosecurity measures. They would be saying, leaving aside the last example of mushrooms, that we were stopping the suppression of pests.

Mr P.A. Katsambanis: They do it with permission!

Mr J.R. QUIGLEY: They do it all the time.

Several members interjected.

Mr J.R. QUIGLEY: They do it all the time.

Several members interjected.

Mr J.R. QUIGLEY: I am not taking interjections. I have heard and the chamber has heard what the member for Hillarys had to say. As I said in my second reading speech, a wide variety of inspectors can already enter onto farming land. They include pests —

Mr Z.R.F. Kirkup: The old Potato Marketing Board, which I was very pleased to see you get rid of, had inspectors who could pull cars over to make sure people were not carrying 40 kilos of potatoes!

Mr J.R. QUIGLEY: Let us not enter into a side argument, but the member is right. Fisheries inspectors can also enter people's properties to see whether they have crayfish. Up in Geraldton, if a fisheries inspector thinks a farmer might have undersized crayfish or too many cray tails, they can enter the property to count them, as the Acting Speaker knows because he is the member for Geraldton.

Mr Z.R.F. Kirkup: Straight to your fridge!

Mr J.R. QUIGLEY: They go straight to the fridge to count the cray tails. In our society, we have decided there are a range of circumstances in which inspections can take place for the public good. As I said earlier, in Katanning, if the local health inspector wanted to go into the local Chinese restaurant's kitchen to see whether it was chicken and not cat in the chicken and cashews, he could.

Mr P.A. Katsambanis: That was extremely prejudiced; it is horrible.

Mr J.R. QUIGLEY: They do.

Mr P.A. Katsambanis: Withdraw that.

Mr J.R. QUIGLEY: I withdraw it about Katanning; they have a very good one there, but it could be in any country town.

Withdrawal of Remark

Mr P.A. KATSAMBANIS: I have a point of order. That comment was extraordinarily racist, stereotypical and offensive and I call on the Attorney General to withdraw it without any further comment. What a disgrace!

Several members interjected.

The ACTING SPEAKER (Mr I.C. Blayney): I will let the comment stand, Attorney General.

Debate Resumed

Mr J.R. QUIGLEY: It is confected outrage. Health inspectors can and do enter restaurants to check the quality of the food. In country towns, health inspectors enter kitchens to inspect the health conditions in which food is prepared. The Nationals WA members do not come to this chamber demanding in outrage that this be stopped and nor does the member for Hillarys, with his confected outrage, demand that about the restaurants in Hillarys; in fact, he is comforted by the fact that when he goes to restaurants within his electorate, he can eat there with the assurance that health standards are being maintained because there is the deterrence of on-the-spot inspections by health inspectors.

Mr P.A. Katsambanis interjected.

Mr J.R. QUIGLEY: Listen to him! You know what they say, Mr Acting Speaker (Mr I.C. Blayney), an empty tin drum makes the most noise! That is the only comment I will make.

Mr P.A. Katsambanis interjected.

Mr J.R. QUIGLEY: Bang, bang, bang! Bang, bang, rattle, bang!

Having inspectors being able to enter kitchens assures us that the kitchens are maintained in good order. Having inspections of intensive agricultural food production facilities ensures the public that cruelty is not occurring. Each one does not have to be inspected, but the mere fact that they can be inspected carries a deterrent effect. Therefore, increasing the penalty for trespass and providing for inspections at will are not misplaced within the scope of the bill. The opposition members say, "What an outrage!" There was a ministerial review of the inspection regime and opposition members said that this was all getting ahead of the game and the government was being irresponsible in not waiting for the minister's review. Let us look at the circumstances under which the minister was reviewing that whole act because when she presented the bill to the Legislative Council, it went to committee and the National Party and Liberal opposition opposed it and thwarted its advancement. I would be more comfortable to take this out of this bill if the Leaders of the Opposition in this chamber and the other chamber said that they would support whatever the ministerial report comes up with, but they have no intention of doing that. They just want to kick the ball out of play to further delay the inspection regime. They have no intention of supporting whatever the outcome of the ministerial review is. They say, "Well, we don't know what that's going to be. How can we support it?" Here it is: inspection at will as a balance to aggravated penalties for trespass. Opposition members do not have to wait; they can vote tonight.

What is really offensive to the people of Western Australia, and what they should take offence at, is the manner in which the opposition members have conducted themselves during this debate and have said outright to the government, "This will not pass the Legislative Council." This democratically elected government's well thought out legislation on trespass on intensive farming together with an inspection regime will not pass the Legislative Council. Consequently, that strips away the notion that the Legislative Council in relation to this bill will operate as a house of review; it will operate as a house of hostage! It will take this bill hostage and kill it! We have already been told that by the opposition members here, "You can get it through this chamber, but we'll defeat democracy in the other place. It will not operate as a house of review. The outcome is already preordained by our party." So much for the notion of a house of review—it is preordained. It is the same as the Corruption, Crime and Misconduct Amendment Bill 2020, which we will get to later in the week, but that is preordained for death, too.

The Legislative Council does not operate as a house of review. The members of the National Party stand here with confidence and say —

Dr D.J. Honey: We've got a minority of numbers there.

Mr J.R. QUIGLEY: That is right; we have a minority, and so the opposition members know that up there they can kill whatever they want killed, and they killed clauses of the Work Health and Safety Bill 2019 up there this afternoon.

Mr P. Papalia: Basically, it's where decent legislation goes to die.

Mr J.R. QUIGLEY: That is right!

Several members interjected.

The ACTING SPEAKER (Mr I.C. Blayney): Members! Attorney General! Can members keep their comments non-existent—that would be good—but otherwise quiet so that I can hear the Attorney General, please.

Mr J.R. QUIGLEY: Thank you.

Therefore, I find it somewhat offensive that we are told by opposition members to do what we like here because they will kill it in the other place. That is what they say here. That is offensive to democracy and they will be held to account to that in the election; there is no doubt about that. All the government is doing is simply making it so that government inspectors can enter to make sure that cruelty is not happening. The government is not exposing the intensive agricultural sector to increased aggravated penalties. National Party members do not want that. They want to confuse and throw fog over the argument by saying that the agricultural sector is very important to Western Australia and that this bill is an offence to them. We agree that the agricultural sector is important and 95 per cent of agriculture in Western Australia is not conducted in intensive circumstances in which our animals are farmed for food. Probably 98 per cent of agriculture in Western Australia is not conducted in intensive circumstances; cattle, sheep and lambs graze up north and are not farmed in intensive circumstances in which they are not allowed outside to graze for food. This is a very narrow area of agriculture that we are dealing with.

No-one in the community wants to see cruelty occurring in places such as abattoirs where animals are slaughtered. If nothing is happening in those places, why not allow inspections? If nothing is happening in knackeries, why not allow inspections? This bill deserves the support of this chamber and it should not be sent off to the knackery that the other place might be, given what opposition members have said about the future of this bill in the other place.

Therefore, I very much commend this bill to this chamber.

Division

Question put and a division taken, the Acting Speaker (Mr I.C. Blayney) casting his vote with the noes, with the following result —

Ayes (34)

Ms L.L. Baker	Mr W.J. Johnston	Mr P. Papalia	Mr C.J. Tallentire
Dr A.D. Buti	Mr D.J. Kelly	Mr S.J. Price	Mr D.A. Templeman
Mr J.N. Carey	Mr F.M. Logan	Mr D.T. Punch	Mr P.C. Tinley
Mrs R.M.J. Clarke	Ms S.F. McGurk	Mr J.R. Quigley	Mr R.R. Whitby
Mr M.J. Folkard	Mr K.J.J. Michel	Ms M.M. Quirk	Ms S.E. Winton
Ms J.M. Freeman	Mr S.A. Millman	Mrs M.H. Roberts	Mr B.S. Wyatt
Ms E.L. Hamilton	Mr Y. Mubarakai	Ms C.M. Rowe	Mr D.R. Michael (<i>Teller</i>)
Mr T.J. Healy	Mr M.P. Murray	Ms J.J. Shaw	
Mr M. Hughes	Mrs L.M. O'Malley	Mrs J.M.C. Stojkovski	

Noes (13)

Mr I.C. Blayney	Mr A. Krsticevic	Dr M.D. Nahan	Mr Z.R.F. Kirkup (<i>Teller</i>)
Ms M.J. Davies	Mr S.K. L'Estrange	Mr D.C. Nalder	
Dr D.J. Honey	Mr R.S. Love	Mr K.M. O'Donnell	
Mr P.A. Katsambanis	Ms L. Mettam	Mr P.J. Rundle	

Pairs

Mr M. McGowan	Mrs A.K. Hayden
Mr R.H. Cook	Mrs L.M. Harvey
Ms R. Saffioti	Mr V.A. Catania
Ms A. Sanderson	Mr D.T. Redman

Question thus passed.

Bill read a third time and transmitted to the Council.

SUNDAY ENTERTAINMENTS REPEAL BILL 2019*Second Reading*

Resumed from 26 September 2019.

MR P.A. KATSAMBANIS (Hillarys) [7.34 pm]: I rise to speak on the Sunday Entertainments Repeal Bill 2019 as the lead speaker for the Liberal Party and indicate that the Liberal Party will support this legislation. It is always a pleasure for me to speak on repeal bills. As someone who genuinely believes in smaller government, I think that repealing legislation is something we do not do often enough. That pleasure is tempered by the fact that I am most concerned that, despite our best efforts in this chamber, the next Parliament of Western Australia may well be considering this legislation again. A similar bill was introduced into this place during the previous Parliament. As the parliamentary term proceeded and the government prioritised different things, that bill, which had been brought forward by the previous Minister for Commerce, fell by the wayside in the thirty-ninth Parliament. It has now been brought forward by this minister, in his capacity as Minister for Commerce. In 2020, it is completely and utterly noncontroversial. The bill has a date of 2019 because it was introduced quite some time ago. Unfortunately, it is not on the list of bills that was provided to the opposition by the Leader of the Government in the Legislative Council, so it will be more of a miracle befitting certain Sundays if it passes through both houses of Parliament and becomes law. But let us be hopeful!

Mr D.A. Templeman: We could always recall Parliament on a Sunday!

Mr P.A. KATSAMBANIS: The Leader of the House suggests that we could recall Parliament on a Sunday. I can assure the Leader of the House that, as I have shown over this term, particularly in 2017 and 2018, when I may otherwise have chosen to stay away from this place, I have a bit of a magnetic attraction to this place. If the government recalls Parliament on a Sunday, I will be here! I do not know how many other members will be here, but I will certainly be here, as will the Leader of the House. We might be extraordinarily productive and, perhaps, accommodating.

My delight in repealing the Sunday Entertainments Act 1979 is tempered by the realisation that realpolitik may hamper its repeal in this term of Parliament. That would be unfortunate, so let us hope that a Sunday miracle happens and the bill gets through both houses to become law.

This is a very simple repeal bill that repeals the Sunday Entertainments Act 1979, which, essentially, required people to seek a permit or a general exemption if they sought to run premises for the purposes of paid public entertainment or amusement on Sundays. It is a throwback to a different era, when Sundays were seen as sacrosanct. As a Christian, I personally believe that Sundays are a day of repose, consideration and attendance at church.

Mr D.A. Templeman: What were you doing in 1979?

Mr P.A. KATSAMBANIS: What was I doing in 1979? In 1979, I was a young fellow. I think I was in year 8 in high school—form 2 we called it. I was playing a lot of football and a lot of cricket. At that age, I also liked to get out and about at times.

Mr D.A. Templeman interjected.

Mr P.A. KATSAMBANIS: I will get to that. The minister does not need to interject for me to get to Sunday entertainment; I will get to it.

Life has changed a lot since 1979. I think society has accepted the fact that we do not impose restrictions on people's personal choices. If people want to go to church, a synagogue, a mosque or a temple, they do; if they do not want to go, they do not.

The bill extends beyond Sundays to Christmas Day and Good Friday. I do not think there are any other Orthodox Christians in this Parliament. Therefore, I am perhaps a classic example of how Good Friday presents a challenge. It is a rare occasion when Orthodox Good Friday coincides with Catholic or Anglican Good Friday. It does happen from time to time, but it is the exception rather than the rule. When everyone else commemorates Good Friday, Orthodox Christians do not. We commemorate Good Friday afterwards, and our work, our school or our business continues to run without that day being a public holiday. Even Good Friday is contentious for people like me, because although I am happy to respect that for other people, that is a very solemn day, in most cases it is not the day that I consider to be Good Friday. If the minister tempts me, I might give him an explanation of why that is the case, but I will try very hard not to do that tonight. Sadly, I know why that is, but perhaps that is a speech for another day.

Mr D.A. Templeman: A valedictory!

Mr P.A. KATSAMBANIS: Hopefully, I get one! I would love to get one in this place. I have said before that very few people actually choose the time of their departure from this place. The minister knows that. We all know that. That may come, or that may not come. Only the man upstairs knows that right now.

Several members interjected.

Mr P.A. KATSAMBANIS: I was not referring to the people over there, either! Upstairs is not the people over there!

Several members interjected.

Mr P.A. KATSAMBANIS: The society in which we live today is very different from Australia in the 1950s and 1960s, or perhaps in 1979 when the act was brought in. We ordinarily have a lot of entertainment on Sundays. Good Friday and Christmas Day are more contentious. However, even though a lot of people would like to commemorate Good Friday and celebrate Christmas Day, perhaps they are alone and without family or friends, particularly at this time when family and friends are not able to get together because of the COVID restrictions and the like, and are looking for a bit of entertainment and something more to do. We no longer say to people that they cannot go out on Sundays, Good Friday and Christmas Day.

Mr D.A. Templeman: Do you know what actually led to this bill in 1979? What compelled the government of the day to introduce this bill?

Mr P.A. KATSAMBANIS: I have not delved into that. I imagine there may have been a change in some other broader act, perhaps around trading, that required a separate bill to carve out Sundays, Good Friday and Christmas Day. The Minister for Commerce may be able to tell us in his summing up. There may well have been the repeal of a broader act and a change of provisions. I know it was not around petrol rationing, because petrol rationing continued in Western Australia on a Sunday for quite some time after 1979, did it not?

Several members interjected.

Mr P.A. KATSAMBANIS: Our state has a history, but all states do. I was thinking about Sunday entertainment.

Several members interjected.

Mr P.A. KATSAMBANIS: It would be good if I had the opportunity to say something!

Dr A.D. Buti interjected.

The ACTING SPEAKER (Mr I.C. Blayney): Member for Armadale, I am going to call you the next time you interject. Sorry to be the party wrecker, but I want to hear the member, and Hansard has to hear as well.

Mr P.A. KATSAMBANIS: The nature of entertainment on Sundays, Good Friday and Christmas Day has changed over time. Recently, a lot of pressure was placed on the Australian Football League to play games on a Good Friday. When Andrew Demetriou was the chairman of the AFL, he strongly resisted that for years and years. The National Rugby League has played national rugby league games on Good Friday. I think the West Australian Football League has occasionally toyed with that, with some success at some times and less success at other times. However, the AFL staunchly resisted it, until there was a change of leadership, and it acquiesced. From memory, it had a game in Melbourne initially—I think North Melbourne and the Bulldogs. I might be wrong. The member for Armadale might correct me on that. In 2019, last year, there were two games on Good Friday, one on the eastern seaboard, and one here. That was relatively uncontroversial. Again, if a person is a Christian and believes it is an important day, they will go to mass or a church service, or they will hang out with their family.

Dr A.D. Buti interjected.

Mr P.A. KATSAMBANIS: We are talking about Good Friday. On Christmas Day, there are fewer events. I think either there has been, or there has been debate about having, a Big Bash League game late on Christmas Day. I know that in America, for instance, they have football and basketball games on Christmas Day. I think the Los Angeles Lakers has a dedicated game on Christmas Day. That is a very big game. I think American football might depend upon whether Christmas Day falls on a weekend, because they have a delineation whereby Friday night is for high school football, Saturday night is for college football, and Sunday is for Christmas football. I am pretty sure there is a Christmas day round, or a Christmas round that includes Christmas Day. Other countries have grappled with this as well. The English have grappled with it. It took England a long time. Even when England went to play test match cricket on a Sunday, the starting time was later. I remember as a boy that in England, test matches would ordinarily start at 11.30 am English time, and when they eventually went to Sunday matches —

Mr P. Papalia: What was that?

Mr P.A. KATSAMBANIS: Test matches, as in cricket.

Mr P. Papalia: It's winter then.

Mr P.A. KATSAMBANIS: I am talking about Sundays. They resisted playing on a Sunday—that was a rest day. However, when they did go to Sunday matches, initially the matches started at one o'clock or two o'clock or something like that, and that was eventually wound back and Sunday became just another normal day for cricket, and also for the English Premier League.

Dr A.D. Buti: What about rugby union?

Mr P.A. KATSAMBANIS: I do not know. I gave up on rugby union many years ago. The minister interjected and asked what was I doing in 1979, and I said that I was at high school. I remember that in the late 1970s and early 1980s, when I was a boy, there was a big debate in Melbourne. The member for Mount Lawley might have lived there at the time. There was a big debate in Melbourne about whether league football could be played on Sundays. In Melbourne,

there was a general exemption for the Victorian Football Association to play on Sundays. The Victorian Football League could play only on Saturdays or public holidays. It was a massive debate over years and years. But on 2 August 1981, there was a one-off game at the Melbourne Cricket Ground between Collingwood and Essendon. I remember it because I was there. Whether one loves them or hates them—I obviously love them, and the majority of people hate them—Collingwood was used as the drawcard for all these one-off games. The previous game between the two teams had been played earlier in the season at VFL Park, now Waverley Park, and had attracted a then record crowd of around 90 000, so people were expecting a 100 000-plus crowd at the MCG.

This was the first league game played on a Sunday in Melbourne—I was about 15 at the time and went along with my friends and family—but because of the consternation about it, only about 64 000 people showed up to the game, which they were expecting would draw a crowd of 100 000. Many people would ordinarily have gone to see a Collingwood versus Essendon game. Both teams were doing well; I think Collingwood was second on the ladder and Essendon was third or fourth. They were expecting a bumper crowd, but because of the consternation about whether people should go to a sporting event on a Sunday, the crowd was significantly lower than expected. That happened nearly 40 years ago. I know that the same debate used to happen in Western Australia about whether league football could be played on Sundays. All this consternation did was to cause bureaucratic nightmares, because the existing act allows for either a general exemption to be granted to certain bodies or, alternatively, for people to apply for specific permits. The Minister for Commerce might be able to help me here; I believe a specific permit was granted to the West Coast Eagles in 2019 to enable it to play a game on Good Friday.

It is interesting to travel back in time and think about the eras in which these ideas germinated. It is not the same era as today—they were very, very different times. Families today, whether they are Christian or non-Christian, expect and anticipate that on a Sunday, Good Friday or Christmas Day, they will be able to go out and do whatever they like, such as going to the cinema or amusements of various types—fairs, shows, public entertainment, concerts, performances of the ballet or the opera, or whatever the case may be. The day itself may have meaning for some people but it may not have meaning for others. Obviously, those days do still have meaning for people like me, but I think the time has passed when governments and Parliaments could tell people when they could entertain themselves and when people could or could not hold events. In case anyone asks, I personally share the same view on general trading of all types, beyond entertainment. We should not be tying people up in knots and red tape and forcing them to apply for either general exemptions or specific-event permits, especially when there is no ability to object the outcome to a third party. At the moment, it is simply that the event organiser applies to the minister and the minister becomes the arbiter of whether they can hold the event. I would not have thought that that was a 2020 idea or concept. Repealing the existing act is logical and sensible; I do not think anyone in this chamber opposes it. There may be a few people in the community who would be concerned and worried about it, but I think the vast majority of Western Australians would not even know this act exists and, if we told them about it, I think they would consider it to be anachronistic and well past its use-by date.

As I said, my biggest concern about the debate we are having today is that, ultimately, the debate will need to be had again in the next Parliament.

Mr D.A. Templeman: I'm still praying for a miracle!

Mr P.A. KATSAMBANIS: We are in unity there, member for Mandurah. We are on a total unity ticket, praying for a miracle that the bill gets through in this term of Parliament. Let us hurry up and get this through!

MR P.J. RUNDLE (Roe) [7.56 pm]: I will make a very brief contribution to the debate on the Sunday Entertainments Repeal Bill 2019. I note that this is the Attorney General's fifty-seventh bill. Unfortunately for me, I am the spokesperson for the Nationals WA on the Attorney General's portfolios. He has certainly churned them through—I will give him that. As the member for Hillarys said, the concern is that although we will pass the bill through this house, as with the previous piece of legislation, which is ranked sixteenth on the priority list of the Legislative Council—I understand that this bill is not even listed as a priority—chances are, some of us might be back here to consider it again.

Mr D.A. Templeman: I've already got my own personal kneeling pad that I bring every day.

Mr Z.R.F. Kirkup: I don't need to know about your kneeling pads!

Mr P.J. RUNDLE: Let us hope for the best, but I suspect that the bill may reappear in the next Parliament.

The member for Hillarys mentioned the year 1979. I was a year 12 student at Wesley College then, doing my ATAR.

Mr D.A. Templeman: It was the TAE then.

Mr P.J. RUNDLE: The tertiary admissions examination—the member for Mandurah is right.

Dr A.D. Buti: What would you have done at boarding school on Sundays?

Mr P.J. RUNDLE: This was 41 years ago, but the lord mayoral candidates of Perth might be interested to know that I picked up about 10 to 12 stitches on my chin at the hands of skinheads while I was sitting at a bus stop along St Georges Terrace. Unfortunately, the violence on the streets of Perth was happening then and it is happening now.

Mr J.R. Quigley: That was a Liberal government, I remember; it's not happening now!

Mr P. Papalia: The day after the mayoral election, it will suddenly be fixed.

Mr P.J. RUNDLE: Let us hope so.

Mr D.A. Templeman: You must have incited them, though!

Mr P.J. RUNDLE: No; I was sitting quietly at the bus stop, member.

Mr D.A. Templeman: In your uniform?

Mr P.J. RUNDLE: No, not in my uniform, but I was going back to boarding school.

Dr A.D. Buti: You would've been a target for them.

Mr P.J. RUNDLE: Yes. Unfortunately, I suffered at their hands. Anyway, I moved on and completed my TAE and off I went.

Mr D.A. Templeman: How'd you go in the TAE?

Mr P.J. RUNDLE: I did okay.

Dr A.D. Buti: Did you tell the skinheads that you didn't like the Bay City Rollers or something?

Mr P.J. RUNDLE: No. I was very happy with my result and moved on from there.

Getting back to the subject, the Nationals are certainly more than happy to support this bill. As the member for Hillarys pointed out, it is out of step with current practices and, quite frankly, it is an admin and red tape burden. The world is changing. There is an appetite for sporting events on every day of the year, and, as the member for Hillarys pointed out, people like that choice. People have religious beliefs and the like, but I have seen that when there have been AFL or WAFL matches on those days, there is quite a good support base. People have the choice to follow their religious pathway or to perhaps have a family day out. I do not see granting of exemptions as an issue. It is a question of choice. I do not think it is necessary for the exemptions to be published in the *Government Gazette*. It is fairly burdensome and it is red tape galore. It is a matter of choice. We are in favour of moving into the modern age. As I said early on, I will be disappointed if we are back here revisiting this legislation in times to come!

Mr D.R. Michael: I have asked roughly enough members to agree to sit some extra hours!

Mr P.J. RUNDLE: We will see how it all goes. The member for Dawesville is very concerned about that suggestion and so am I! Anyway, the Nationals will not oppose the bill.

DR A.D. BUTI (Armadale) [8.01 pm]: Thank you, Acting Speaker.

Mr D.A. Templeman: What were you doing in 1979?

Dr A.D. BUTI: Would the minister like to know!

Mr D.A. Templeman interjected.

Dr A.D. BUTI: That is right!

Like the other speakers, I also speak in favour of this Sunday Entertainments Repeal Bill 2019. It is an interesting bill. I do not think most of us would even have had much knowledge about the bill. For instance, Sunday junior sport has been going on for —

Mr P.A. Katsambanis: It's not paid entertainment.

Dr A.D. BUTI: Is that the difference? There we go. I thank the member for filling me in, because I did not know why that would not have been allowed.

Talking about 1979, minister and member for Mandurah, in 1979 there was a very vibrant Sunday Football League in which people were paid and people had to pay to get into the ground. There was an incredibly vibrant, strong football competition. Guess who the lead coach of Kelmscott Football Club was in 1979, member for Mandurah.

Mr B.S. Wyatt: Tony Buti!

Dr A.D. BUTI: No!

Mr P. Papalia: Which club?

Dr A.D. BUTI: Kelmscott Football Club.

Mr P. Papalia: In what year?

Dr A.D. BUTI: It was in 1979.

Mr P. Papalia: Was he a Swan Districts footballer?

Dr A.D. BUTI: No, he was not a Swan Districts footballer. He did play a little bit of football. He became a coach. I said he was coach of Kelmscott, but he also became a lead coach, and even then was a prominent sports commentator. Come on!

Mr P.A. Katsambanis: Dennis Cometti?

Dr A.D. BUTI: You bet your britches! It was Dennis Cometti. Dennis Cometti had a very illustrious career as a coach in Sunday league, first at Osborne Park, then Maddington and then Kelmscott. In 1979, he was the coach of the Kelmscott Football Club premiership team. The reserves and colts teams were in the grand finals. I was in the colts team and we did not win that year, but I was sick so I could not play and that is probably why we did not win! But the next year, 1980, when I was captain of the colts team, we won. We beat Gosnells by one point. It was incredibly vibrant. There were 2 000, 3 000, 4 000 people turning out for a Sunday league game, with cars all parked around the oval.

Mr D.A. Templeman: Were there any skinheads there?

Dr A.D. BUTI: There were a fair few skinheads in Armadale, I can assure the minister! That is why I was surprised when the member for Roe said he had been beaten up by skinheads in Perth.

Mr P.J. Rundle interjected.

Dr A.D. BUTI: Yes, he should have come out there, exactly!

It is interesting that under the Sunday Entertainments Act 1979, public entertainment or amusement did not include lectures or exhibitions concerned with arts, ethics, literature, science, social duties or any matter of public interest. There was a wide exemption even in those days. Even if they were paid events but came under those disciplines, they were exempted from the Sunday Entertainments Act.

Mr P.A. Katsambanis: Many of us would argue that football itself is a fine art.

Dr A.D. BUTI: It is a fine art and one could argue that it is of public interest. One could argue that it is and one could also argue that it is not. If anyone went to game in Victoria Park on a Saturday afternoon, especially to watch Collingwood against Carlton, I am not sure whether they would say that is in the interest —

Mr P.A. Katsambanis: Depends on which side you were on.

Dr A.D. BUTI: That is exactly right. There probably were not many skinheads at Victoria Park, but I am sure they were much more fearsome than the skinheads that beat up —

Mr P.A. Katsambanis: There were plenty of skinheads, don't you worry.

Dr A.D. BUTI: Were there skinheads following Collingwood?

Mr P.A. Katsambanis: Various other types of people too, but plenty of skinheads.

Dr A.D. BUTI: Of course. The member talked about the game that only 60 000 people attended—was it Collingwood versus Essendon?

Mr P.A. Katsambanis: Yes, in 1981.

Dr A.D. BUTI: The other Collingwood supporters were probably busy breaking into the homes of the Essendon supporters!

Mr P.A. Katsambanis: There was no court on Sundays back then.

Dr A.D. BUTI: Or they were visiting their relatives in prison!

Mr P.A. Katsambanis interjected.

Dr A.D. BUTI: There we go. How does the member know?

There is really not a lot more I can say on this. Sunday entertainment has been with us for a long time. Obviously, exemptions were required for paid Sunday entertainment, and of course on Good Friday and Christmas. Obviously, Sunday is not as controversial as Christmas or Good Friday. The fact is that we have commenced down that road with football games on Good Friday. The exemption was that they had to be after a certain time of the day. I do not think on Good Friday in the morning they would have allowed an —

Mr P.A. Katsambanis: The event organisers wouldn't get much of a crowd, would they?

Dr A.D. BUTI: On a Good Friday in the morning, maybe; I do not know.

Mr P.A. Katsambanis: It depends on the region. In my region it is on Friday night that we do the procession around the church.

Dr A.D. BUTI: Yes, right.

For some people football is a religion in any case, so they would feel right at home on Good Friday or even Christmas Day. In the United States, which prides itself on being a religious nation, Christmas football and basketball have long been a tradition. That is the case there. I think we are the only state that still has this act, until it is repealed. Even though we like to do things a bit differently in WA, in this case it would be good to be in conformity with the rest of Australia. On that note, bring back the Sunday Football League!

MR Z.R.F. KIRKUP (Dawesville) [8.08 pm]: I rise to speak on the Sunday Entertainments Repeal Bill 2019. I was going through the process of trying to understand the reason for the Sunday Entertainments Act, as it was then, being introduced. Previously, I was saying to the member for Mirrabooka that I hoped there might be some commentary on the late 1970s. To answer the question of where I was in 1979, I was not born, obviously. It was eight years prior to my arrival.

Mr P.A. Katsambanis: You were not even thought of.

Mr Z.R.F. KIRKUP: Probably not.

Mr P. Papalia: The year 1979 was year two of my military career.

Mr Z.R.F. KIRKUP: There we go. Yet, I feel that the member looks as young as me!

I thought there might be some more commentary in the debate about why the legislation was necessary. Evidently, ministers used to offer much less of a contribution to the second reading debate, and the Parliament did not seem to debate things nearly as much as we do, possibly because they had more pressing issues to get on with at the time. Something that sticks out to me is that there was going to be a term of imprisonment proposed. Part of the act presently states that if a venue owner knowingly keeps, opens or uses any place or any part thereof for public entertainment or amusement on any Sunday or on Christmas Day or Good Friday in any year and to which persons are admitted by payment of money, or by tickets, programs, objects or tokens sold for money et cetera, the person would be guilty of an offence. Originally, it was proposed that that person would be guilty of an offence that would warrant a term of imprisonment, which is particularly unusual. By good fortune, the Liberal Party moved an amendment during consideration in detail that was accepted by the government of the day, and the amendment was moved by none other than Bill Hassell. It seems like we had a very —

Ms J.M. Freeman: What was the amendment?

Mr Z.R.F. KIRKUP: The amendment was about whether the owner of the venue would be aware of the offence being undertaken, and the removal of the proposed term of imprisonment.

Several members interjected.

Mr Z.R.F. KIRKUP: At the very least, it was moved by Bill Hassell, during consideration in detail.

Several members interjected.

Mr Z.R.F. KIRKUP: What is also fascinating to me is the idea that the Parliament was seriously considering penalties of up to \$50 000. At that time, 1979, that would probably have been the price of a house; I do not know what the value was, but it was obviously quite significant.

Mr P. Papalia: Two houses!

Mr Z.R.F. KIRKUP: Two houses! The penalties reflected the social values of the time with regard to what activities could be undertaken on a Sunday. The fact that the Parliament would even have considered a term of imprisonment or such a significant fine is remarkable to me. The member for Armadale spoke about the sporting side of things, and the member for Hillarys spoke about his religious convictions and about being the father of many young children, and the requirements that places on families in these modern days; he has four children.

Mr P.A. Katsambanis: Five!

Mr Z.R.F. KIRKUP: Five.

I will be very pleased to see the Sunday Entertainments Act 1979 repealed; to be honest, I am surprised it still exists. I doubt most people would even know that it holds —

Ms J.M. Freeman: It has no effect.

Mr Z.R.F. KIRKUP: That is right; it has no effect. The fact that it is still on the statute book is remarkable to me. I look forward to the forty-first Parliament probably having to deal with this legislation, also.

Several members interjected.

Mr Z.R.F. KIRKUP: Member for Balcatta, if the government's suggestion is that this bill has greater priority, it is up to the government to try to negotiate it with the upper house! I look forward to the government providing an important submission to the Standing Committee on Procedure and Privileges on why the Legislative Council should sit longer! I am sure it will take that submission in due course!

Dr A.D. Buti interjected.

Mr Z.R.F. KIRKUP: I think they already are; that would be a poor reflection on the upper house! This was going to be a very brief contribution!

I support the repeal of the act; I think it is important. Contemporary attitudes have changed with regard to Sundays, and I still find it fascinating that there is some inequity about what shopping can and cannot be done. In theory—at least, the last time I was pulled up on it—one can buy some things from Bunnings but not others.

Ms J.M. Freeman: No, not anymore.

Mr Z.R.F. KIRKUP: Not anymore? That existed during the Barnett government, at the very least. There was a lot of consternation about many changes we made to retail trading at the time.

Mr D.A. Templeman: You couldn't get left-handed screwdrivers!

Mr Z.R.F. KIRKUP: I am sure that is the case, member for Mandurah!

Mr D.R. Michael: Except at Flanders' shop!

Mr Z.R.F. KIRKUP: Fantastic reference, member for Balcatta!

The only other point I would like to make, something that is very important from my perspective, is to make sure that we protect the sanctity of Christmas Day and Boxing Day and the lead-up to Christmas. I note that in other jurisdictions there has been a move towards 24-hour retail trading prior to Christmas Day. Usually, on Christmas Eve and the day before Christmas Eve, there is a significant uptake in retail trading. To have shops open for 48 continuous hours I think is not necessary in Western Australia; I do not support that, personally. It is not the position of the party, but I am not sure it has even been considered. Christmas is already a very difficult time and the idea of working some bizarre midnight shift in a local shop down the street is probably not required here. We should also reflect on the changing conditions with COVID-19 and online retail. I read a Bloomberg article before I stood up in which it was reported that a lot of the states in the US that have recovered quickly from the COVID-19 pandemic have very big Amazon or Shopify warehouses; they are not places that are dependent upon bricks-and-mortar retail.

With all that said, I support the fifty-seventh bill brought to this place by the Minister for Commerce. I think it is an important repeal. I am not entirely sure that I will be here for the forty-first Parliament, but if I have the privilege of being re-elected to this place, I look forward to speaking on this bill a second time.

MS J.M. FREEMAN (Mirrabooka) [8.14 pm]: I also want to speak briefly to the Sunday Entertainments Repeal Bill 2019. As the member for Dawesville said, the bill will repeal an act to reflect what is now perfectly normal current practice. We are getting rid of an act that has no effect. We could say, "Well, if it has no effect, why don't we just not worry about it and leave it in?" I am always reminded that the laws around pregnancy termination and access to abortion also had no effect until the 1980s when the police decided to pursue a prosecution, so a provision in an act that had no effect suddenly had effect. That is why we are here—to make sure we do not have legislation that, at some stage, someone can use to try to prosecute someone for having a theatre or a carnival open, or playing a football match, on Good Friday, Sundays or Christmas Day.

That is important. The original act was based on the idea that Christianity was the primary religion of Western Australia and therefore observances on Sundays, Christmas Day and Good Friday were paramount and needed protection. I think it was primarily so that people did not have to work; that was probably the basis of it. Those days are very important for some Christians; some Christians worship on other days. But Western Australia is now a secular state and a secular democracy, where people have a choice about their religious affiliation. Basically, Christianity was introduced here in colonial times. In the 1911 census, only 0.4 per cent of the population entered "no religion"; that went up to 22 per cent in 2011. Between the 2011 and 2016 censuses, Christianity went from 61 per cent to 45 per cent.

People have different ways of worshipping and honouring their beliefs in our community; it just does not need to be formalised through legislation like the Sunday Entertainments Act 1979. I do not have it with me, but Scott Higgins in one of his articles used the analogy of cars; just because the majority of people in the community might drive a car, it does not mean we should prefer cars over other forms of transport, such as bikes and public transport. At the heart of any secular democracy is the whole idea of recognising that people might have different faiths and religions, or no faith, but that that does not have any impact in the public sphere of being inclusive of all. That is pretty important to me because, as I have pointed out in this place before, my electorate is a really diverse community. The 2016 census shows that five per cent of the Mirrabooka electorate was born in Vietnam, and there are also people of Indian and English backgrounds.

However, it is really interesting that, according to the census, around 32.8 per cent of people in Western Australia have no religion or do not follow a faith. In Mirrabooka, it is 10 per cent less than that, so 22 per cent of the community does not follow a religious faith. It is an electorate with very strong faith and some who are very committed to their faith. One of the really interesting factors, as the member for Hillarys has pointed out, is that following a faith does not necessarily mean it is a faith that worships on a Sunday. In the suburb of Mirrabooka 21.5 per cent of the community are Islamic. For them, Friday is the significant day of going to the mosque. Although they pray every day, Friday is the day for going to the mosque. The other really large community religions are Buddhism, which around 9.5 per cent of people in Mirrabooka practice, and Cao Dai, which has a Vietnamese base. All those faiths have different religious observances. We need to obviously take that into account but legislation that does not reflect our modern society and is out of date, should be removed, and that is what we are here to do.

I will finish off by saying that that does not mean that we are not very appreciative of the social outreach of many Christian institutions. They are still really important to many communities. They include St Vincent de Paul Society,

MercyCare, the Salvation Army, World Vision Australia and in my case the Edmund Rice Centre WA, which has a Christian background but tends to be much more secular now. I think we have to recognise the importance of the fact that when Western Australia was colonised by the British, we were predominantly Christians. The Christian faith social outreach is really important as are many other religions in assisting people and working with their communities. I want to recognise the good work they do. Obviously, other people of faith and no faith are also philanthropists.

MR R.S. LOVE (Moore — Deputy Leader of the Nationals WA) [8.22 pm]: I was not going to make a contribution to this very important discussion but the comments of the member for Roe tweaked a bit of my curiosity when he said that the Nationals WA would strongly support this measure. On reading through it, I felt a sense of nostalgia and sensed that we are perhaps setting aside a piece of our history and cultural heritage in repealing the Sunday Entertainments Act. This act is not that old.

Mr Z.R.F. Kirkup: It feels old.

Mr R.S. LOVE: It was passed in 1979, so it is only 41 years old. It is somewhat older than the member for Dawesville but I can well remember 1979, and that does not seem that long ago. We could go to the pub on Sunday but only between four and seven or 10 to 12, I think it was, for the session. We were charged money to get in if a band was playing et cetera or for raffles, but I do not think it was covered by this. Perhaps for licensed premises it was covered by some other act. I am not entirely sure whether a permit was needed to make it happen. The Sunday session was as much a part of Sunday as was attendance at mass or other church services or whatever. It was a very important part of Western Australian culture. I think in Victoria there used to be what was called the “six o’clock swill” when the pubs would shut at six o’clock. I do not think we did that here.

Mr D.A. Templeman: It happened here, too.

Mr R.S. LOVE: Did it? The minister might remember that; I do not remember it, but I certainly remember with some fondness the Sunday session and of a weekend, the procession attending the pub on a Friday night and Saturday night and the Sunday session and struggling to go to work on the Monday. That was life in WA in the 1970s. It is sad to see that aspect of this disappear.

Mr D.A. Templeman: You would’ve rushed home to watch *Bellbird*.

Mr R.S. LOVE: I remember Charlie Cousins falling off the silo. Yes. That pre-dated 1979 by some time.

Several members interjected.

Mr R.S. LOVE: It was probably four or five years before then, but we will not go there.

I note here that in 2019 an Australian Football League match, featuring the West Coast Eagles, was held on Good Friday. I must admit to feeling a pang about commercial activities occurring on Good Friday. There were only 40 000 people in attendance, which was pretty low for an Eagles game I would have thought. I assume it was held at the Optus Stadium.

Mr P.J. Rundle interjected.

Mr R.S. LOVE: There was no COVID then, member, so I would have thought 50 000 was a more resounding endorsement of the Good Friday match.

From reading what we will be doing away with, people should know that when talking about this being some sort of an archaic act, it is far from an archaic act. Some of the places that were affected by this act include any building, structure, vehicle, aircraft, hovercraft, surface or underwater vessel in the state. This does not sound like an archaic act. It sounds like a very futuristic act. I am sure it was conceived in the era of *The Jetsons* when hovercraft were the coming way of transport. No doubt, in 1979 when the Sunday Entertainments Bill was drafted, there was concern that hovercraft might be touring up and down the streets of Perth offering entertainment on a Sunday. The bill was enacted to ensure that that did not happen. Far from being some sort of long-distance past, member for Dawesville, I think this was a very forward-thinking bill. We should not be so blasé in setting it aside. Not only that, but some things were not included in the definition of “Public entertainment or amusement”, such as “address, discussion or lecture on, or exhibition concerned with art”. As an advocate of the arts, I would have thought the minister would have been very pleased to see that art was exempted from these matters. Also not included were “ethics, literature, science, social duties or any matter of public interest”. It was a very progressive bill in its time. I think it replaced the Police Act 1892. For its time it was forward-thinking legislation. There is some degree of sadness with its passing because the idea that entertainment on a hovercraft will no longer be regulated in Western Australia strikes some degree of terror in my heart.

Mr D.A. Templeman: You have a heart of conscience.

Mr R.S. LOVE: People need to reflect very carefully on the ramifications of disallowing unrestricted activities on hovercraft on a Sunday. With that warning about what we are about to do, I will complete my contribution and await further deliberations.

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [8.29 pm]: First of all, I want to congratulate the Attorney General. The Sunday Entertainments Repeal Bill 2019 is the fifty-seventh bill that the Attorney General has steered through this chamber. I think that is a remarkable achievement. In fact, I am not sure whether that achievement has been surpassed by an Attorney General of recent times. I think it is appropriate, given that we need to reference historic events. All I remember of 1979 was that I was in year 9 and, of course, Mandurah was treated differently because it was outside the metropolitan area —

Mr Z.R.F. Kirkup: It still is.

Mr D.A. TEMPLEMAN: That is right, but it had more relaxed opportunities, particularly on Sunday afternoons at the Peninsula Hotel. It was a very popular gathering place on Sunday afternoons in Mandurah. I remember my dad taking me and my brother to a very good cultural event at the Peninsula—mud wrestling! It was me, my brother, a mate of his and the mate's brother. We were under the big fig tree, which still exists where the old Peninsula Hotel was. While we enjoyed a pony glass of shandy—remember they had pony glasses back then—and a packet of chips between four kids, which I always thought was some sort of child abuse in many respects, they enjoyed mud wrestling.

Mr R.R. Whitby: Watching or participating?

Mr D.A. TEMPLEMAN: They were watching. I think the point was well made by Brother Love—sorry, not Brother Love; the member for Moore—that artistic events can come in various forms.

That is my contribution.

The ACTING SPEAKER: Attorney General.

Mr P.A. Katsambanis: Be brief; 57 words.

MR J.R. QUIGLEY (Butler — Minister for Commerce) [8.31 pm] — in reply: Thank you; I have 45 minutes. I will keep an eye on the clock so I do not run over time. The government is pleased that the opposition is supporting the repeal of the Sunday Entertainments Act 1979. In 2015, a bill before this chamber—the Obsolete Legislation Repeal Bill 2015—included a provision to repeal the Sunday Entertainments Act. The Obsolete Legislation Repeal Bill was referred to the Standing Committee on Uniform Legislation and Statutes Review. In its report of 2016, the Standing Committee on Uniform Legislation and Statutes Review expressed the view that the repeal of the Sunday Entertainments Act was not a minor amendment and was not suitable for inclusion in the bill, which was viewed as an omnibus bill, similar to the Statutes (Repeals and Minor Amendments) Bill that regularly goes through this chamber. The committee recommended a proposal that the Sunday Entertainments Act be removed from the bill and dealt with by Parliament under a separate, standalone bill. The Legislative Council passed the bill, inclusive of the Sunday Entertainments Act repeal proposal, on 16 November 2016. However, the bill did not proceed to the Legislative Assembly and lapsed with the proroguing of Parliament in 2017.

Members here have expressed their lament that this bill is not included in the 15 bills that are on the government's priority list in the Legislative Council, which have been agreed to by the manager of opposition business in the Legislative Council. However, it could not be nominated for that list because the bill had not passed this chamber.

Mr P.A. Katsambanis: The Animal Welfare Act amendments that went through tonight are on that list and they had not passed through this chamber either, so that excuse does not stack up.

Mr J.R. QUIGLEY: The Sunday Entertainments Repeal Bill has not passed through this chamber. It is a very short bill. Some bills on the notice paper, including the Corruption, Crime and Misconduct Amendment Bill 2020, could be simply waived through, once they are through the Assembly, but that is not a matter for me; it is a matter for management in the other place.

Regularly, exemptions have been granted under the Sunday Entertainments Act and ministers have passed both permanent and short-term amendments under the act, including for film screenings, family pool and snooker centres, Easter carnivals, ice arenas, family entertainment centres and Timezone. Clearly, the act as it stands no longer reflects community attitudes, as members have noticed. The process of having to apply for exemptions to the Sunday Entertainments Act is unnecessarily burdensome on Western Australian businesses and an inefficient use of government resources. There is already a sufficient level of government oversight of those sort of activities so it is appropriate that the bill is repealed.

We welcome the opposition's support for the repeal of the bill. We hope that it progresses. We will see what happens. In this chamber, we do not control what happens in the other chamber. There we have it. Standing here as the Minister for Commerce, I just do my best. There are a lot of priorities. As members have noted, I have presented a plethora of bills to this chamber. We try to fit them in a sensible order. We have another important bill coming up tomorrow for second reading. It will take the headcount to fifty-eight if it gets through. I gave notice of it today: the Building and Construction Industry (Security of Payment) Bill 2020. It will revolutionise the construction industry and the payment of subcontractors. If you are going to reform government, you just keep bringing forward the important bills and reforms, and hope that Parliament is able to deal with them all.

With those concluding remarks, I thank the members of the opposition for their contributions and support, and of course I thank the members of the government for their support. I shall retreat to my seat some 40 minutes short of my allotted time!

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading.

Third Reading

MR J.R. QUIGLEY (Butler — Minister for Commerce) [8.37 pm]: Although this is the fifty-seventh time, I still require prompting from the Leader of the House.

Mr Z.R.F. Kirkup: You have to move that the bill be read a third time.

Mr J.R. QUIGLEY: I know; I have just been prompted for the fifty-seventh time. I move —

That the bill be now read a third time.

Question put and passed.

Bill read a third time and transmitted to the Council.

House adjourned at 8.38 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

ENERGY — PRIVATE AGGREGATORS

6364. Mr D.T. Redman to the Minister for Energy:

I refer to private aggregators, who are able to pull together private network assets in a way that allows them to participate in an emerging market, and ask:

- (a) What is the extent of participation of aggregators in the South West Interconnected System (SWIS);
- (b) Can the Minister show where these aggregators are operating;
- (c) What limitations does government put on the interaction of aggregators and the grid network, including matters of managing grid stability; and
- (d) What are the rules imposed by government/utilities in respect to the establishment/operations of aggregators?

Mr W.J. Johnston replied:

- (a)–(b) Aggregation refers to the grouping of electricity generation and storage facilities, demand side programs and other distributed energy resources, to act as a Virtual Power Plant within electricity networks under private or public ownership.

Demand side providers already participate in the Wholesale Electricity Market in the South West Interconnected System. While most electricity loads associated with these services are connected to the transmission system, it is expected that increasingly loads within the distribution system will be aggregated to provide this service in the future.

Horizon Power has been successfully operating its 37 regional microgrid systems across the state for many years, effectively acting an aggregator in managing these systems. The Horizon Power microgrid trial in Onslow is demonstrating the benefit of energy management systems in balancing intermittent solar generation from community rooftops and a solar farm, with a gas-fired generator and battery energy storage.

The Horizon Power Broome Smart Sun pilot that commenced in November 2017 has also tested the management of rooftop solar, customer air-conditioning and battery energy storage to achieve mutual benefit for customers, including land developers, and the electricity network.

The REnW Nexus Project, funded by the Commonwealth Smart Cities program, has undertaken various trials within the City of Fremantle, involving peer-to-peer trading of electricity produced by rooftop solar systems.

A similar project has been undertaken in relation to the sharing of energy produced by rooftop solar systems within medium-density apartment developments in White Gum Valley. A regional trial of peer-to-peer trading involving rooftop solar resources has occurred in Wongan Hills.

The privately owned Dunsborough Community Energy Project, being implemented by Plico Energy, is testing the development of a Virtual Power Plant through aggregation of rooftop solar and battery energy storage systems across Dunsborough and the neighbouring town of Yallingup.

Aggregated distributed energy resources and Virtual Power Plants do not currently participate in the Wholesale Electricity Market, however they are expected to form an essential component in the future energy system, to be facilitated by regulatory and system changes underway as part of the Energy Transformation Strategy.

- (c)–(d) The Distributed Energy Resources Roadmap, released in April 2020, outlines a comprehensive set of actions across technical and regulatory areas to fully incorporate aggregated resources and Virtual Power Plants into the South West Interconnected System. This includes work to define the role of aggregators in the future electricity system, including interactions with the electricity grid, energy market and households.

A Distributed Energy Resources orchestration pilot, identified in the Roadmap, will seek to test how aggregated distributed energy resources can provide network services and participate in energy markets. This work will inform further policy development and the pilot is expected to commence in mid-2021.

Concurrently, Energy Policy WA is undertaking a review of the electricity licensing framework that seeks to identify a preferred regulatory framework that facilitates businesses providing alternative electricity services subject to the provision of adequate customer protections. It is anticipated that innovative arrangements, such as aggregated distributed energy resources and Virtual Power Plant business models, could be regulated under the new regime.

ENERGY — WESTERN POWER AND HORIZON POWER — METER BATTERIES

6365. Mr D.T. Redman to the Minister for Energy:

- (1) Can the Minister outline the full extent of government support behind the meter batteries installed on either the Western Power or Horizon networks:
 - (a) Can the Minister show where these are, and the level of support that has come from government?
- (2) Where government has made investments to support and/or directly purchase behind the meter batteries, what has been the cost of these investments and where have they been made?
- (3) What have been the inverter standards that have been matched to these behind the meter battery investments:
 - (a) Do these inverter standards have communications functionality, allowing for aggregation as a virtual power plant;
 - (b) If not, why not; and
 - (c) If yes, what is the government's plan for utilisation of this functionality?
- (4) Given the significant interest from consumers in behind the meter battery technology and the likely reduction in price for such installations, can the Minister outline any network risks in such installations, and whether it is likely to help or hinder network stability?

Mr W.J. Johnston replied:Horizon Power

- (1) The Government does not provide support to behind the meter batteries (BM Batteries), and those installed for Horizon Power projects are part of Horizon Power's own technology trials and deployment, and not the result of Government support.

Horizon Power is aware of approximately 70 customers, on the businesses networks, who have installed BM Batteries to comply with the 'Renewable Energy Smoothing Requirements' in *Horizon Power's Technical Requirements for DER Connection*.

- (a) The table below details a number of projects which include BM Batteries supported by Horizon Power:

Project	No. Customers with BM Batteries
Broome SmartSun	17 Customers
Onslow DER	25 Customers
Carnarvon Microgrid Trial	16 Customers

Horizon Power's investment in the listed projects are the businesses strategic initiatives and technology trials and not Government directives.

- (2) Not applicable.
- (3) The inverter standards of the BM Batteries in Horizon Power's projects listed meet *Horizon Power's Technical Requirements for DER Connection*, as well as relevant Australian Standards including AS/NZS 3000 (Wiring Rules), AS/NZS 4777 (inverter standard) and AS/NZS 5139 (battery installation standard).
 - (a) Yes. Data communications and Distributed Energy Resource (DER) control requirements are included in Horizon Power's Technical Requirements for DER Connection. However, at present the Australian Standards for inverters do not include communications functionality.
 - (b) Australian Standards have not yet addressed the issues related to operation of Virtual Power Plants, however Horizon Power includes this in its own requirements – given its unique challenges in operating microgrids.
 - (c) At this stage, Horizon Power intends to utilise the data communications and DER control requirements to maintain system stability, to mitigate adverse impact of surplus DER to its customers, and ensure ongoing compliance with DER standards.
- (4) Any connection of a DER has the potential to cause network stability difficulties, such as generator loading issues and frequency disturbances which can be particularly pronounced in Horizon Power's islanded microgrids. The business mitigates these issues through its own standards, connection processes and operating practices.

When BM Batteries are well-coordinated they support the operation of the electricity network and improve power quality. Integration of DER is a key strategic objective for Horizon Power and there is work underway to facilitate connection of more DER to its systems.

Western Power

- (1) Western Power has a single behind-the-meter battery. Please see the State Government's media statement of 11 July 2020 regarding the Margaret River battery trial.
 - (a) The Margaret River battery can be found at the Margaret River Recreation Centre, at 51 Wallcliffe Road, Margaret River.
 This community battery installation is a unique trial that takes advantage of a network need at the location. It will give Western Power the opportunity to understand the impacts on the network of a utility-grade behind-the-meter battery.
- (2) This project is a Western Power initiative, not a Government direction. The details of these contracts, including costs, are Commercial in Confidence.
- (3) All behind the meter battery systems are required to meet a number of Australian Standards as well as additional requirements including the Western Power Technical Rules and associated Western Power manuals and guidelines. The significant Australian Standards that are applied are AS/NZS 3000 (Wiring Rules), AS/NZS 4777 (inverter standard) and AS/NZS 5139 (battery installation standard).
 - (a) The current inverter standard AS/NZ 4777 does not include in its scope the functionality that may be needed for operation of a battery as part of a Virtual Power Plant. However, the Western Power community batteries do have the ability to be controlled remotely.
 - (b) Australian Standards have not addressed the issues related to operation of Virtual Power Plants. The WA Government has introduced the WA Distributed Energy Resources (DER) Roadmap to assist in the development of standards that will support the operation of Virtual Power Plants in the future. Western Power is a significant contributor to the development of the inverter standards and has been instrumental in ensuring that improvements in the standards will benefit the community by allowing battery and/or solar PV inverter systems using these standards to be safely integrated into the network.
 - (c) Not applicable.
- (4) The connection of behind the meter batteries compliant with relevant Australian Standards and Western Power technical requirements poses a lower risk to network stability than the installation of solar PV systems by themselves.

Continuing improvements in the inverter standards and development of connection requirements, including actions under the WA DER Roadmap, will facilitate increasing numbers of these systems being sustainably connected to the network.

Western Power is continuing to safely manage the operation of the distribution grid and will continue to plan the network for the future where increased use of distributed energy systems is expected.

ENERGY — WESTERN POWER AND HORIZON POWER — BATTERIES

6366. Mr D.T. Redman to the Minister for Energy:

I refer to the integration of renewable technology including batteries into the South West Interconnected System (SWIS) and Horizon networks, and ask:

- (a) Can the Minister list the grid scale batteries that are presently on the grid networks of both Horizon and Western Power;
- (b) Can the Minister outline the benefits of these grid scale batteries to the networks at the points of integration into the network;
- (c) Of the grid scale batteries integrated into the network, which ones have a level of community participation either by direct investment or by better utilisation of rooftop solar photovoltaic (PV), with benefits back to the consumer;
- (d) As a Tesla battery was recently installed in Margaret River, can the Minister outline other Tesla batteries that have been installed as a part of the same investment initiative:
 - (i) In respect to these batteries, on what basis were the sites chosen for such investments;
 - (ii) When were the Tesla batteries purchased; and
 - (iii) Were other battery technologies/companies offered the same opportunity to secure the supply contract;
- (e) Can the Minister describe the full suite of battery technologies (including chemistries) utilised by both Western Power and Horizon;
- (f) What is government policy in respect to utilisation of a diversity of battery technologies/chemistries as we move into rolling out more grid scale batteries into our state grid networks; and

- (g) Does government have a vanadium flow battery in its suite of battery chemistries installed in our grid networks:
- (i) If so, where is it, and when was it installed?

Mr W.J. Johnston replied:

Horizon Power

- (a) The table below shows Horizon Power's five currently connected network grid scale batteries on the businesses power systems:

Battery Projects	Capacity	Technology
Onslow Stage 1	1000 kW/560 kWh	LG Chem – Lithium-ion with ABB inverters.
Onslow Stage 2	1000 kW/1000 kWh	Samsung – Lithium-ion with ABB inverters
Carnarvon Microgrid Trial	100 kW/50 kWh	Samsung – Lithium-ion with ABB Inverters.

- (b) Horizon Power's batteries are configured for specific uses and together their integration into the network provides the following benefits:

the provision of an operational reserve to manage system contingencies and fluctuation in load demand. This allows a reduction in the use of conventional generation and associated reductions in fuel and operations and maintenance costs;

smoothing of solar photovoltaic and renewable energy systems to ensure power quality and system reliability is maintained;

voltage and frequency support contributing to improvements to power quality and power system resiliency; and

the operation of networks through renewable energy.

- (c) Horizon Power's grid scale batteries, either directly or indirectly, facilitate the operation of rooftop solar photovoltaic on Horizon Power's networks, and deliver associated benefits to customers.
- (d) Horizon Power has not installed any Tesla grid scale batteries.
- (i) Not applicable.
- (ii) Not applicable.
- (iii) Not applicable.
- (e) Horizon Power utilises lead acid and Lithium-ion technologies.
- (f) See Government Policy section.
- (g) Horizon Power does not have a vanadium flow battery on any of its networks.
- (i) Not applicable.

Western Power

- (a) Western Power has 15 grid-scale batteries, including 13 community batteries, the Perenjori BESS and the Kalbarri microgrid battery (network connected but not yet commissioned):

CB	Title	Suburb Location
1	Meadow Springs Mandurah	Mandurah 6210
2	Falcon Powerbank	Falcon 6210
3	Ellenbrook Powerbank	Ellenbrook 6069
4	Mitchell Pl Two Rocks	Two Rocks 6037
5	Wallawa St Wanneroo	Ashby, Wanneroo 6065
6	Greenwich Pde Canning Vale	Canning Vale 6155
7	Opp 31 Salamanca Pwy Port Kennedy	Port Kennedy 6172
8	41 Westgrove Dr Ellenbrook	Ellenbrook 6069
9	Bradley 1 – Yokine	Yokine 6060
10	McKean – Parmelia	Parmelia 6167

11	Kal 0117 – Boulder	Boulder 6432
12	Shovelboard Wy Vasse	Vasse 6280
13	Margaret River Recreational Centre (behind the meter)	Margaret River Shire 6285
14	Perenjori Bess	Perenjori 6620
15	Kalbarri Microgrid	Kalbarri 6536

- (b) The installation of community batteries avoids the replacement cost of the local distribution transformer that would have been required in cases where load during the evening peak may overload the transformer. Excess solar charges the battery during the middle of the day and then the battery discharges during the evening peak thereby reducing the load on the local distribution transformer. It also allows for further renewables to be added onto the network. The battery provides more reliable network and voltage management capabilities when and where required. When partnered with a PowerBank retail option, the community battery also provides residents with a storage option for their surplus solar. In the case of the Perenjori Battery Energy Storage System (BESS), customers in the town of Perenjori have experienced a significant improvement in the reliability of supply. A similar benefit is expected for the Kalbarri community once the system is commissioned.
- (c) All community batteries bring about network benefits and facilitate increased utilisation of rooftop solar PV. At this time, the Meadow Springs, Ellenbrook and Falcon batteries have PowerBank retail products attached. It is intended that the other community batteries will also include the PowerBank product in the future. The Margaret River community battery installation is a unique trial that takes advantage of a network need at the location and will give Western Power the opportunity to understand the impacts on the network of a utility-grade behind-the-meter battery, however the Shire of Margaret River will also benefit through reduced electricity costs.
- (d) Please see part (a). Batteries 1 to 13 are Tesla batteries, whereas the Perenjori BESS is a BYD battery, and the Kalbarri battery is a Samsung battery with ABB inverters.
- (i) Sites were chosen primarily on the basis that the distribution transformers were identified for replacement due to capacity constraints. These locations also benefit from voltage support. All suburbs selected also had significant solar penetration. Western Power then engaged the local LGA, residents and stakeholders, to confirm a suitable location within the transformer network.
- (ii) The Perenjori battery was purchased in 2017, with the remaining batteries in 2018 and 2019.
- (iii) With respect to the Kalbarri battery, an extensive procurement process took place over the several months, with about thirty applications received in the first round of tenders. Due to the highly specialised nature of the project, rigorous assessment and consideration was given to all applications. Western Power ran a procurement event for batteries 1–13 from part (a) and a separate event for the Perenjori battery.
- All of the community batteries installed by Western Power are Lithium-ion Tesla batteries; these installations were designed, constructed, installed and commissioned by a local company, West Australian Alternative Energy (WAAE).
- In both cases, other companies were offered the opportunity to secure the supply contract.
- Since the procurement of these batteries, Western Power has now established a panel of preferred vendors that can supply a range of community batteries for deployment within the SWIN. The panel is refreshed annually.
- Western Power launched a public Registration of Interest for the design, supply, install and commissioning of community batteries in September 2019. This launch included information being shared with the Local Capability Fund team at Department of Jobs, Tourism, Science and Innovation for sharing, as well as being shared online.
- (e) Western Power currently has Lithium Ion batteries. Western Power is currently using lithium Ion batteries because they are the most safe, proven and efficient technology to meet the current storage requirements for Western Power. The establishment of the battery panel will ensure that there is regular market testing for new requirements so that as technologies advance there is an opportunity for them to be utilised.
- (f) See Government Policy Section.
- (g) Western Power does not have a vanadium flow battery in its suite of batteries for grid network purposes at this stage.
- (i) Not applicable.

Government Policy

The Distributed Energy Resources (DER) Roadmap, developed by the Government's Energy Transformation Taskforce, outlines a plan for the integration of high levels of DER within the power system while ensuring safe, secure and affordable electricity for consumers. It has been developed in response to the power system and network risks presented by high levels of DER in the South West Interconnected System.

To respond to these imminent network issues, Western Power will need to invest in traditional network infrastructure, storage or other alternative solutions.

The DER Roadmap identified the requirement for installation of 10 community batteries to alleviate network constraints during 2020, deployed initially as a pilot. The batteries listed in (a) above were installed in line with the DER Roadmap. In accordance with the DER Roadmap, a plan will also be developed later this year covering 2021–24 for Western Power to obtain additional distribution storage services (and installations where services do not emerge) across the SWIS to meet emerging network needs.

The DER Roadmap policies are agnostic with respect to the technology and battery chemistry deployed, instead focusing on the most efficient solution that meets technical requirements.

The Government's Energy Transformation Strategy is reforming the Wholesale Electricity Market to provide for the integration of new business models and technologies, such as storage, in all parts of the electricity value chain – from the provision of network and market services to the provision of services to individual consumers. Like the DER Roadmap, these reforms focusing on enabling any battery technology to participate where it can provide the services required by the power system.
