



# Parliamentary Debates

(HANSARD)

FORTIETH PARLIAMENT  
FIRST SESSION  
2017

LEGISLATIVE ASSEMBLY

Wednesday, 29 November 2017

# Legislative Assembly

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**THE SPEAKER (Mr P.B. Watson)** took the chair at 12.00 noon, and read prayers.

## **PROCEDURE AND PRIVILEGES COMMITTEE — OPERATIONS AND PROCEDURES — REVIEW**

### *Statement by Speaker*

**THE SPEAKER (Mr P.B. Watson):** Members of the Procedure and Privileges Committee have been examining a range of initiatives to enhance the functioning of the Legislative Assembly. Broadly, the committee believes that there are measures that could make the Assembly's operations more open, inclusive, accessible and family friendly. Legislative Assembly publications, for example, could provide advice about the translating and interpreting service for those who come from non-English speaking backgrounds and about the national relay service for those who are deaf and hard of hearing. The PPC considers also that some of the technical procedures of the Assembly could be enhanced—for example, permitting teleconferencing for committee meetings.

The PPC invites Legislative Assembly members to contribute to this review. On your desk you will find a one-page survey that outlines some of measures the PPC is considering, and your responses and comments to these suggestions are welcomed. I would appreciate you taking a few minutes to complete the survey today or tomorrow. Please return the completed survey to the Sergeant-at-Arms.

## **HELENA AND AURORA RANGE, BUNGALBIN — PROTECTION**

### *Petition*

**MR S.A. MILLMAN (Mount Lawley)** [12.03 pm]: I have a petition that has been certified by the Clerks, from 1 253 petitioners, couched in the following terms —

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

We the undersigned wish to make known the outstanding conservation and heritage values of Helena and Aurora Range (Bungalbin) and our wish for this range to be fully protected for all future generations to experience and enjoy and that action be taken by governments to remove all mining leases and exploration tenements from Helena and Aurora Range (Bungalbin) and that there be an agreement between the mining industry, conservation agencies and Traditional Owners that this range be a “No go area for mining”.

Now we ask the Legislative Assembly to grant full and secure protection to the Helena Aurora Range (Bungalbin) through the gazettal of the area as a Class A Reserve and National Park.

[See petition 39.]

## **COMMUNITY RESOURCE CENTRES**

### *Petition*

**MS M.J. DAVIES (Central Wheatbelt — Leader of the National Party)** [12.04 pm]: I have a petition that has been certified as conforming with the standing orders of the Assembly. It contains 367 signatures from the communities of Pingelly, Boddington and Goomalling and is couched in the following terms —

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

We, the undersigned, say that Community Resource Centres provide a vital service to regional communities, including access to government services, technology, professional services. They provide opportunity for employment and training and partner with community organisations to attract further funding to enhance the communities they are part of. These centres have evolved beyond simply providing access to technology and are considered by communities to be an essential service in regional WA.

**Now we ask the Legislative Assembly of Western Australia to call on Premier Mark McGowan to ensure adequate funding to support the ongoing operation of all CRCs, without reducing their capacity to deliver services.**

[See petition 40.]

**CARNARVON HOSPITAL — AGED-CARE FACILITY**

*Petition*

**MR V.A. CATANIA (North West Central)** [12.05 pm]: I have a petition that is certified as conforming with the standing orders of the Legislative Assembly and that 604 petitioners have signed. It is couched in the following terms —

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

We, the undersigned, say that the provision of a High Aged Care Facility at the Carnarvon Hospital is vitally important for the elderly in our community to remain connected to their friends and families, to receive a high level of health care and reduce the need to travel large distances to other regional centres. Locating the High-end Aged Care Facility at the Carnarvon Hospital will also ensure that this service will be affordable and delivered efficiently.

Now we ask the Legislative Assembly to inquire into the reduction of funding that has been allocated for construction of an Aged Care Facility located on the Carnarvon Hospital campus and to the recently announced 2 year delay in delivering this essential service for the people of Carnarvon and the Gascoyne region.

[See petition 41.]

**GNOWANGERUP DISTRICT HIGH SCHOOL — PRINCIPAL**

*Petition*

**MR P.J. RUNDLE (Roe)** [12.06 pm]: I have a petition containing 229 signatures that conforms with the standing orders of the Legislative Assembly and states the following —

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

**We, the undersigned, say:**

The imminent return of the substantive position of Principal of the Gnowangerup District High School will have negative ramifications on the community of Gnowangerup. 4 years have passed since the incumbent Principal has been part of our school, and during that time we have become an Independent Public School. The nature of the position has substantially changed, as has the leadership culture of our school. The returning Principal does not reflect the values of our community and school and we the undersigned strongly urge the Minister to consider the wishes of the community and the future of our children. We request the opportunity to appoint a Principal who has been selected in consultation with our School Board and who reflects the values that our community and our school have adopted.

**Now we ask the Legislative Assembly:**

To please listen to the School Board, the School P&C and the local community and act on our overwhelming concerns regarding the substantive Principal position.

[See petition 42.]

*Nonconforming Petition*

**Mr P.J. RUNDLE:** I table also a nonconforming petition with 199 signatures in relation to the Gnowangerup District High School.

**CITY OF SUBIACO — HAMILTON AND YORK STREETS — NONCONFORMING USE**

*Petition*

**MR W.R. MARMION (Nedlands)** [12.07 pm]: I have a petition certified as conforming with the standing orders of the Assembly that has 413 signatures and reads as follows —

We, the undersigned, say

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

The area of Subiaco East comprising York St, Roberts Road and Coghlan Road is a quiet, historic residential neighbourhood, full of families with young children and local businesses. It lies in very close proximity to Perth Modern School and the new "Inner City College" in Kitchener Park. On 23 May 2017 City of Subiaco permitted a non-conforming use for the site located at 15 Hamilton St & 16–20 York St. The decision was made with no planning application, assessment or consultation, is not consistent with the location's residential zoning, was made against the advice of the Planning Officer and has far reaching

impacts for many residents, ratepayers and business owners. Despite repeated requests for the City to revoke the decision and observe the correct planning process—including a petition with 300 local signatures collected within a week—the City of Subiaco continues to disregard its residents and ratepayers, whilst engaging closely with the new owner of the site. As a result, we have no confidence that the City is acting impartially and in the best interests of its residents and ratepayers in this matter.

Now we ask the Legislative Assembly

To call on the Planning Minister, Local Government Minister and Education Minister to intervene and prevent any further decisions, agreements or management plans pertaining to this site being made by the City of Subiaco, pending the outcome of the State Administrative Tribunal (SAT) and related Supreme Court writ.

[See petition 43.]

#### **CITY OF SUBIACO — HAMILTON AND YORK STREETS — NONCONFORMING USE**

##### *Petition*

**MR W.R. MARMION (Nedlands)** [12.09 pm]: I have a further petition on the same topic. It is signed by 29 petitioners and it states —

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

We, the undersigned, say

The area of Subiaco East comprising York St, Roberts Road and Coughlan Road is a quiet, historic residential neighbourhood, full of families with young children and local businesses. It lies in very close proximity to Perth Modern School and the new “Inner City College” in Kitchener Park. On 23 May 2017 City of Subiaco permitted a non-conforming use for the site located at 15 Hamilton St & 16–20 York St. The decision was made with no planning application, assessment or consultation, is not consistent with the location’s residential zoning, was made against the advice of the Planning Officer and has far reaching impacts for many residents, ratepayers and business owners. Despite repeated requests for the City to revoke the decision and observe the correct planning process—including a petition with 300 local signatures collected within a week—the City of Subiaco continues to disregard its residents and ratepayers, whilst engaging closely with the new owner of the site. As a result, we have no confidence that the City is acting impartially and in the best interests of its residents and ratepayers in this matter.

Fresh Start—A high turnover, acute detox facility is to be established in a residentially zoned area, circa 100 meters from both Perth Modern High School and the new State High school. Fresh Start were very recently evicted from Cambridge council area, due to the high impact on residents as an outcome of these exact services. That location only had 6–10 beds. Subiaco site is far larger in a higher density residential area, which will be to the significant detriment of local amenity and places local children in jeopardy.

Now we ask the Legislative Assembly

To call on the Planning Minister, Local Government Minister and Education Minister to intervene and prevent any further decisions, agreements or management plans pertaining to this site being made by the City of Subiaco, pending the outcome of the State Administrative Tribunal (SAT) and related Supreme Court writ.

[See petition 44.]

#### **AUSTRALIA POST — TRANSPORTATION OF FIREARMS**

##### *Petition*

**MR I.C. BLAYNEY (Geraldton)** [12.11 pm]: I have three petitions to present. The first is a petition from 22 petitioners and has been certified by the clerks. It is couched in the following terms —

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

We, the undersigned, say

*That the decision that Australia Post no longer be considered as an approved commercial carrier for the transportation of firearms is ill-considered and severely impacts lawful and legitimate businesses, sporting organisations, and recreational hunters.*

Now we ask the Legislative Assembly

*To reinstate Australia Post’s status as an approved commercial carrier for the transportation of firearms in uniformity with the other States and Territories of Australia.*

[See petition 45.]

**GERALDTON SOBERING UP CENTRE***Petition*

**MR I.C. BLAYNEY (Geraldton)** [12.12 pm]: I have a petition from 52 petitioners that has been certified by the clerks. It is couched in the following terms —

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

We, the undersigned, say

*That the State Government's decision to close Geraldton's sobering up centre is wrong. It will shift the burden of care for these people to the police and our hospital's emergency department. These services are neither equipped nor funded to provide a safe place where intoxicated people can sober up, and the cost to the agencies of trying to provide this service will far outweigh any proposed Budget savings.*

Now we ask the Legislative Assembly

*To call on Premier Mark McGowan to keep Geraldton's sobering up centre open.*

[See petition 46.]

**ROYALTIES FOR REGIONS — BOARDING AWAY FROM HOME ALLOWANCE***Petition*

**MR I.C. BLAYNEY (Geraldton)** [12.13 pm]: I have a petition from 193 petitioners that has been certified by the clerks. It is couched in the following terms —

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

We, the undersigned, say

*That the State Government's decision to remove the Royalties for Regions contribution from the Boarding Away from Home Allowance will cause hardship to isolated families and may result in children not completing their education due to this financial hardship*

Now we ask the Legislative Assembly

*To reverse the Budget decision to remove the Royalties for Regions contribution to the Boarding Away From Home Allowance.*

[See petition 47.]

**COMMUNITY RESOURCE CENTRES***Petition*

**MR P.J. RUNDLE (Roe)** [12.14 pm]: I have three similar petitions; I will read the wording of one. They have been certified as conforming with the standing orders. The first petition has 109 signatures from the West Arthur Community Resource Centre, the second has 99 signatures from the Manjimup CRC and the third has 49 signatures from the Yongergnow–Ongerup CRC—a total of 257. The petition states —

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

We, the undersigned, say that Community Resource Centres provide a vital service to regional communities, including access to government services, technology, professional services. They provide opportunity for employment and training and partner with community organisations to attract further funding to enhance the communities they are part of. These centres have evolved beyond simply providing access to technology and are considered by communities to be an essential service in regional WA.

**Now we ask the Legislative Assembly of Western Australia to call on Premier Mark McGowan to ensure adequate funding to support the ongoing operation of all CRCs, without reducing their capacity to deliver services.**

[See petition 48.]

**COMMUNITY RESOURCE CENTRES***Petition*

**MR R.S. LOVE (Moore)** [12.15 pm]: I have three similarly worded petitions that I will read out as one. There are 132 signatures from the community of Mullewa, 35 signatures from Perenjori and 31 signatures from Toodyay—a total of 198. The petitions have been certified as conforming with the standing orders of the Legislative Assembly. They state —

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

We, the undersigned, say that Community Resource Centres provide a vital service to regional communities, including access to government services, technology, professional services. They provide opportunity for employment and training and partner with community organisations to attract further funding to enhance the communities they are part of. These centres have evolved beyond simply providing access to technology and are considered by communities to be an essential service in regional WA.

**Now we ask the Legislative Assembly of Western Australia to call on Premier Mark McGowan to ensure adequate funding to support the ongoing operation of all CRCs, without reducing their capacity to deliver services.**

[See petition 49.]

### VISITORS — LIONS CLUB OF AUSTRALIND

*Statement by Speaker*

**THE SPEAKER (Mr P.B. Watson):** On behalf of the member for Murray–Wellington, I would like to acknowledge the Lions Club of Australind in the public gallery today. We have lions and tigers in the chamber!

### PAPERS TABLED

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

### 2017 EMERGENCY PREPAREDNESS REPORT

*Statement by Minister for Emergency Services*

**MR F.M. LOGAN (Cockburn — Minister for Emergency Services)** [12.18 pm]: I rise to inform the house of the delivery of the “2017 Emergency Preparedness Report” prepared by the Office of Emergency Management on behalf of the State Emergency Management Committee. The report was tabled in the house yesterday. It is a statewide assessment of the state’s preparedness for the emergencies we may face. We live in an ever-drying climate with increasingly severe weather events that bring, at times, catastrophic events. Every year, our emergency and support services ready and equip themselves to prepare for what may come.

However, there have been times, particularly in recent years, when emergency events have severely tested their resolve. They are a dedicated and committed group of people, both paid and volunteer, who work tirelessly in times of crisis to protect our communities, but they cannot shoulder the burden alone. We must all work together to strengthen our state’s resilience to emergency events. That means communities need to play their part not only to prepare for risks they may face, but also to reduce the risks of emergency events occurring. The report found that there is a perception among many individuals that the risk they face is low and actions do not need to be taken. It is better to look ahead and prepare than to look back and regret. Our focus needs to shift towards taking action now to try to reduce our risks, as well as being prepared if they eventuate. This report provides an opportunity to engage with our communities and to prepare together. We do not know what this season will throw at us, but we do know that we are stronger together.

### CITY OF MELVILLE — INQUIRY

*Statement by Minister for Local Government*

**MR D.A. TEMPLEMAN (Mandurah — Minister for Local Government)** [12.20 pm]: I rise to inform the house that an inquiry into allegations involving the council and administration of the City of Melville has commenced. The chief executive officer and mayor were informed by the Department of Local Government, Sport and Cultural Industries this morning of the intent and terms of reference of the inquiry, undertaken under division 1 of part 8 of the Local Government Act 1995.

Since 2014, the department has received nearly 300 complaints regarding the city. As a result of the quantity and ongoing nature of the complaints, and the allegations made against the city, the department now considers an inquiry is required to verify the veracity of the complaints. It is important to note that this inquiry is not a result of a single issue. Over the past 12 months, the department has attempted to assist the city to improve its relationship with its community. Unfortunately, these efforts have been unsuccessful, and many complaints remain unresolved.

Under the terms of reference, the inquiry will examine the council’s relationship with the city’s administration, the adequacy of council policies and procedures, acquisition of land, and any other issues of relevance. This is not an accusation of wrongdoing or failure by the City of Melville; it is about ensuring that the council and its administration are acting in the best interests of their community. As Minister for Local Government, my priority is to ensure that ratepayers have confidence in their elected members to provide them with good governance and community services. I trust that the City of Melville will work cooperatively with the departmental officers authorised to undertake the inquiry to ensure that it will be completed as expeditiously as possible.

**GAS ASIA SUMMIT — SINGAPORE CONNECTION***Statement by Minister for Asian Engagement*

**MR W.J. JOHNSTON (Cannington — Minister for Asian Engagement)** [12.22 pm]: In late October, I was invited to make a keynote speech at the Gas Asia Summit as part of Singapore International Energy Week, and took this opportunity to promote Western Australia's leading capabilities in the liquefied natural gas industry, including in production, innovation, decommissioning, and research and development. During my visit, I also met with a number of stakeholders in mining and energy, finance, education and government. These meetings provided valuable insights into the opportunities in Singapore and the region.

In my address at the Gas Asia Summit, I emphasised the world-class and innovative Western Australian minerals and gas industries, as well as the standalone nature of the state's energy system and domestic gas policy, which have ensured energy market certainty in the midst of the supply and price challenges now facing Australia's east coast gas market. Western Australia's domestic gas reservation policy means that we are open to foreign businesses seeking a sustainable energy supply and/or interested in investing in petroleum discovery and production. I noted Singapore's active approach to capitalising on the trends and changes in the global gas market, and that Western Australia is also well placed to adapt to the transitioning industry. The significant presence of Western Australian alumni in Singapore reflects the strong people-to-people connections between the two regions and the McGowan government's hope to encourage the expansion of these alumni networks to strengthen further the longstanding ties between Western Australians and Singaporeans.

Another key point is the positive outlook for the Western Australian economy, with noticeably upbeat commentary in Singapore on our economic turnaround. I also received a very positive response to the state establishing a Minister for Asian Engagement, and had the opportunity to highlight the Western Australian government's Asian engagement policy and to reinforce the importance of our relationship with Singapore. We have significant trade and investment links with Singapore. The country is Western Australia's sixth largest trading partner, with total trade valued at \$4.4 billion in 2016–17, and Singaporean investors have played a major role in the transformation of Perth through investments in the city's residential, commercial and hotel property sectors.

Furthermore, Singapore is a key member of the dynamic South East Asian region. As the chair of the Association of Southeast Asian Nations next year, the country will have an increasingly important role in determining the future prosperity of the region. As the Minister for Asian Engagement, I look forward to progressing potential partnerships between Western Australia and Singapore to drive our economic growth and to diversify our economy.

I table my report, as well as my presentation and speech to the Gas Asia Summit.

[See paper 1000.]

**HOUSING INDUSTRY FORECASTING GROUP — 2017–18 REPORT***Statement by Minister for Housing*

**MR P.C. TINLEY (Willagee — Minister for Housing)** [12.25 pm]: I wish to advise the house of the upcoming release of the 2017–18 report from the Housing Industry Forecasting Group. The group is made up of representatives from a diverse range of organisations, including the Real Estate Institute of Western Australia, the Housing Industry Association, the Master Builders Association, the Chamber of Commerce and Industry of Western Australia, the Urban Development Institute of Australia WA Division Inc, the Chamber of Minerals and Energy, Curtin University, the Property Council of Australia, Landgate, LandCorp and Bankwest, and representatives from the Department of Communities, the Department of Planning, Lands and Heritage, the Department of the Premier and Cabinet, Treasury and the Water Corporation.

This latest report, which I will have the pleasure of launching tomorrow, highlights that the lack of diversity in Perth housing stock remains an ongoing challenge. In particular, there is a clear demand for well-located, medium-density housing that is not being met. The McGowan government is working very closely with industry and other stakeholders to understand better the blockages and constraints to meeting this demand. The McGowan government's Metronet project will play an integral part in responding to these challenges of diversity and affordability. Metronet is the long-term blueprint to connect our suburbs, reduce road congestion and meet Perth's future planning needs, while providing 10 000 jobs and training places for the people of Western Australia. Metronet will facilitate access to affordable and secure housing in vibrant communities, connected to jobs and transportation. It will play an important role in promoting urban infill and transport-oriented developments, while also driving investment, economic growth and community regeneration across Perth.

There will be a strong focus on increasing the availability of diverse housing with the right types, sizes, tenure options and liveable design in the right locations at price points that make properties accessible to the community. Housing is about not only the four walls and roof that we sleep within, but also what is outside our front door and the community in which we participate. In this latest report, HIFG predicts that housing conditions will start to pick up from 2018–19. Although activity is currently a bit lower than the long-term average, it is in line with the

cyclical nature of the housing industry. There are signs of improvement in demand for housing consistent with a more positive economic outlook for the state; however, a high degree of availability in the established purchase and rental markets is softening demand for new builds. As the existing stock starts to be absorbed, levels of new construction are expected to return to average levels.

The housing industry is important as both an employer and an economic driver. HIFG's forecasts provide a valuable source of information and insight into this key sector and underline the importance of the McGowan government's commitment to jobs and building the economy.

### **DISTINGUISHED VISITOR — CAROL MARTIN**

*Statement by Speaker*

**THE SPEAKER (Mr P.B. Watson):** I would like to welcome former member Carol Martin to the Speaker's gallery. Welcome back, Carol.

### **PROCEDURE AND PRIVILEGES COMMITTEE**

*“Acknowledgement of Country” Report — Motion*

**MR D.A. TEMPLEMAN (Mandurah — Leader of the House)** [12.28 pm]: I move —

That recommendations 1, 2, and 3 of the first report of the Procedure and Privileges Committee, “Acknowledgement of Country”, tabled on 21 November 2017, be agreed to.

Mr Speaker, it is important to acknowledge that these recommendations come to us from the Procedure and Privileges Committee, of which you are a member, along with the member for Maylands, the member for Pilbara, the member for Geraldton and the member for Roe. As members would be aware, the Procedure and Privileges Committee undertook to look at the process and make recommendations regarding an acknowledgement of the traditional owners of the land on which we meet here today. I also acknowledge the former member for Kimberley, who is in the Speaker's gallery today. Carol Martin is the first Indigenous woman elected to the Western Australian Legislative Assembly and any Parliament in Australia. I acknowledge that achievement by the former member for Kimberley. We have a number of Indigenous members in the Western Australian Parliament, including the current member for Kimberley and our Treasurer, the member for Victoria Park, in this chamber.

Members, this is an important time for us to acknowledge, as part of our standing orders, the traditional owners, the first people of this place. The Procedure and Privileges Committee has presented to us a report, and I will briefly go through the elements so that members are very clear on what is proposed. Members' support for these recommendations is requested.

For members' reference, the three Procedure and Privileges Committee recommendations are listed on the back of the notice paper. Members will note that recommendation 1 deals with the technical aspects of inserting the acknowledgment of country into the standing orders. To avoid mass disruption to the numbering of the existing standing orders, the Procedure and Privileges Committee has recommended the merging of standing orders 21 and 22 that deal respectively with the conduct of quorums during debate and divisions. This merger would create space for standing order 21 to deal specifically with an adjournment at the commencement of proceedings due to a lack of a quorum, which, in turn, would create space within existing standing order 20 for a reference to acknowledgment of country to be incorporated. Notwithstanding these minor adjustments—this is important—there will be no changes to the conduct of quorums. It is important that members are aware of that. The standing order relating to the conduct of quorums will remain unchanged.

Recommendation 2 contains the form of the acknowledgment of country that would read as follows —

The Legislative Assembly is honoured to be situated on the ancestral lands of the Whadjuk Noongar people. We acknowledge the First Australians as the traditional owners of the lands we represent and pay respect to their elders both past and present.

Recommendation 3 provides for the acknowledgment of country to commence on the first sitting day in 2018.

Those are the recommendations, members, from the Procedure and Privileges Committee report. It is, of course, up to this chamber to determine the support for these recommendations. If this motion, of course, passes, our standing orders will be amended forthwith. Off course, as I have mentioned, the first acknowledgment of country will take place on our first sitting day of 2018.

As Leader of the House, but particularly as member for Mandurah, I certainly encourage members to support the recommendations of the Procedure and Privileges Committee. I acknowledge that this Parliament, I think in 2015, unanimously supported, of course, amendments to the state's Constitution, particularly after the tremendous work and advocacy of the member for Kimberley. I acknowledge that work. Parliament, I think, and certainly this chamber, has continued to work closely and sensitively with regard to issues of reconciliation and recognition of our First Australians. These recommendations are appropriate.



Members, just for information purposes, to compare what we are proposing with the situation in other Parliaments in Australia, I can highlight to members the following. In the House of Representatives, the acknowledgment of country appears and is given before prayers in the House of Representatives; in the Senate, it is after prayers. In the Tasmanian House of Assembly it is before prayers, in the Northern Territory Legislative Assembly it is after prayers, and in the Australian Capital Territory it is before prayers or the reflection. It does vary, but the committee has recommended that we make that acknowledgment, and I certainly support and endorse that. Members, having moved this motion and spoken to it, I invite debate.

**MR M. MCGOWAN (Rockingham — Premier)** [12.34 pm]: Firstly, I indicate that I and the government are very supportive of the move put forward by the Procedure and Privileges Committee that the standing orders be changed to allow for acknowledgment of country at beginning of each day's proceedings. This has been discussed for some time, and I am pleased to see—I hope the house agrees—that it will happen in time for the commencement of the sitting year in 2018. I think it would be an appropriate thing to have happen at that point in time. I thank members of the Procedure and Privileges Committee for their work in respect of this initiative. They have done some analysis of what occurs elsewhere around the country and in each Parliament and each house around Australia, and they have come up with what I think is a worthwhile position on this issue. It turns out, as the report indicates, that many members in their inaugural speeches this year acknowledged the traditional owners of land at the commencement of their speeches. Therefore, it is increasingly a practice that has become very conventional in speeches these days. In fact, it is almost rare for it not to occur these days. The commencement of Parliament, I think, is a worthwhile acknowledgment and another step towards reconciliation with the First Australians in that the lower and upper houses of Parliament acknowledge the First Australians—the Aboriginal Australians who have been in this country for up to 80 000 years. Considering this building has been here for 113 years, and to put that into perspective in that Aboriginal people have been here for up to 80 000 years, I think it is more than appropriate that we, after 113 years of occupying this building, acknowledge Aboriginal people and their rightful place as the First Australians and the first custodians of the land upon which we now live.

There was consultation with some Aboriginal elders on the suggested form of the wording, which is —

The Legislative Assembly is honoured to be situated on the ancestral lands of the Whadjuk Noongar people. We acknowledge the First Australians as the traditional owners of the lands we represent and pay respect to their elders both past and present.

Mr Speaker, it is simple, meaningful, kind and factual wording, and I am sure it will be an important acknowledgment on the three days a week for the 20 weeks a year that we sit for you to read those out to the house.

It is true that this occurs in each house of every Parliament around Australia these days, so it is no doubt time that it occurred in Western Australia. It is the case that there are different formats and words in each state, but each state has no doubt tailored the words to their own heritage and history, which is good—and Western Australia will no doubt do the same. I note that in the House of Representatives in Canberra, it takes place each sitting day before prayers, in the ACT it takes place each sitting period before the prayer or the reflection, and in other Parliaments it takes place either before or after prayers depending upon the Parliament. There are various formats. Personally, I think the proposition of the Procedure and Privileges Committee is the right one. It follows the House of Representatives, where it is the first thing said in the Parliament. Individual members will have their own views on that, but certainly my view is that the Procedure and Privileges Committee has probably struck the right balance. I do not think that particular issue is something that should be the subject of great argument or debate, personally. This committee has come up with a recommendation about that. It is a bipartisan committee so we should accept its recommendation. This change follows on from other initiatives in this place. In particular, I acknowledge the member for Kimberley, Josie Farrer, who brought forward the acknowledgement of Aboriginal people in the Constitution of this Parliament. I think she did that in 2014–15. It was a good thing to do and was subject to a committee of both houses, which looked at the wording she brought forward. After much debate, the committee decided that the words she had brought forward were the correct words. A lot of fuss was created about what the member for Kimberley brought forward and it turned out that she was right in the first place. It was good to provide an acknowledgement to Aboriginal people in the Constitution. This is another step on the way to this Parliament also acknowledging Aboriginal people at the start of each sitting day.

The Leader of the House mentioned that some very notable Aboriginal people have served in this Parliament. Ernie Bridge, who was the first Aboriginal minister in Australia, was a member of this Parliament. He passed away a few years ago. There is also the member for Kimberley; the former member for Kimberley, Carol Martin, who is at the back of the chamber; and, of course, the member for Victoria Park, the Treasurer. They have all made significant marks in this place. The former member for Kimberley was the first female Aboriginal member of Parliament in Australia. Ernie Bridge was the first Aboriginal minister of any Parliament in Australia. I suspect that the member for Victoria Park may be the first Indigenous Treasurer in Australia. Western Australia has led the way in a lot of things. It is a bit unusual that we are last in the pack of Parliaments acknowledging Aboriginal people, but it is good that we will do so, hopefully at the commencement of next year. I hope that this will be a debate

without rancour and a discussion with good spiritedness. I think that we owe that to Aboriginal people. It is an act of generosity, recognition and decency to acknowledge Aboriginal people at the start of Parliament each day. It will not cost us anything or impose any great burden on taxpayers or anyone else in the state. It is an act of recognition and justice towards the First Australians. It is an act of reconciliation and another small step on the road to acknowledging our history, our past and the people who have been part of this country for tens of thousands of years.

**DR M.D. NAHAN (Riverton — Leader of the Opposition)** [12.42 pm]: On behalf of the Liberal Party, I say that we support the proposal in full. We had some debate amongst ourselves about whether the acknowledgement should start before or after prayers. There is a whole range of variability on that. The Procedure and Privileges Committee recommended that it come before prayers, which is consistent with the federal House of Representatives, and we accept that. There was some debate about the wording—I think the member for Dawesville will have a couple of statements about that—but we accept the wording. We accept the starting date of the first session of 2018 and, of course, we accept the principle. We commend the committee for pursuing this and working through it and looking at the comparisons and, indeed, the government for putting it forward. It is an important step in recognising the Aboriginal people of this nation—the First Nation people. It is an appropriate process to go through.

One of the biggest issues of contention in our group was whether the acknowledgement should come before or after prayers. My initial feeling was that it should come after prayers because prayers start the day. The argument is that prayers are part of the formal process of Parliament and the Westminster system and that this is a slightly different one. The way that the committee has struck it is the proper way that should be pursued. On behalf of the Liberal Party, I say that we support the motion in full. We support the need for it, the wording of it, the beginning of it and the principle of this acknowledgement of country and changes to standing orders.

**MS M.J. DAVIES (Central Wheatbelt — Leader of the National Party)** [12.44 pm]: It seems fitting to start this contribution by acknowledging the traditional owners of the land on which we meet today and paying my respects to elders past and present. As the Procedure and Privileges Committee has observed, this acknowledgement that has been proposed is made by most, if not all, members of Parliament. As society as a whole moves towards a deeper and growing understanding of the relationship that we have with the traditional custodians of the land and our nation, it seems fitting that the Western Australian Parliament sets the best example for the behaviours that we want to see emulated across this state. The Nationals agree that the amendment and proposals put forward by the committee should be accepted as put. We congratulate the committee on the work that it has done. We see, as the committee has observed, that this is an important step in assisting the Legislative Assembly to become a more open, inclusive and respectful representative forum. That is absolutely what every member of this place would strive for—that is, to set that example both in their communities and in this place.

We must all continue to support these steps on the pathway to reconciliation. There is no better place than this to set that example. I suspect that every member of Parliament in this place has had the privilege of a detailed explanation. Some members probably do not need that explanation because it is part of their family, their history and their culture. For many of us it has come as part of a journey of understanding. Certainly, coming from the wheatbelt, it has been wonderful in this role for me to be able to understand and learn—certainly outside the schooling system that I had growing up—how important these acknowledgements are and the customs and processes that allow us to be more respectful towards a very important part of our history and the culture that is living today. I certainly make it a point to ensure that these acknowledgements are observed wherever I am in the state. I know that members of the National Party do that as well. It is with great pride that we take the next step as a Parliament and that we are a part of that as we introduce it as part of our daily processes in this house. The path to reconciliation has been a long journey. As the Premier said, we have amended the Constitution of this place to acknowledge our traditional custodians. We should continue to strive to make sure that we reflect every Western Australian in this place to the best of our abilities. The Nationals support this proposal and congratulate the committee on the work that it has done.

**MR B.S. WYATT (Victoria Park — Treasurer)** [12.47 pm]: I, too, rise delighted at the support of all members in this place for this amendment to our standing orders to acknowledge the traditional owners, the Whadjuk Noongar people. I note the comments of the Leader of the Opposition. Obviously, there was some debate about the location of the acknowledgement and whether it should be before or after prayers. I think that the Premier has already made the point that Parliaments around Australia do it either before or after. Each Parliament has made its own choice about that. I am pleased that we will make the acknowledgement prior to prayers. I note that WA seems to be the late mover on this. Every other Parliament in the nation moved to acknowledge traditional owners some years ago, and in many cases some time ago—in particular, Tasmania, Queensland and the House of Representatives. Indeed, there was some conversation prior to Parliament starting today about the wording. Like the location in the standing orders, the wording changes from Parliament to Parliament—from “traditional owners” or “traditional custodians” to “traditional people”. The Tasmanian and federal Parliament use both “peoples” and “custodians” in their acknowledgements. It is clear what we are doing here today. It is something that, by and large, is now uncontroversial.

I made the point in Parliament last week or the week before that some 80 per cent of Western Australia is now covered by native title, whether it be a native title determination or a native title application. Native title is very much a Western Australian policy issue and a Queensland policy issue more than for most states in the commonwealth. The idea now, the reality, of traditional owners or custodians is very well entrenched, uncontroversially, in the open dialogue about public policy development in Western Australia. I reflect on the short time of my lifetime and the hostile debates, from the Mabo decision through to the Native Title Act. I still remember the black hand ads at the time, I think by the Association of Mining and Exploration Companies, and how far we have come to now being the last Parliament in the nation to be acknowledging traditional owners. I am sure that in this chamber it will be incredibly uncontroversial and I dare say there is some surprise that this was not done years ago as in many other Parliaments. This has been long. As I think the Leader of the National Party alluded to, people have had their own journeys around their relationships with Aboriginal people, as have governments over the years, and governments will continue to learn about and adapt that relationship with Aboriginal people. Not long after I became Minister for Aboriginal Affairs, I was provided with a lot of documents in the transition from the department being the Department of Aboriginal Affairs to the Department of Communities. There were a lot of historic documents that were held and have now been made available for members of the public to access. Presented to me was a file on my father. I previously had the file of my grandmother, but had not had that of my father. It was interesting going through it to compare how government engaged with Aboriginal people not that long ago—the control, hostility and belligerence that government had to the movement of Aboriginal people around Western Australia—to the Parliament now acknowledging the Whadjuk Noongar people in our standing orders as a daily event without any discourse, rancour or controversy. I think that is a wonderful outcome. I am delighted that, in light of the fact that I will be in this Parliament for but a minute of its lifetime, I happen to be here at the time standing orders are to be changed to acknowledge our traditional owners. I am pleased it is being done without the rancour of some of the debates on Aboriginal relationships in the past.

**MR Z.R.F. KIRKUP (Dawesville)** [12.51 pm]: I, too, stand to support the motion moved in the house today. Before I talk to my more substantive concerns, I wish to acknowledge the Procedure and Privileges Committee for the fantastic work it has done in bringing this to the house. I also stand with pride, as the member for Mandurah does in representing his jurisdiction, in representing the district of Dawesville, not only as a member of this place, but also as the son and grandson of an Aboriginal father and grandfather whose family has Aboriginal heritage going back to the turn of the twentieth century. I think it is very important that this place acknowledges the care for country that Aboriginal people have had that well predates this institution we are in today and to reflect on the tens of thousands of years during which Aboriginal people have cared for and shepherded this country. I think acknowledgement of country is a respectful gesture and I think it is important that we all mark our day with it, just as we do with prayers. I hope that through acknowledgement of country this place seeks to fulfil the promise we make every day in acknowledging Aboriginal people and that we do all that we can to support all Western Australians, both non-Aboriginal and Aboriginal, to move towards meaningful reconciliation.

I also note that there is no right way to acknowledge country. As the Treasurer suggested, there are variations right across jurisdictions. As part of that, I spent some time after the tabling of this report looking at what other agencies and organisations do in performing acknowledgements of country. I have an issue that I discussed with members opposite. I do not seek to push it in any amendment, but I just wish to note my concerns. I do not think there is any point pushing the matter. I think once this passes, there will have been a leap here today, but I think it is worth placing my concerns on the record. My concern is about the concept of ownership. I would be more supportive to changing the wording in the acknowledgement from “traditional owner” to “traditional custodian”. I think ownership is a very difficult concept for this place to confer on Aboriginal people. In my mind it is a European ideal. The word “ownership” that we seek to interpret in a more modern context refers to direct title, almost, or peerage of land. I think that is absolutely not reflective of the historic and ancient custody that Aboriginal people have had over Western Australia and Australia, as I said, for decades. Although the concept of traditional ownership might seek to address the complexities of the tens of thousands of years of land tenure, I think it falls short of the true nature and extent of the care that Aboriginal people had and continue to have for this country and what we all inherit today, which is a great place. As I said, I do not seek to push this too much by way of an amendment, but I wish to note that there is a significant preference for the idea of custody over ownership in a range of government agencies, organisations and, indeed, in acts of Parliament that this place has previously passed. Acknowledgements of country in the Department of Health; Department of Mines, Industry Regulation and Safety; Department of Planning, Lands and Heritage; Department of Education; and WA Museum all refer to traditional custodians. The local governments of Albany, Armadale, Augusta, Margaret River, Cockburn, Wanneroo, Vincent and Rockingham all refer to the concept of custodians versus owners. Organisations such as the Cancer Council, Rio Tinto, Edith Cowan University, Woodside, Perth Airport and a GenerationOne do exactly the same. Indeed, as the Treasurer noted, the very historic bill of member for Kimberley—I look forward to her contribution—unanimously passed by both Houses of Parliament inserted in the Constitution Act 1889 the following —

And whereas the Parliament resolves to acknowledge the Aboriginal people as the First People of Western Australia and traditional custodians of the land ...

I think this place, this chamber, the Parliament of Western Australia, will be looked to by all those organisations, all those agencies and by communities right across our state to see what we do and they will likely replicate it. I think we need to be very conscious of what we are embarking on here today. I think it is important to get it right. I am not suggesting to any extent that what is happening here today is wrong. I am asserting my preference of one term over another, but I appreciate that it is good to be in a position of simply acknowledging Aboriginal people before Parliament starts every day. As such, I congratulate the committee for the work it has done in consulting with a number of elders from Perth and, no doubt, across the state. Although I would like a reflection of change towards custodianship, I think it is important in any case that this place agrees with the concept of ownership and I look forward to supporting the motion before the house.

**MS J. FARRER (Kimberley)** [12.57 pm]: I would like to speak on this acknowledgement to country. One of the first things I understood when I came to Parliament was that there was hardly any talk regarding the Aboriginal people of this country. I asked around whether there was any legislation that I could look at. One piece of legislation that came to me was the Constitution Act 1889 and what it stated in regard to Aboriginal people. I went to work on it to make sure that we had a place and recognition in this Parliament. Our people, over 70 000 years, have been the people who lived on this country that everyone calls Australia. Within Australia we have different language groups and geographic boundaries that outline which part of the country belong to the different language groups. Working with the bill to recognise Aboriginal people, I felt that there was something missing and I worked hard with other members to look at that. In 2015, we passed the amendment to the Constitution Act 1889 in recognition of Aboriginal people. That was one first step and I felt good inside about it—that at last I, as an Aboriginal person, was part of the rest of the Aboriginal people around Western Australia, and also around Australia. We were being recognised for who we were. It gave me a bit of peace.

We worked very hard on the Constitution and, as we all know, the Constitution Amendment (Recognition of Aboriginal People) Bill 2015 was passed by this Parliament in recognition of the Aboriginal people of Western Australia. The legislation was granted royal assent on 17 September 2015, and that told us that we were recognised as the first people, through reconciliation and a number of other things. We represent a lot of language groups of Aboriginal people across the state, and this Parliament has to acknowledge that we are here and that we are still living proof of a time before non-Aboriginal people came to this country. We do not argue with that; we have taken things along, even though there was hostility and all sorts of things have occurred, even during my life's journey. The way we were treated was terrible, but the amendments that were made to the Constitution gave me some peace. I wonder how many more of our young Aboriginal people have felt the same way. It was good when the legislation was passed; people talked about it everywhere—sometimes in good terms, sometimes probably in not so good terms, but it gave us some recognition. When I came to Parliament, I knew that this was not part of my traditional country; it is the country of the Whadjuk Noongar people.

A lot of hard work was put into this welcome to country by the Procedure and Privileges Committee, and I feel the committee fought very hard and long for this. It is a very good step forward for all of us in Parliament. I believe the Legislative Assembly is honoured—that is, all of us here today—to be situated on the ancestral lands of the Whadjuk Noongar people; I know I am. We acknowledge the First Australians as the traditional owners of this land. We respect and pay respect to their elders, both past and present. “Traditional owners” is a term that white people have put in to tell us that the Aboriginal people belong to this land. Words like “custodians” paint a different picture. My understanding of the term “custodian” is that custodians are the keepers, and we are that, but we were also the traditional owners before anybody else came to this country. I think that is what we really need to recognise. We cannot go back and say, “You’ve been the custodians of this land for the last 70 000 years”; we are the people who come from this country. Thank you.

[Applause.]

**MR K.M. O'DONNELL (Kalgoorlie)** [1.03 pm]: As shadow Minister for Aboriginal Affairs, I fully support this motion. Welcome to country is a ceremony performed by Indigenous Australian elders to welcome visitors to their traditional lands. It can be in varying forms, including singing, dancing, smoke ceremonies or speeches. The format and duration of the ceremony is at the discretion of the ceremony provider. An acknowledgement of country is a way that the wider community can demonstrate respect for Aboriginal protocols and can be performed by any individual, Aboriginal or non-Aboriginal. It involves visitors acknowledging the original Indigenous owners of the land and their long and continuing relationship with their country. It can be formal or informal and there are no set protocols or wording.

Welcome to country is an ancient Indigenous tradition that was practised when one Indigenous community sought permission to enter or cross another's land and be offered safe passage and protection. The visitor was required to acknowledge, adhere to and respect the rules of the country being entered. Contemporary welcome to country ceremonies are claimed to have begun approximately 41 years ago with a performance at the Perth International Arts Festival involving Western Australians Richard Walley and Ernie Dingo, and the Middar Aboriginal Theatre, in 1976. This first ceremony was required when visiting Pacific dancers insisted on being officially welcomed onto the country they were visiting. Walley and Dingo sought permission from local Noongar elders and the welcome to country was delivered.

Following this event a new tradition began, with others in Australia asking for a welcome to country, including Tourism Northern Territory and Tourism Australia, and then at the 1979 Miss Universe competition in Perth, which was broadcast around the world. These early events made the public aware of the cultural protocol.

A new precedent was set in 2008 when Australia's federal Parliament was officially opened with a traditional welcome to country led by Matilda House; this became a standard feature thereafter. These days welcomes to country are used at the openings of meetings, launches, special events and functions. Similar customs are found in other countries. In Kalgoorlie–Boulder we are privileged to have a couple of Aboriginal elders whom I will name: Aubrey Lynch and Trevor Donaldson. They actually make the welcomes to country a big highlight of these events. People go to functions for specific reasons, but by the end of them people are still talking about the welcome to country. Aubrey talks about his trials and tribulations as a young fellow growing up, and then Trevor Donaldson will talk about his great-grandfather, King Billy. It is people like this who help educate the wider community. I commend people like them for promoting their culture, and I commend this motion.

**MS L.L. BAKER (Maylands — Deputy Speaker)** [1.06 pm]: I will be brief. I think most of the things that have been said in the house today show the significance that all members attach to this acknowledgement of country. I am particularly thankful that the members for Kimberley and Dawesville, and the Treasurer, have endorsed this acknowledgement.

As deputy chair of the committee, and having been in this place for nearly 10 years, I think this is the fastest turnaround from report to adoption that I have ever been privileged to be part of. Again, I think that shows how significant this is. I want to thank the Chair of the Procedure and Privileges Committee, Peter Watson, the Speaker of the Legislative Assembly. Without his passion for reform this might have taken a bit longer. I am the deputy chair, but my colleagues the members for Geraldton, Pilbara and Roe all worked hard to get this report into this place. It also would not have happened without Dr Isla Macphail, our principal research officer, the Clerk of the Legislative Assembly, Kirsten Robinson, and the Deputy Clerk, Scott Nalder. Each of them have contributed and did the hard research yards for this acknowledgement of country. Finally, I would like to thank Dr Robert Isaacs and Sandra Harben, who were both consulted to get the words right for the acknowledgement of country.

Before I sit down, I want to remind members that this is a government that seeks to look for the twenty-first century that this Parliament should start to move towards. It is well-nigh time that we brought reform to our procedures and standing orders to make this a modern Parliament. To that end, members will have found on their chairs today a members' survey. I ask members to have a quick look at it; it is really just a trend survey that will help us to put together the next reforms that we bring into this house next year. I thank very much the member for Kimberley and everyone else who has worked so hard on this.

**MR R.S. LOVE (Moore)** [1.09 pm]: I want to raise one interesting point about this acknowledgement that I think is very important. As the Leader of the Nationals has said, we as a party are very pleased that this has come forward, and I thank our member for Roe for his work in particular. I believe that the committee made a point of showing each of the parties the wording so that everyone had an opportunity to comment. One thing I would like to say briefly—I do not think it has been mentioned in the debate—is that although the first sentence certainly recognises the Whadjuk people as the owners of the lands on which we meet, I think it is very important that the second sentence acknowledges the people of our own electorates. It states —

We acknowledge the First Australians as the traditional owners of the lands we represent ...

For me, that is a very important aspect and it means that we are recognising not only the Whadjuk people, but also, in my case, all the people from the Nanda up in the north west to the Ballardong in the south east of my electorate and the many different Aboriginal peoples within that area. I am pleased that we are recognising not only the Whadjuk people, but also all the people whom each of us, especially country and regional representatives, are proud to represent. I congratulate the Procedure and Privileges Committee for not only the welcome to country, but also the acknowledgement of the Aboriginal people right across the state in each of our individual electorates.

**MR I.C. BLAYNEY (Geraldton)** [1.11 pm]: I would like to acknowledge in the Speaker's gallery the former member for Kimberley, Carol Martin, who is a constituent of mine.

It is good to see Western Australia come into line with other Australian Parliaments. As the member for Moore said, I find the wording very acceptable because it not only acknowledges the location of our house, but also is worded to encompass all the people we represent. I often consider how these matters have been handled in Australia compared with the way they were dealt with in New Zealand where, of course, there was a single community for the British to negotiate with and the result was the Treaty of Waitangi, which we celebrate every year in Geraldton. The first stanza of the New Zealand national anthem is in Maori and the second stanza is in English, and we always sing it at our military services. Of course, in Australia we had 300 languages and 800 dialects, and my region of the midwest had seven languages, so it was not possible for the British to recognise a structure to negotiate with and to decide, out of all those languages, which one to accept as the national language. Of course, it could not.

I acknowledge the concerns of the member for Dawesville and I wish he had brought them to me earlier. I have no Aboriginal blood, but I have two great-nephews who have an Aboriginal father. My great-grandfather spoke three Aboriginal languages, which he learnt as a child at Tibbradden station near Geraldton and used in his working life as a teamster throughout the Murchison. These simple words may not change the world but, like the change we made to the Constitution in the last Parliament, they will probably help us to live and work together better.

**MR D.A. TEMPLEMAN (Mandurah — Leader of the House)** [1.13 pm] — in reply: In closing the debate, I thank all members for their contributions to the debate today. I expect that when this motion is passed, on Tuesday, 13 February 2018 the Legislative Assembly will indeed acknowledge the Whadjuk Noongar people and also acknowledge the First Australians as the traditional owners of the land we represent and pay respect to their elders, both past and present. I commend the changes to the house.

Question put and passed.

**NATURAL GAS (CANNING BASIN JOINT VENTURE) AGREEMENT (TERMINATION) BILL 2017**

*Introduction and First Reading*

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

Explanatory memorandum presented by the minister.

*Second Reading*

**MR M. MCGOWAN (Rockingham — Minister for State Development, Jobs and Trade)** [1.14 pm]: I move —

That the bill be now read a second time.

The purpose of the Natural Gas (Canning Basin Joint Venture) Agreement (Termination) Bill 2017 is to ratify an agreement made on 27 November 2017 between Buru Energy Ltd, Diamond Resources (Fitzroy) Pty Ltd and Diamond Resources (Canning) Pty Ltd, as the joint venturers, and Mitsubishi Corporation, as the guarantor, and the state of Western Australia, which I will refer to as the termination agreement. The bill is necessary in order to amend the Natural Gas (Canning Basin Joint Venture) Agreement Act 2013 to provide for the ratification of the termination agreement, which will terminate the Natural Gas (Canning Basin Joint Venture) Agreement 2012, which I will refer to as the state agreement.

The state agreement was entered into in November 2012 between the state, the joint venturers and Mitsubishi Corporation, as guarantor. The state agreement provided enhanced certainty of tenure initially over five petroleum exploration permits, where the joint venturers could explore and evaluate gas resources without the obligation to relinquish ground under the Petroleum and Geothermal Energy Resources Act 1967. This measure encouraged further exploration informing the technical and economic evaluation of unconventional resources, with the objective of proving up sufficient reserves of natural gas to underpin the establishment and sustained operation of a domestic gas project. The primary reason for the termination agreement is a change in the commercial interests of the joint venturers.

On 25 May 2017, the joint venturers announced that they had entered into an agreement for, amongst other matters, the transfer of interests in the five exploration permits subject to the state agreement. Under that agreement, Buru Energy acquired 100 per cent of the interest in four of the exploration permits and Mitsubishi, through its wholly owned subsidiaries Diamond Resources (Fitzroy) Pty Ltd and Diamond Resources (Canning) Pty Ltd, will have 100 per cent of the interest in the remaining permit EP 371.

Mitsubishi has recently proposed its own regional domestic gas project using the resource identified and located within EP 371. This would initially deliver gas into the Kimberley region and the Perth metropolitan market in the longer term. Mitsubishi's proposed regional domestic gas project cannot be implemented under the state agreement as it is currently structured. The state agreement stipulates that the joint venturers are jointly and severally liable for the development of the domgas project. However, the commercial interests of the joint venturers are no longer aligned. Further, the state agreement requires that the domestic gas pipeline be owned and operated by the joint venturers, whereas Mitsubishi proposes that this will be built, owned and operated by a third party. Furthermore, throughout the duration of the state agreement, the evaluation of the natural gas resource in the Canning Basin has taken longer than was originally planned. This has been for a number of reasons, including the time to ensure that traditional owners had access to clear and independent advice about the project, the impact of the Kimberley wet season, and recent changes in policy on hydraulic fracture stimulation—fracking—in Western Australia and the associated scientific inquiry into fracking.

The state has agreed to the termination agreement in the interest of encouraging ongoing investment and development in the Kimberley region, with the potential of the regional domestic gas project envisioned by Mitsubishi, subject to the findings of the scientific inquiry into fracking. In enacting the moratorium on fracking, the state has recognised that there is sufficient justification for a suspension of the requirement to compulsorily

relinquish permit land areas and fulfil work program commitments of up to four years. This is the result of the time frame for the completion of the inquiry itself and the time required to complete planning, approval processes and land access and weather window buffers prior to on-ground activities occurring. The termination agreement accounts for the impact of the moratorium by allowing the extension to the terms of the petroleum titles by four years, and the year end for each work requirement relating to these titles is also suspended and extended for the same period.

I commend the bill to the house.

Debate adjourned, on motion by **Ms L. Mettam**.

### **SUITORS' FUND AMENDMENT BILL 2017**

#### *Introduction and First Reading*

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

Explanatory memorandum presented by the Attorney General.

#### *Second Reading*

**MR J.R. QUIGLEY (Butler — Attorney General)** [1.19 pm]: I move —

That the bill be now read a second time.

I am pleased to introduce this bill, which, together with the Suitors' Fund Amendment (Levy) Bill 2017, which I will introduce shortly, will ensure the Suitors' Fund's ongoing financial sustainability.

The Suitors' Fund Act 1964 (WA) establishes the Suitors' Fund to assist in the payment of costs to litigants in certain circumstances in which decisions are upset on appeal or proceedings are rendered abortive through no fault of their own. The fund is a pool of money made up of contributions from litigants, together with interest accruing from the investment. Put broadly, the Suitors' Fund sets up an insurance scheme for litigants should unforeseen situations arise—for example, in a criminal case if proceedings are discontinued and a new trial is ordered for reasons completely unrelated to the conduct of the parties. In such cases, the accused may be able to apply to the Appeal Costs Board, which administers the Suitors' Fund, for a payment to assist in meeting the additional costs incurred by the new trial.

The Suitors' Fund is financed through the imposition of a levy of 20c on initiating processes in criminal and civil proceedings in the Magistrates, District and Supreme Courts. The cap on the amount has not been updated since 1965, when the Decimal Currency Act 1965 (WA) necessitated that the reference in the Suitors' Fund Act 1964 to the maximum sum of "two shillings" be amended to "20 cents". Regulation 15 of the Suitors' Fund Regulations 1965 (WA) has prescribed the levy as 20c since 1980. In light of inflation over the last four decades and increases in court fees, it is not surprising, given the inflexible cap of 20c, that the Suitors' Fund has not been able to meet its obligations under the act from funds accumulated by the collection of the levy alone.

Section 4(6) of the act allows for the provision of advances from Treasury when there are insufficient funds in the Suitors' Fund. The Appeal Costs Board has already had to rely on successive loans from the Treasurer's advance account to make up for the deficiency. For example, in the 2016–17 financial year, costs awarded from the Suitors' Fund amounted to \$136 582, while funds raised totalled only \$42 879. To meet the shortfall, the Suitors' Fund made use of a Treasurer's advance of \$2 million which was provided until 30 June 2015. In November 2016, the Suitors' Fund received an increase of \$500 000 in the Treasurer's advance to make a total balance owing of \$2.5 million.

Section 4(7)(a) of the act provides that any amount advanced to the Suitors' Fund by the Treasurer shall be subsequently repaid from moneys standing to the credit of the Suitors' Fund, when money is available to make the repayment. The Appeal Costs Board has advised that the Treasurer's advance is unlikely to ever be repaid unless steps are taken to increase the levy to an amount that better reflects the expenditure from the Suitors' Fund. The Suitors' Fund Amendment Bill 2017 seeks to address this funding deficiency by amending the act to remove the current cap on the levy and provide for the quantum of the levy to be prescribed in regulations. The bill will also provide for different amounts to be prescribed for different originating processes or classes of process. This will allow for greater flexibility in setting levy amounts that are appropriate to sustain the operation of the Suitors' Fund, while remaining proportionate to the quantum of costs in different jurisdictions.

As the amendments relate to the imposition of a tax, a separate bill is required for this to occur due to the operation of subsection 46(7) of the Constitution Acts Amendment Act 1899 (WA). I therefore draw the attention of the house to the Suitors' Fund Amendment (Levy) Bill 2017, which is introduced simultaneously with this bill.

I commend the bill to the house.

Debate adjourned, on motion by **Ms L. Mettam**.

**SUITORS' FUND AMENDMENT (LEVY) BILL 2017***Introduction and First Reading*

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

Explanatory memorandum presented by the Attorney General.

*Second Reading*

**MR J.R. QUIGLEY (Butler — Attorney General)** [1.26 pm]: I move —

That the bill be now read a second time.

This bill needs to be viewed in conjunction with clauses 4 and 5 of the Suitors' Fund Amendment Bill 2017, which I have already introduced, which seeks to address the funding deficiency of the Suitors' Fund by amending the Suitors' Fund Act 1964 (WA) to remove the current cap on the levy and provide for the quantum of the levy to be prescribed in regulations. The levy imposed by the bill amounts to a tax. Section 46(7) of the Constitution Acts Amendment Act 1899 (WA) requires a separate bill to impose the levy, and this is that bill.

I commend the bill to the house.

Debate adjourned, on motion by **Ms L. Mettam**.

**APPROPRIATION (RECURRENT 2016–17) SUPPLEMENTARY BILL 2017***Introduction and First Reading*

Bill introduced, on motion by **Mr B.S. Wyatt (Treasurer)**, and read a first time.

Explanatory memorandum presented by the Treasurer.

*Second Reading*

**MR B.S. WYATT (Victoria Park — Treasurer)** [1.28 pm]: I move —

That the bill be now read a second time.

This bill seeks to charge to the consolidated account the sum of \$297 032 405 for recurrent appropriation payments made during the financial year ended 30 June 2017, as shown in schedule 1 of the bill. The payments were made under the authority of section 27 of the Financial Management Act 2006. They reflect above-budget excess expenditures against appropriations, and expenditures for which no appropriations were budgeted for the 2016–17 financial year. Details of the purposes and services of the funding for excesses and new items provided to agencies in 2016–17 were disclosed in the *Annual Report on State Finances*, released on 22 September 2017.

I note for the house's information that this is the last of the housekeeping bills required to bring appropriation approvals up to date for the period under the last government. Recent debate on similar bills for the years 2010–11 to 2015–16 highlight the disdain that members opposite had for the state's legislation. Although there is no statutory deadline for the introduction of supplementary funding bills, it is nevertheless good practice to deal with them in a timely manner.

I commend this bill to the house.

Debate adjourned, on motion by **Ms L. Mettam**.

**APPROPRIATION (CAPITAL 2016–17) SUPPLEMENTARY BILL 2017***Introduction and First Reading*

Bill introduced, on motion by **Mr B.S. Wyatt (Treasurer)**, and read a first time.

Explanatory memorandum presented by the Treasurer.

*Second Reading*

**MR B.S. WYATT (Victoria Park — Treasurer)** [1.30 pm]: I move —

That the bill be now read a second time.

This bill seeks to charge the consolidated account the sum of \$107 512 860 for capital payments made during the financial year ended 30 June 2017, as shown in schedule 1 of the bill. The payments were made under the authority of section 27 of the Financial Management Act 2006. They reflect above-budget excess expenditures against appropriations, and capital expenditures for which no appropriations were budgeted for the 2016–17 financial year. Details of the purposes and services of the funding for excesses and new items provided to agencies in 2016–17 were disclosed in the *2016–17 Annual Report on State Finances*, released on 22 September 2017. I commend this bill to the house.

Debate adjourned, on motion by **Ms L. Mettam**.



**PORTS LEGISLATION AMENDMENT BILL 2017***Introduction and First Reading*

Bill introduced, on motion by **Ms R. Saffioti (Minister for Transport)**, and read a first time.

Explanatory memorandum presented by the minister.

*Second Reading*

**MS R. SAFFIOTI (West Swan — Minister for Transport)** [1.32 pm]: I move —

That the bill be now read a second time.

I have pleasure in delivering the second reading speech introducing the Ports Legislation Amendment Bill 2017. This legislation represents the culmination of a comprehensive review of port governance arrangements in Western Australia following a significant expansion in port facilities and shipping operations over the past decade. When passed, this legislation will enable the government to implement the second tranche of ports governance reform that will bring all trading ports under consistent legislation for the first time in over 100 years. This is consistent with the terms of reference for this government's service priority review, in particular identifying opportunities to deliver services more effectively and efficiently, supporting economic activity, and achieving greater economies and efficiencies in public sector administration. Currently, we have nine ports regulated under the Port Authorities Act 1999 and nine other ports that encompass 13 port facilities all north of Fremantle that are regulated under the Shipping and Pilotage Act 1967 and overseen by the Department of Transport. The latter includes the ports of Barrow Island, Cape Preston, Carnarvon, Derby, Onslow, Varanus Island, Walcott, Wyndham and Yampi Sound.

This Ports Legislation Amendment Bill 2017 is designed to enable all trading ports in Western Australia to be regulated under the Port Authorities Act 1999 by the relevant regional port authority. The Port Authorities Act 1999 provides a more comprehensive and cohesive framework for regulating modern ports than the Shipping and Pilotage Act 1967. Although this legislation will enable the Department of Transport to exit the business of regulating trading ports, the department will continue to oversee and manage small boat harbours and marinas. The timing of the exit will depend in some cases on reaching agreement with proponents on changes to state agreements. Regional port authorities are better placed than the Department of Transport to oversee marine safety at these locations and to assist with trade facilitation at ports located in the regions. The reform will take advantage of each port authority's port management expertise and bring a more regional focus to port planning and landside access. This allows for enhanced planning, local government and community consultation, policy and priority setting, financial planning, budget allocation and decision-making.

Besides having strong connections to government and industry, regionally based port authorities are well placed to understand the needs of regional port users and the workings of their local governments. As government trading enterprises, port authorities have a trade facilitation role and are well placed to realise commercial opportunities that present themselves in the regions. Regional port authorities will be able to work closely with private port facility operators to ensure a systematic and comprehensive approach to marine safety. This will lead to better service and improved management of marine safety risks. Shared learnings between private port facility operators and port authorities will further improve the management, productivity and efficiency of Western Australian ports. The amalgamated structures provide increased scale. This allows port authorities to benefit from the engagement of senior specialist staff whose skills and knowledge will be able to be accessed by multiple ports. The changes will result in a better overall structure for the oversight and governance of WA's ports and provide a sharper focus on the way ports operate in order to manage risks associated with the operation of ports, commercial shipping and other vessels. The proposed changes are essentially about how the government organises itself and undertakes its marine safety and other obligations at ports in Western Australia.

In most cases, the regional ports authorities will be acquiring only water areas and seabed at the transferring ports, because the land abutting the port is not vested in the body corporate Minister for Transport, and the assets upon such land are privately owned. This means that the port authority's role will primarily relate to marine safety oversight of private port facilities. This includes the appointment of harbourmasters, the approval of ships' pilots, the safe movement of vessels, the approval of new jetties and the placement and maintenance of navigational aids, and ensuring that the port is safe and free of obstructions. The exceptions to this are the ports of Derby and Wyndham whereby the Kimberley Ports Authority will be inheriting land, jetties and related port infrastructure as well as water and seabed that are currently vested in the body corporate Minister for Transport under the Marine and Harbours Act 1981. The Kimberley Ports Authority will assume the Department of Transport's role as landlord at the ports of Derby and Wyndham. The existing lease and management agreement between the state and the Shire of Derby–West Kimberley to operate the port of Derby will transfer to the Kimberley Ports Authority, unless replaced by agreement. The existing lease and operating agreement between the state and Cambridge Gulf Ltd to operate the port of Wyndham, which has not got long to run, will

be allowed to run its course. The port of Wyndham will transfer to the Kimberley Ports Authority after the lease and operating agreement expire on 30 June 2019. Jetty licences for jetties within transferring ports that are wholly on port authority land, such as at Wyndham and Derby, will be transferred as converted licences under the Port Authorities Act. State agreement-related jetty licences and licences for jetties not wholly on port authority land will transfer as continued licences under the Jetties Act, under regulation by the Department of Transport. There will be provision for the continued licences to be prescribed in regulations, which will allow the port authority to take over regulation of the licences under the Jetties Act, and to renew or vary the licences at the request or with the agreement of the licence holders. The Minister for State Development, Jobs and Trade's approval will be required prior to continued licences relating to state agreements being prescribed and transferred to port authority control. Provision is also included in the bill for the limited number of Jetties Act licences within existing port authority ports to be similarly prescribed in regulations and transferred to port authority control, under the Jetties Act. Again, the Minister for State Development, Jobs and Trade's approval will be required prior to state agreement-related licences being prescribed. Licence holders' rights will be preserved.

Six state agreements will need to be amended to reflect the new governance arrangements before the related port facilities can transition to the Port Authorities Act 1999. While the amendments are expected to be minimal, they nevertheless require the prior agreement of the companies concerned. Government will be pressing to get the necessary amendments agreed so that ports can transition under this reform in a timely manner. All state agreement holders have agreed to engage with this process.

The legislation itself will not result in the automatic transfer of any port upon proclamation of the act. Rather, transitional orders will need to be made covering all the details before any port transfers. Port operators and interested parties will be consulted before the transitional orders are made. The Minister for State Development's approval will be required before the transfer of any state agreement-related port. Not all ports will transfer at the same time. The transition of ports will occur progressively as each one is ready and all matters of detail are resolved. The bill covers proposed amendments to other legislation in order to facilitate the new arrangements. It also includes some minor amendments to introduce consistency across maritime legislation, such as amendments to penalties and penalty regimes. The maritime acts that are amended by this bill include the Jetties Act 1926, Lights (Navigation Protection) Act 1938, Marine and Harbours Act 1981, Marine Navigational Aids Act 1973, Port Authorities Act 1999, Shipping and Pilotage Act 1967 and the Western Australian Marine Act 1982.

The bill also takes the opportunity to reverse one contentious detail of the first tranche of the ports reform agenda, which was implemented in 2014 with the Ports Legislation Amendment Act 2014. That statute introduced a requirement that port authorities specify in their annual statements of corporate intent proposed arrangements to facilitate outsourcing the provision of port services or justify their failure to do so. The bill repeals that provision, removing the onus in favour of outsourcing, and leaving it to port authority boards to exercise their own judgement as to how best to exercise their licensing and contracting powers and meet their general obligations under the Port Authorities Act 1999 to facilitate trade, while endeavouring to make a profit and acting in accordance with prudent commercial principles. Over the past 12 years, Western Australia has seen a significant increase in the amount of trade passing through our ports and in the number of ship visits. For example, the volume of trade has almost trebled from 319 million tonnes per annum in 2005–06 to 940 million tonnes per annum in 2016–17. The value of exports from Western Australia during this period rose from around \$39 billion in 2005–06 to approximately \$94 billion in 2016–17, having peaked at \$145 billion in 2013–2014 when iron ore prices were higher. This has coincided with a doubling of the number of calls to WA ports by vessels coming from overseas ports. Trade is set to continue growing, with iron ore exports continuing to grow, very large oil and gas projects coming into production, and the prospect of increased agricultural production in the state's northern regions. This has and is resulting in both the expansion of existing ports and the addition of new ones, such as Ashburton, against a backdrop of increasing vessel movements and the deployment of larger ships. Besides existing ports, new and planned ports such as Anketell, Balla Balla, Browse, Cape Preston East and Oakajee will also be subject to the proposed oversight arrangements and regulated under the Port Authorities Act 1999.

While our port governance arrangements have served the state well in the past, it is the role of a responsible government to review our existing arrangements, to see whether they are still the best way of doing things today and into the future. The time has come to take a more holistic approach to port decision-making and governance, and to ensure that our port managers and regulators have the capacity to meet the port planning and operational challenges ahead, and to manage the risks and opportunities associated with the operation of ports and shipping. The Ports Legislation Amendment Bill 2017 positions the state and the port industry to meet the challenges of the future, while facilitating growth in trade for the ultimate benefit of the state of Western Australia and its citizens. I commend the bill to the house.

Debate adjourned, on motion by **Ms L. Mettam**.

**FIRST HOME OWNER GRANT AMENDMENT BILL 2017***Council's Amendments — Consideration in Detail*

The following amendments made by the Council now considered —

**No. 1**

New Clause 11A, page 5, after line 30 — To insert —

**11A. Section 26 amended**

In section 26 in the definition of *decision on the application*:

- (a) in paragraph (d) delete “(3);” and insert:  
(3); and
- (b) after paragraph (d) insert:
- (e) a requirement under section 52A(1) to pay an amount of legal costs incurred by the Commissioner.

**No. 2**

New Clause 12A, page 6, after line 17 — To insert —

**12A. Section 30 amended**

After section 30(5) insert:

- (6) If, as the result of a decision on an objection, an amount of legal costs paid by an applicant is to be repaid to the applicant, the following amounts are payable to the applicant —
  - (a) the amount of legal costs to be repaid;
  - (b) any interest paid by the applicant in respect of a written arrangement approved by the Commissioner under section 52 that relates to an amount referred to in paragraph (a);
  - (c) interest at the prescribed rate on the amounts payable to the applicant under paragraphs (a) and (b) from the date the amount was paid by the applicant to the date approved for the repayment.

**No. 3**

New Clause 12B, page 6, after line 17 — To insert —

**12B. Section 32 amended**

After section 32(4) insert:

- (5) If, as the result of an application for a review of a decision, an amount of legal costs paid by an applicant is to be repaid to the applicant, the following amounts are payable to the applicant —
  - (a) the amount of legal costs to be repaid;
  - (b) any interest paid by the applicant in respect of a written arrangement approved by the Commissioner under section 52 that relates to an amount referred to in paragraph (a);
  - (c) interest at the prescribed rate on the amounts payable to the applicant under paragraphs (a) and (b) from the date the amount was paid by the applicant to the date approved for the repayment.

**No. 4**

Clause 15, page 8, line 15 — To insert after “pay the” —  
reasonable

**No. 5**

Clause 15, page 8, after line 22 — To insert —

- (3) If the notice covers legal costs as defined in the *Legal Profession Act 2008* section 3 —
  - (a) the notice must include or be accompanied by a written statement setting out the applicant’s right under the *Legal Profession Act 2008* to apply for an assessment of those costs; and
  - (b) the Commissioner must not commence proceedings to recover those costs until at least 30 days after the date on which the notice is given to the applicant.

**Mr B.S. WYATT:** During the debate in the Legislative Council, amendments to the First Home Owner Grant Amendment Bill 2017 were passed. The amendments arose out of concerns from the opposition on whether the amendments in clause 15 of the bill are inconsistent with the Legal Profession Act 2008. The concerns were that the commissioner may pass on legal costs to an applicant in circumstances where those costs are incurred through engaging external lawyers, and the applicant may not be aware of their rights under the Legal Profession Act to dispute those costs. The Commissioner of State Revenue very rarely engages external lawyers for the purposes of recovering debts but, to allay the opposition's concerns and to progress the bill through the Council, amendments to insert new clauses 11A, 12A and 12B were moved by the government. These clauses allow an applicant to dispute a requirement to pay legal costs incurred by the commissioner, and the amount of those costs, through the formal objection process set out in the First Home Owner Grant Act, including a right of appeal to the State Administrative Tribunal. The government also proposed amendments to clause 15 to ensure the commissioner can require a payment of only "reasonable" legal costs under proposed section 52A. It was also proposed to insert a provision in clause 15 to exclude the application of the Legal Profession Act for legal costs an applicant is required to pay under section 52A. The latter was to ensure there was only one avenue to dispute these costs.

It is with disappointment that the bill has been returned to this house with the government's amendment to exclude the application of the appeal right under the Legal Professional Act being defeated. Instead, a further amendment moved by the opposition is proposed to require the commissioner to notify the applicant of their rights under the Legal Profession Act and to not commence recovery of the grant within 30 days of notice being given. The proposed objection rights in the First Home Owner Grant Act have a broader application than the rights under the Legal Profession Act. This is because the objection provisions will give all applicants a right to challenge legal costs required to be repaid, regardless of whether the commissioner engages external lawyers.

The actions of the opposition will result, for the extremely rare recovery cases when the commissioner engages external lawyers, in the applicant having two avenues to dispute the legal costs. This could lead to concurrent proceedings and inconsistent outcomes. While the outcome is undesirable, due to the rarity of the commissioner engaging external lawyers and for the sake of facilitation of the passage of the bill, the government will not oppose these amendments. Therefore, by leave: I move —

That the amendments made by the Council be agreed to.

Section 26 of the First Home Owner Grant Act 2000 provides a definition of decision on the application for the purposes of the objection and appeal provisions. It lists the matters against which an objection or appeal can be made. New clause 11A amends section 26 to include a new matter against which an objection or appeal can be made. The new matter that can be the subject of rejection or appeal is a requirement under section 5 2A(1) to pay an amount of legal costs incurred by the commissioner. Section 27 provides a right for an applicant to object to a decision on the application. After 26 is amended applicants will have a right to object to a decision and to require a person to pay an amount of legal costs and reasonableness of those costs. An applicant who is dissatisfied with the commissioner's decision on objection can apply to the State Administrative Tribunal for a review of the decision under section 31. As a matter of practice, notices issued under section 52A will set out an applicant's right to object to the requirement to pay an amount of legal costs and the process for objecting.

New clause 12A inserts in section 30 subsection (6) to provide that if an applicant's objection to pay an amount of legal costs is successful, the commissioner must repay the legal costs and any interest paid by the applicant.

The interest at the prescribed rate is also payable by the commissioner on the amount of legal costs to be repaid to the applicant. The interest is calculated from the date the amount was paid by the applicant to the date of the decision of the objection.

New clause 12B will provide for the treatment of legal costs in which an applicant successfully appeals a matter to the State Administrative Tribunal. The treatment is the same as contemplated by new clause 12A for objections. They are the two processes we have now set up.

There are two amendments to clause 15; I will make some comments on them. An amendment is made to clause 15 of the bill to insert the word "reasonable" after the words "pay the". The effect is that the commission will have the power under section 52A only to require an applicant to pay reasonable costs incurred by the commissioner in relation to recovery proceedings. As the commissioner usually seeks to recover only the fees for filing and serving of process, the costs that the commissioner requires an applicant to repay should be a reasonable amount. However, if an applicant disagrees with an amount or the requirement to pay legal costs, the applicant will have a right to dispute those costs through the formal objection process and appeal to the State Administrative Tribunal. By way of an aside, obviously, the costs of filing fees and processes will be so small that nobody will go to the SAT, I suspect. Clause 15 is also amended to insert a new subclause (3), which provides that if legal costs, as defined in the Legal Profession Act 2008, are incurred, the commissioner must, in the notice contemplated by section 52A, notify the applicant that they have the right to have those costs assessed and not commence proceedings to recover those costs until 30 days after the notice has been given. An applicant can apply under the Legal Profession Act for a costs assessment only if they are a third-party payer. An applicant will only ever be a third-party payer if the

commissioner is a client of a law practice and the commissioner has incurred legal costs as defined in the Legal Profession Act. This situation will rarely arise as it can occur only if the commissioner engages external lawyers to assist with the recovery process. I made the point before that that is a very rare circumstance.

**Mr D.C. NALDER:** For clarification and to try to put legal speak into laymen's terms because I am a simple farm boy from Wagin, my understanding is that these amendments are really an attempt to put the onus on the government that, if it is claiming these expenses, it must be able to substantiate the expenses but give people the right to have that assessment. I seek clarification that I have this interpretation right. If the government is seeking repayment of expenses, is the legal onus on the government to ensure that the rights of the person are explained to them so they can fully understand their options to appeal the expenses that have been levelled at them? Is that a good interpretation?

**Mr B.S. WYATT:** The member has nailed the interpretation; that is exactly right. The amendments require people to be informed of their rights and also makes clearer the fact that only reasonable costs can be obtained, as defined. In all cases in which legal costs are awarded under the Legal Profession Act 2008, people have the right to what is called "be taxed" in the profession; it means assessed. It goes through a process to ensure they are reasonable costs and not over and above what is reasonable. I can confirm that. The member's summary was exactly what I think the upper house is trying to achieve here.

**Mr D.C. NALDER:** Is it also possible that part of the reason to make these amendments is although we know that administrative costs are small and they will never go through SAT and so forth, it will stop the one-way path whereby the government could all of a sudden make some large claims that were a bit preposterous but people would have no right of action? Is it trying to stop that circumstance from potentially happening in the future, even though we do not think it is likely to happen?

**Mr B.S. WYATT:** That is exactly right. Ultimately, the commissioner very rarely uses external lawyers but the member is right; in the future, if an extensive legal dispute involves third-party lawyers along the way, this will allow for the process of reasonableness and people's rights being afforded—exactly. As I pointed out regarding the amendments to clause 12, in the vast majority of cases, the commissioner will recover only the fees for filing and process—serving of the originating summons, for example—which will be small costs in any event. If they end up in the SAT, I dare say it would be because somebody wanted to make a particular point as opposed to trying to seek costs.

**Mr D.C. NALDER:** One of the Treasurer's opening comments was about duplication and that there are now two avenues for people to appeal. Is the Treasurer able to provide clarity on those comments? It created a bit of confusion for me, so I would like that clarification, if the Treasurer could provide it.

**Mr B.S. WYATT:** I guess this is one of the unfortunate outcomes of the amendments made in the other place. As I said, I am going to accept them because I do not want to go back to the other place and we end up going backwards and forwards for months. Effectively, under the original bill that went through this place, people had objection rights under that bill—quite broad objection rights through the First Home Owner Grant Act process. We are also creating a separate process through the SAT. Two options were created that could both be utilised. That will be problematic if both are utilised and they come to different outcomes—one through the Legal Profession Act and the other, as it originally went through this house under the First Home Owner Grant Act. Members in the other place had concerns and wanted to ensure that people had the right, under the Legal Profession Act, to pursue a similar outcome that they can pursue under the First Home Owner Grant Act. The reason I say that is problematic is that if two processes are created to try to get the same outcome, if both are pursued and there are different outcomes, how do we arbitrate that outcome between two different processes and different bodies making a decision on the same dispute? That is the problem. But because it will be so rare that the commissioner uses third-party lawyers, it is not ideal, but we will accept it just to avoid the legislation going back to the other place and coming back here with other amendments.

**Mr D.C. NALDER:** On the Treasurer's point about the First Home Owner Grant Act, is he able to explain that mechanism? My understanding is that there was not really a lot of recourse for it. Can the Treasurer provide clarity around how people could seek assurances that the charges were legitimate and appropriate?

**Mr B.S. WYATT:** That is a good question. It is ultimately what we are trying to fix with new clause 11A. It was not in the original bill. New clause 11A sort of became apparent, I assume, through debate in the other place. This was one of the government's amendments. New clause 11A amends section 26 to include a new matter against which an objection or appeal can be made. The new matter that can be the subject of objection or appeal is a requirement under section 52A to pay an amount of legal costs incurred by the commissioner. I think we have made the bill better as a result of that amendment, but created confusion on the dual processes of appeal. Under the First Home Owner Grant Act 2000, new clause 11A deals with a process in which legal costs incurred by the commissioner can be appealed.

**Mr D.C. NALDER:** It is fair to say, then, that it is a good thing that the First Home Owner Grant Amendment Bill 2017 was assessed by the Council, even though duplicate amendments came back that might have added

a little bit of confusion or created two possible outcomes. The fact that the Council identified there was no right of appeal for consumers would have to be considered a good assessment, and work well done by the Legislative Council—is that a correct assessment?

**Mr B.S. WYATT:** I am never one to dispute the role of the upper house, I assure the member of that, despite the upper house disappointing me day after day—regardless of how reasonable I can sometimes be. But the member is right in that that actually creates something that I think is a good right.

**Debate interrupted, pursuant to standing orders.**

[Continued on page 6293.]

### QUESTIONS WITHOUT NOTICE

#### PERTH CHILDREN'S HOSPITAL — THERMOSTATIC MIXING VALVES

**745. Mr W.R. MARMION to the Minister for Health:**

Given that the government has identified the source of lead at Perth Children's Hospital as 1 200 thermostatic mixing valves, could the minister please confirm that all 1 200 TMVs will be replaced before the hospital opens, and how many have been replaced to date?

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

I thank the member for the question and the opportunity to inform the house that Perth Children's Hospital will receive its first patients in May 2018. The Premier gave a firm commitment to the people of Western Australia upon getting elected that we would take control of this site, we would resolve the issues and get that children's hospital open as soon as possible. It was only by taking practical completion in April this year—a step the member for Nedlands opposed or criticised—that we were able to get onto that site to properly identify the contamination in relation to the potable water at that hospital. As the member for Nedlands has just said, one of the key culprits in that is the thermostatic mixing valve assembly boxes. If that were the only problem we would be further down the track, but there are other sources in relation to the riser pipes at the hospital, including the isolation valves and the flow valves in the ceiling. There is also a level of contamination that comes from some of the taps and fittings in the hospital. The member for Nedlands has got it partly right—that is usually what happens when he comes to this place after he has chatted to one of his engineer neighbours—but the fact of the matter is that we now know what we need to do to get this children's hospital open so it is safe for the sick kids who will be using it. We have already undertaken a range of works at that hospital and some testing in those areas. These are some of the hardest patches. It includes 33 different locations. Around those locations, 32 of them pass the potable water standards that we require. It is true to say that we will be replacing all those thermostatic mixing valve assembly boxes. It is true to say that we are on top of the issue, and it is true to say that we are now getting on and fixing the problem left to us by the Barnett government.

#### PERTH CHILDREN'S HOSPITAL — THERMOSTATIC MIXING VALVES

**746. Mr W.R. MARMION to the Minister for Health:**

I have a supplementary question. Can the minister confirm that the testing methodology for the lead is still the same; and, if not, can the minister table or outline now any changes to the current testing methodology for the lead?

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

As I confirmed to the media today, all the testing is consistent with the Chief Health Officer's methodology—a methodology, I must add, that had no shortage of critics right across the community, but particularly from the other side. What we have done vindicates the work of the Chief Health Officer. What we have done vindicates the work of all those staff who have been working day in, day out to get this hospital delivered in the shortest possible time. I can confirm we will be undertaking the ongoing testing in a way that makes sure the kids of Western Australia who will be using that hospital do so in a safe way.

#### PERTH CHILDREN'S HOSPITAL — OPENING

**747. Ms A. SANDERSON to the Minister for Health:**

I refer to this government's decision to take practical completion of Perth Children's Hospital to finally get it open. Can the minister outline to the house why only a McGowan Labor government can get this hospital open and back on track?

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

I thank the member for Morley for the question. It is a very good one because there were a lot of critics around the issue of taking practical completion of this hospital. Where were they, members?

**Mr M. McGowan:** There were. Who were those critics?

**Mr R.H. COOK:** They were all over there.

**Mr M. McGowan:** Who were they?

**Mr R.H. COOK:** They were all over there. All those folk on that side who criticised us for taking practical completion were scurrying behind the aprons of the managing contractor, which is currently trying to sue the state for \$300 million in damages associated with this project.

**Mr D.J. Kelly:** Whose side are you on?

**Mr R.H. COOK:** Whose side indeed.

By taking practical completion we were able to get on site and identify the source of the contamination at this hospital. By taking practical completion we will be able to fulfil the Premier's requirement, which was to take control and fix the hospital, and we are doing so. I can confirm to the house that we will take first patients in May next year, with the final patient moves on a Sunday in June next year. This comes at the end of a long process by a lot of staff working tirelessly at Perth Children's Hospital. A lot of staff have been backing the science, backing their own rigour and backing their own discipline and commitment, and the whole time they were being criticised by those on the other benches who thought that they could use some sort of armchair critic they bumped into at the shopping centre to second-guess the science and hard work that has been done. We now have a clear way forward in relation to the works that need to be undertaken in order to achieve the opening of this hospital in the middle of next year.

It is an important milestone but there is still lots of work to be done. There is still a lot of work to be done around switching out the brass fittings in the thermostatic mixing valve assembly boxes, and a lot more work to do with the ongoing testing regime to make sure we are continuing to get the outcomes we want. Of course, there is a lot of work to be done in the final commissioning phase. But now the team is absolutely confident that we are on our way to actually meeting those challenges and seeing this children's hospital opened once and for all. The only reason we will be in this position is because we took practical completion. If it was left to this other mob, we would never have opened this hospital. We are getting on with the job of fixing their mess.

#### MEMBER FOR DARLING RANGE — WORK HISTORY

##### **748. Mr A. KRSTICEVIC to the Minister for Corrective Services:**

Before I ask my question, on behalf of the member for Dawesville I would like to acknowledge the staff and students of Living Waters Lutheran College, who are in the Speaker's gallery.

Has the minister initiated an investigation into the veracity of any work history submitted by the member for Darling Range for the positions he held with the Department of Corrective Services; and, if so, when did the minister initiate it and who is conducting that investigation?

**Mr F.M. LOGAN replied:**

I thank the member for the question. It is similar to a question I received from the member's counterpart in the upper house —

**Dr M.D. Nahan:** Hon Michael Mischin?

**Mr F.M. LOGAN:** No, not Michael Mischin; the former Minister for Education.

**Mr A. Krsticevic:** Peter Collier.

**Mr F.M. LOGAN:** That is right! I tend to forget him a lot.

As a result of his question, obviously the answer we provide to Hon Peter Collier will be similar to the answer to the question the member just asked. In terms of initiating an investigation into Barry Urban: no. The member for Darling Range, no, is no longer an employee of the Department of Corrective Services, and he has not been an employee of the Department of Corrective Services since 11 March.

#### MEMBER FOR DARLING RANGE — WORK HISTORY

##### **749. Mr A. KRSTICEVIC to the Minister for Corrective Services:**

I have a supplementary question. Given the questions about the veracity of the member for Darling Range's history raised over a week and a half ago, why has the minister not asked his department to investigate, as the Minister for Police has? Is he afraid of what he will find out or just negligent?

**Mr F.M. LOGAN replied:**

I certainly remember the member for Darling Range being an employee of the Department of Corrective Services, because I knew him when he was. I saw him in his uniform as an employee of the Department of Corrective Services, so I know he was. The information about his length of service will be provided to Hon Peter Collier. Regarding any further investigation, why do I need to do that, when he is no longer an employee?

## EDUCATION — CAPITAL WORKS AND EDUCATION ASSISTANTS

**750. Ms S.E. WINTON to the Premier:**

I refer to the McGowan Labor government's massive investment in education that was demonstrated last week by the \$17 million for new science labs, including at the wonderful Tapping Primary School in my electorate, and our commitment of 300 new education assistants, whom the opposition says teachers and parents do not need. Can the Premier outline to the house the extent of this government's investment and why this significant investment is needed?

**Mr M. McGOWAN replied:**

I thank the member for Wanneroo, a very passionate educationalist, for this question. It is true that this government is putting in place an enormous investment into education across Western Australia. In fact, we are putting in \$465 million in education capital works across the state. Indeed, the Leader of the Opposition even acknowledges that. He said, "In this year's budget the government increased the overall capital expenditure on schools." We did, Mr Speaker! We are putting in place an enormous spend on important primary schools in particular, but also high schools across Western Australia.

If we go to the member for Wanneroo's electorate, Spring Hill Primary School had 17 transportable classrooms, so we are building a new school in Banksia Grove. Bletchley Park Primary School, in the member for Southern River's electorate, had 20 transportables, so we are building a new school in Southern River. If we go to Churchlands Senior High School, there are 42 transportables, so what are we doing? We are building a new high school in the inner western suburbs. At last, the western suburbs have a government that cares about the education of children in the area. On top of that, Mr Speaker, if you have a look at our science lab investment, you will see we have announced \$17 million for improving science labs in primary schools across Western Australia.

**Mrs L.M. Harvey** interjected.

**Mr M. McGOWAN:** I know the member for Scarborough does not care about science and I know she does not know much about it.

There is \$17 million to convert existing classrooms in science labs across our state —

**Mrs L.M. Harvey** interjected.

**The SPEAKER:** Member for Scarborough!

**Mr M. McGOWAN:** — to enliven the interest of young people in science, to make sure that our young citizens across our state have the opportunity to get engaged in science and go and study physics, chemistry, biology, engineering and maths, and do science degrees or the like when they go to university. We are putting these in place in areas such as the member for Churchlands' electorate and the member for Dawesville's electorate. The member for Scarborough's electorate will be receiving science labs—and she does not want them! We are trying to make sure that the kids in her electorate can study science and she does not want them to. That is clear from what she had to say.

Several members interjected.

**The SPEAKER:** Members!

**Mr M. McGOWAN:** Then we have a look at education assistants. Remember the gutting of education assistants across schools across Western Australia under the former government? There will be 300 new education assistants across schools across Western Australia.

**Dr M.D. Nahan** interjected.

**The SPEAKER:** Leader of the Opposition!

**Mr M. McGOWAN:** The Leader of the Opposition hates it. He hates the thought of kids with disabilities, Indigenous kids, primary extension and challenge kids, and kids with language difficulties receiving the additional support that education assistants provide. We are putting a record investment into education, whether it is capital works, education assistants or science labs. We have a real program to improve education across Western Australia and we have some great teachers on our team taking it forward.

## SALARIES AND ALLOWANCES AMENDMENT (DEBT AND DEFICIT REMEDIATION) BILL 2017

**751. Ms M.J. DAVIES to the Premier:**

I refer to the Premier's new title, "Double Standards McGowan", as reported in *The West Australian* today.

Several members interjected.

**The SPEAKER:** Member, you will call the Premier by his proper title.

**Ms M.J. DAVIES:** Thank you, Mr Speaker.

- (1) Why did the government not consider reforming the parliamentary pension scheme as part of its changes to the Salaries and Allowances Act?
- (2) Will the Premier commit to bringing legislation to —



Several members interjected.

**The SPEAKER:** Members!

**Ms M.J. DAVIES:** I will start again.

- (2) Will the Premier commit to bringing legislation to the Parliament to allow the five members who remain on the parliamentary pension scheme to transition to the superannuation scheme that the rest of the members of Parliament in this place are on?

**Mr M. McGOWAN replied:**

(1)–(2) Mr Speaker —

**Mr B.S. Wyatt** interjected.

**Mr M. McGOWAN:** Mr Speaker, the member for Cottesloe —

**The SPEAKER:** Treasurer, I call you to order for the first time.

**Mr M. McGOWAN:** The last government had eight and a half years in office—eight and a half years of which the Leader of the National Party was a minister for at least four years. Now the member brings forward to the Parliament all these issues, which she now claims are issues, that she did not address when she was in government. She was absolutely silent on that.

Several members interjected.

**The SPEAKER:** Members!

**Mr M. McGOWAN:** The arrangements that are in place are shared by the member for Cottesloe, Hon Simon O'Brien, Hendy Cowan, Max Trenorden and a bunch of National Party MPs. They are arrangements that were in place and they were outside my control when I was elected. If the Leader of the National Party had wanted to do something about it, she could have done it when she was a minister.

#### SALARIES AND ALLOWANCES AMENDMENT (DEBT AND DEFICIT REMEDIATION) BILL 2017

**752. Ms M.J. DAVIES to the Premier:**

I have a supplementary question. Does the Premier agree that it is hypocritical of his government to ask 3 000 public servants to share the pain of budget repair while he and two of his colleagues remain on the rolled gold super scheme?

**Mr M. McGOWAN replied:**

I think it is hypocritical of the National Party to discuss anything financial in this place. It is the most financially illiterate party of any Parliament in this country, including the New South Wales Greens and, in fact, including the ACT Greens! That is how bad it is.

Several members interjected.

**The SPEAKER:** Members!

**Mr M. McGOWAN:** The National Party is the biggest budget wrecker in the history of this Parliament or any Parliament in this country. It is the most useless, profligate party I have ever seen.

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

**The SPEAKER:** Member for North West Central!

**Mr M. McGOWAN:** All the Leader of the National Party does now is say that she cares about these things, but, as the current Minister for Water identified correctly, when she was Minister for Water she was sacking—what?—500 people. Now, she is in here saying —

#### *Point of Order*

**Mr V.A. CATANIA:** Mr Speaker, the Premier —

Several members interjected.

**The SPEAKER:** Members, he will be heard in silence.

**Mr V.A. CATANIA:** This is under relevance, Mr Speaker. The Premier is not answering the question. The question was specifically towards members of Parliament's pensions, not about the state of the finances and the previous government.

**The SPEAKER:** I am sure that the Premier will get back onto the point.

#### *Questions without Notice Resumed*

**Mr M. McGOWAN:** I note that the member for North West Central's father is a recipient of the pension scheme and no doubt he will be a recipient of that in due course.

Several members interjected.

**The SPEAKER:** Members!

**Mr M. McGOWAN:** Yes, there you go.

In relation to the Leader of the National Party's claims about people losing their jobs —

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

**The SPEAKER:** I call the member for North West Central to order for the first time.

**Mr M. McGOWAN:** It is a voluntary targeted separation scheme in order to deal with the financial situation we face. It is due to save around \$350 million, but it is voluntary.

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

**The SPEAKER:** I call the member for North West Central to order for the second time.

**Mr M. McGOWAN:** Go home and talk to daddy about it, my friend—the daddy who got you into the Parliament and then you ratted on the side that he got you in on!

Several members interjected.

**The SPEAKER:** Members!

**Mr M. McGOWAN:** You ratted on the side that got you into Parliament.

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

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

**Mr M. McGOWAN:** He is the most disgraceful member I have ever seen in this place, that bloke.

We have a voluntary targeted separation scheme in place—it is voluntary. I urge public servants with an interest in taking it up to examine the details and if it interests them, they can put in an expression of interest. It may well meet the needs of many people across our state and help us manage the difficult financial situation we face.

#### CITY OF MELVILLE — GOVERNANCE

#### **753. Mrs L.M. O'MALLEY to the Minister for Local Government:**

I refer to a number of complaints I have received about the City of Melville regarding a range of governance issues. Can the minister outline what steps he is taking to ensure that my constituents who have raised these concerns with me can have confidence that their council is following best practice in its delivery of community services and infrastructure?

#### **Mr D.A. TEMPLEMAN replied:**

I thank the member for Bicton for her question. It is an important issue and it is very important that members in this place understand what has occurred in regard to an authorised inquiry into the City of Melville. An authorised inquiry, of course, is undertaken by the Department of Local Government, Sport and Cultural Industries and is part of the role and responsibility of the department under part 8, division 1 of the Local Government Act. It is a mechanism that allows an inquiry to be undertaken under certain terms of reference. I make this very clear: it does not suspend the council at all, in any of those contexts. It is a mechanism that the department uses to allow it to inquire into issues that are brought to its attention and that it believes have reached a certain threshold with regard to the need for investigation.

Unfortunately—I mean this sincerely—over the past couple of years there have been a substantial number of complaints about some of the operations of the City of Melville. There have been a range of issues, including relationships between elected members, staff and the community, such as ratepayers' organisations et cetera. Some of the decisions made by the council have been highlighted as concerns. These complaints have been ongoing over a period of time. This inquiry will examine matters relating to the council's relationship with the city's administration; the adequacy of council policies and procedures; decisions made with regard to the acquisition of land; and other matters that the investigation team believes are relevant and appropriate to inquire into.

There is no set time for this because obviously the investigation will take its course. I expect that the City of Melville will cooperate closely with the investigative team. At the end of the day we want to ensure that good governance and clear policies and procedures are in place so that the relationship between the council and the residents and ratepayers of that municipality—an important municipality in the Perth metropolitan area—is responded to. What I hope for from this process is a series of recommendations that will allow that council to move forward.

As I said, this is not a suspension. We are not going down the path of the suspension process, but a threshold has been reached that the department believes requires it to carry out an investigation. I note that the department has been working with the City of Melville over the last 12 months to try to address issues around communication and the conduct of meetings et cetera, but this inquiry will now allow all those things to be inquired into in an open and transparent way. Indeed, it will provide a chance for the City of Melville to ensure that confidence is restored in the wider community and that good governance can be restored to the people of that important municipality within the Perth metropolitan area.

## FIONA STANLEY HOSPITAL — EMERGENCY DEPARTMENT — FOUR-HOUR RULE

**754. Mr W.R. MARMION to the Minister for Health:**

Can the minister explain why the percentage of emergency department patients that are seen within four hours of attendance at Fiona Stanley Hospital have continuously declined, month on month, from 79 per cent in April to only 66 per cent in September, given that the target is 90 per cent?

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

I would like to thank the member for the question; it is about time we had one on the issue of the Department of Health's performance. As the member knows, sometimes we have good months and sometimes we have bad months. If the member for Nedlands were to look at, for instance, the numbers for Royal Perth Hospital in the East Metropolitan Health Service, he would see that they are actually getting some good results there. If he were to look at the North Metropolitan Health Service, particularly Joondalup Health Campus, he would see that we are struggling in that area. The issue is that each of the health service providers are charged with the task of providing health services to the public with the budgets they receive under the management regimes that are in place. I will continue to make the health service providers accountable for their work. I will take the opportunity to praise them when they are performing well, and I will take the opportunity to criticise them—as will the public, I am sure—when they are falling short of our standards.

The 90 per cent target was nominated by Hon Dr Kim Hames; I do not think there has been a time since Hon Dr Kim Hames set it that any emergency department has actually achieved that target. Some get close and are performing really well; others are struggling, for a range of reasons, including the performance of the particular service providers and the levels of demand for their particular area. These things will fluctuate —

**Mr R.S. Love:** Flatulent?

**Mr R.H. COOK:** I did not say that! Members, I did not say what you think I said!

They fluctuate and we will continue to make sure that the health service providers continue to provide a world-class health service.

## FIONA STANLEY HOSPITAL — EMERGENCY DEPARTMENT — FOUR-HOUR RULE

**755. Mr W.R. MARMION to the Minister for Health:**

I have a supplementary question. Does this drop in service delivery have anything to do with the relative reduction in expenditure in the budget—in fact, a 4.5 per cent cut in expenditure relative to the budget in July; a further 5.1 per cent cut in August; and a further 6.7 per cent cut in September?

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

As the member for Nedlands is probably aware, hospitals are funded on the basis of activity, associated with activity-based funding as part of the outcomes model. As the numbers of patients increase, so the funding increases, and they are funded against a particular benchmark for pricing. Under the previous government, the pricing continued to rise relative to the national efficient price—that is, the cost of delivering health services in other jurisdictions. The challenge for our health service providers is to drive down the weighted average unit costs in Western Australia so we can continue to ensure that our health system is more efficient. As it becomes more efficient, taxpayers will get better return for their dollar. That is a body of work that we are all committed to and an area in which members opposite demonstrably failed over eight and a half years in government.

## ROAD PROJECTS

**756. Mr Y. MUBARAKAI to the Minister for Transport:**

I refer to the McGowan Labor government's record investment in roads, including the Armadale Road–North Lake Road bridge, which my constituents have desperately wanted for years, yet was ignored by the previous Liberal–National government. Can the minister update the house on the progress of this government's record-breaking, job-creating, congestion-busting road projects?

**Ms R. SAFFIOTI replied:**

I thank the member for Jandakot for that question. In May this year we announced our “Boosting Jobs, Busting Congestion” package for Western Australia. A whole range of projects are now under construction. Requests for proposals have gone out. We have expressions of interest and planning; a whole body of work is being undertaken to get these projects finished and to reduce congestion on our key routes.

I will go through some of those projects. I remind the member for Wanneroo of the very memorable day when we, along with Hon Christian Porter, turned the sod for the widening of Wanneroo Road—a very, very important project for the reduction of congestion in that area. There are projects for which we are waiting for the market comeback with regard to the tender process, including the widening of Mitchell Freeway southbound, from Cedric Street to Vincent Street. There is also the widening of Kwinana Freeway northbound, from Russell Road

to Roe Highway. These are projects that will create jobs and reduce congestion. Of course, there is also the project that the member asked about—the Armadale Road–North Lake Road bridge. This is a massive project; more than \$200 million has been committed in the budget for this project. It will create local jobs and, when finished, will significantly reduce congestion in that area. I know that it is something that the local councils and communities have been calling for for many years.

Last week we announced an update on the Swan River pedestrian bridge, and I have to mention the member for Scarborough's comments on that. She said on radio that her concern was that Western Australian taxpayers were paying for two bridges. The member for Scarborough thinks there are two bridges out there! I am ready to do a deal with her, in this Parliament, today: if the member for Scarborough can find the other bridge, she can keep it—that is the deal! We will fund the travel for the member for Scarborough to go to the back alleys of Malaysia to find that bridge in the Korean wind turbine company-owned fabricating yard. If she can find it and put it together, she can keep it. That is the deal on the table from the government today. She thinks there are two bridges out there. If she can find it, she can keep it.

#### PILBARA WORK CAMPS

##### **757. Mr V.A. CATANIA to the Minister for State Development, Jobs and Trade:**

I refer to the article in the *Pilbara News* today that details the Shire of Ashburton's decision to knock back a three-year lease extension for a 700-bed work camp in Tom Price. Given that the government has allowed BHP to extend the operation of Kurra village in Newman, will the Premier today rule out overruling the shire's decision?

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

Just for clarification, I think the member asked me that question as Minister for State Development, Jobs and Trade, and not as Premier.

I am unaware of the article to which the member referred, but what we often find with these issues is that if we decide to overrule a company securing a camp for its shutdown work or the like, it will find another option that is less palatable. As I recall, in the case of Newman, during the term of the previous government when it did not review a lease for BHP for a camp, instead of moving the workers into town—the existing camp was in town—BHP moved the workers to a camp that was 25 kilometres out of town, and that would have been a worse outcome for Newman. Sometimes by trying to achieve the outcome that we are seeking to achieve, we achieve a worse outcome than we otherwise would have. These issues have to be handled carefully and with consideration of the actual local interest, whether a good arrangement can be negotiated with the company that is mutually beneficial for the community and the company, and also the global interests of the state, which is essentially having mining companies invest and create new jobs and new opportunities for the state. That is the approach that we adopt to this issue.

#### PILBARA WORK CAMPS

##### **758. Mr V.A. CATANIA to the Minister for State Development, Jobs and Trade:**

I have a supplementary question. Will the Premier commit to not approving new work camps or extending work camp leases within 60 kilometres of a regional town?

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

I am not going to commit to that today. I note that under the previous government, the then Minister for Lands, the member for Warren–Blackwood, who is not in the chamber today, signed off on the arrangement in Onslow.

**Mr V.A. Catania:** He didn't.

**Mr M. McGOWAN:** Yes, he did. I note he signed off on the arrangement for Onslow. We have the evidence. National Party members can shake their heads, but it happened back in January.

**Mr V.A. Catania:** He didn't. It's in *Hansard* from the other place.

**Mr M. McGOWAN:** It is in *Hansard*. Whatever you say in *Hansard* does not reflect reality, my friend!

The then Minister for Lands, the member for Warren–Blackwood, put that arrangement in place back in January.

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

**The SPEAKER:** Member for North West Central, you are on three and a half.

**Mr M. McGOWAN:** Indeed, it was the former government, of which the National Party was a part, that undermined the agreement that was put in place by Chevron and the state.

**Mr V.A. Catania:** It was signed off in July this year.

**Mr M. McGOWAN:** That is what happened. The last government undermined the arrangement that was put in place by Chevron and the state government in relation to the location of the village in Onslow. When the member comes into this place and makes these claims, he has to remember that he has a very bad history.

## SHARK DETERRENT DEVICES — SUBSIDY

**759. Mrs R.M.J. CLARKE to the Minister for Fisheries:**

I refer to the McGowan Labor government's multifaceted approach to mitigating the risk of shark attacks and protecting water users. Can the minister update the house on the incredibly popular subsidy for personal shark deterrents and can the minister advise the house of any opposition to this subsidy?

**Mr D.J. KELLY replied:**

I thank the member for Murray–Wellington for the question and her continued interest in these matters. Something very significant happened this morning at 9.24 am in Bunbury: a member of the public walked into a dive shop and claimed the 1 000<sup>th</sup> subsidy on offer for a personal shark deterrent.

**Ms L. Mettam** interjected.

**The SPEAKER:** Member for Vasse!

**Mr D.J. KELLY:** One thousand Western Australians have now taken advantage of the personal shark deterrent subsidy that has been put in place by the McGowan government. Over 20 per cent of those subsidies have been claimed in regional areas and some 64 of them have been claimed in the south west. The population distribution in Western Australia —

**Ms L. Mettam** interjected.

**The SPEAKER:** Member for Vasse, if you want to ask a question, ask a question. Do not ask it during an answer.

**Mr D.J. KELLY:** Mr Speaker, you will remember that these shark deterrents have been subsidised on the basis of research done by the University of Western Australia, which was funded by the previous government. Since day one when we announced that subsidy, members opposite have been out there campaigning against it. The member for Vasse, who is very vocal—I assume that is her chirping in the background—was out there on day one saying that these shark deterrents were like waving a toothpick at a great white shark. That is exactly what she said on ABC radio. Now she complains that not enough people have taken up the deterrents and that people in her area are not taking them up. If she was not out there bagging the program, maybe more people in her electorate would take them up.

**Ms L. Mettam** interjected.

**The SPEAKER:** Member for Vasse!

**Mr D.J. KELLY:** As I have indicated, over 20 per cent of the subsidies have been taken up in regional areas. There has been a very good take-up in regional areas, notwithstanding the criticism of members opposite. What have other members opposite said about this program? On Monday when we announced that the second tranche of 1 000 subsidies would be available, the member for Geraldton said that the government should be looking to reintroduce nets and drum lines. We know there is no science to back up the use of nets and drum lines. We know it was a failed policy of the previous government, yet the member for Geraldton, as reported by SBS on Monday, called for us to look at the reintroduction of nets and drum lines. The member for Scarborough one moment says that the shark deterrent subsidies are too expensive and then the member for Vasse calls for the subsidies to be scrapped. The opposition is calling for the reintroduction of nets and drum lines, the member for Scarborough is saying that the shark deterrents are too expensive, while the member for Vasse says that we should scrap the subsidies.

It is interesting to note also that on social media, the member for Vasse is promoting devices that are yet to be proven.

**Ms L. Mettam** interjected.

**The SPEAKER:** Member for Vasse!

**Mr D.J. KELLY:** Members opposite have been campaigning against the science ever since we announced this program. We take this issue very seriously. Obviously, the people of Western Australia have taken up these shark deterrents in great numbers. That is why we have announced another 1 000 subsidies. I just wish that members opposite would get behind the science and offer some additional protection to Western Australians when they go in the water.

## MEMBER FOR DARLING RANGE — QUALIFICATIONS

**760. Dr M.D. NAHAN to the Premier:**

Today the people of Western Australia read on the front page of *The West Australian* —

Portsmouth University, where the member for Darling Range claims to have been awarded a post-graduate degree in police studies, has told the Australian website True Blue that it has no record of Mr Urban.

Given this and the many other claims and questions that have arisen over the member for Darling Range's CV over the last 21 days, will the Premier now provide a complete, detailed and honest account of what actions he has undertaken to determine the veracity of the member for Darling Range's services or educational history?

**Mr M. McGOWAN replied:**

It is interesting that the fifth question I get is on this issue. The member for Darling Range has today resigned from the Labor Party, he has resigned from two committees that he served on in Parliament, and he has indicated that he will return to the Parliament tomorrow to make a statement about his background and the issues that have been raised, and I look forward to him making that statement. No doubt this was a difficult decision for the member for Darling Range. It has been a very distressing time for him indeed to cope with all the humiliation and all the issues that have been raised about him. In light of the issues he has been going through over the last 10 days or so, I wish him all the best in his future career as an Independent member of Parliament. I do hope that his decision today assists him in dealing with the issues that have confronted him and allows him some space in relation to these issues. I think he has done the right thing both for himself and his family, and for the party. I hope that he is coping with the circumstances he currently faces. I would urge him when he comes to the Parliament to make a full explanation on the issues that have been raised, including those issues raised in the paper today.

#### MEMBER FOR DARLING RANGE — QUALIFICATIONS

**761. Dr M.D. NAHAN to the Premier:**

I have a supplementary question.

- (1) Did the Premier ask the member for Darling Range to resign from the Labor Party; and, if so, what was the basis for that?
- (2) Will the Premier also agree with us to send the member for Darling Range to the Procedure and Privileges Committee?

**Mr M. McGOWAN replied:**

- (1)–(2) I have not spoken to the member for Darling Range, as I recall, since last Monday. But I want to make this point. The member for Darling Range exhibited standards that you never did.

Several members interjected.

**Mr M. McGOWAN:** You held shares in Telstra, yet you were making decisions about Telstra as a minister. The man sitting next to you as a minister was making —

**Mr D.C. Nalder:** Bring it on!

**The SPEAKER:** Member for Bateman! You do not have to shout. Sit back in your seat and relax.

**Mr M. McGOWAN:** As a minister, the member for Bateman owned shares. He went to the Chinese Consul, promoting his own personal interests.

Several members interjected.

**Mr M. McGOWAN:** There you were, defending Troy Buswell and all of his antics, year after year after year. What standard did you exhibit in relation to Mr Buswell? Nothing!

**Dr M.D. Nahan** interjected.

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

**Mr M. McGOWAN:** You exhibited no standards in relation to Mr Buswell, no standards in relation to the member for Riverton, and no standards in relation to the member for Bateman. That is what you did when you were in government. The member for Darling Range has done the right thing, and here you are, trying to dance on his political grave as a member of the Labor Party.

#### OPTUS STADIUM — EVENTS

**762. Ms C.M. ROWE to the Minister for Sport and Recreation:**

I refer to the One-Day International cricket match between Australia and England that this government has secured as the first event for Optus Stadium, and which I understand has already sold out. Can the minister update the house on the progress of the stadium, and can the minister also outline this government's track record so far in securing events for the stadium?

**Mr M.P. MURRAY replied:**

I thank the member for Belmont for the question, and certainly with the stadium being in her electorate she has a great interest in that. Can I say, firstly, what an economic driver the stadium has been. Recently, 2 000 people have been employed to run the stadium into the future. For a start, many of those people have come from areas close to the city, and from the member's electorate. I think that is a very, very important issue.

Also, a number of the larger supply contracts have gone to people such as Gage Roads Brewing Co. A \$40 million contract has gone out there. Jobs for Western Australians! That is what it is about.

Government members: Hear, hear!

**Mr M.P. MURRAY:** Then shall we move over to Mrs Mac's pies—ten million pies a year produced in Western Australia at Mrs Mac's, 300 jobs, underpinned by the stadium. What a great effort that was as well.

Several members interjected.

**Mr M.P. MURRAY:** Hang onto your hats, people! There is more to come!

**The SPEAKER:** In a minute. Members, it is a dull roar. Can we just hear what the minister is very excitedly telling us.

**Mr M.P. MURRAY:** I certainly am, and thank you, Mr Speaker, for your protection. More contracts will come out of this. My understanding, although it is not out there yet, is that some people from the WA Football Commission are going to be very, very happy about that. But let us remember another issue—another thing that could not be done by that former government. That was the contract with the AFL. Who signed that contract? Labor did! You could not do it. You started in 2014. Who had to pick up the mess when you finished? We did!

**Dr M.D. Nahan:** Who built it?

Several members interjected.

**The SPEAKER:** Members! I do not care who built it. I want to hear what is happening.

**Mr M.P. MURRAY:** Mr Speaker, do you want me to have another half an hour?

**The SPEAKER:** No.

**Mr M.P. MURRAY:** If they keep that up, I will.

The technical completion was done just recently. That was a grand effort—on time and on budget. I will not take all the credit for that—I will take most of it! In saying that, we have moved on, all because we have a very, very good team. But let us remember, the siting of the stadium was a contentious issue. We do not move away from that. But now that it is there, we have to promote and look after that stadium, which will create jobs in Western Australia. That is what we have to do.

I want to quickly acknowledge some people, because we will not get another chance before the stadium is opened. I acknowledge the members of the Stadium Steering Committee and State Negotiating Team—co-chairs Richard Mann and Ron Alexander; David Etherton, Nick Egan and Malcolm Bradshaw; and, previously, Richard May. The State Project Team was led by Ronnie Hurst—the great Ronnie Hurst, if anyone has been out there. He has been excellent in his job. The other members are David Harris and John Tondout, supported by Steve Humfrey, Shay Whitney and Bruce Cunningham. I acknowledge from the Department of Local Government, Sport and Cultural Industries Duncan Ord, Graham Brimage, Nick Sloan, Nicola Johnston, Rob Didcoe and Steve Humfrey. I also acknowledge in the media team—a very important part of this stadium—Gemma Smith, Damian Carbon and Erin Gallagher.

Following on from that, I can say that into the future, the stadium will be one of the greatest things for our state. I was out there again this morning, and it is getting so close to completion. It is just sensational. It was great that the former Premier went out and had a look the other day at some of the work that he had commissioned on that site. Well done to the former Premier. But let us remember one thing—it was done on time and on budget by a Labor government.

#### MEMBER FOR DARLING RANGE — QUALIFICATIONS

##### **763. Mr Z.R.F. KIRKUP to the Minister for Police:**

I refer to the minister's comments in the house seven days ago that she has spoken to the Commissioner of Police regarding the qualifications of the member for Darling Range when he was employed as a police officer and that she will be receiving further advice. Can the minister update the house —

Several members interjected.

**The SPEAKER:** Members! I want to hear this in silence, please. Start again.

**Mr Z.R.F. KIRKUP:** Sure. I refer to the minister's comments in the house seven days ago that she has spoken to the Commissioner of Police regarding the qualifications of the member for Darling Range when he was employed in the police force and that she will be receiving further advice. Can the minister please update the house on inquiries made by herself or the commissioner into the member for Darling Range?

**Mrs M.H. ROBERTS replied:**

I thank the member for the question. What I advised the house a week ago was that given that the member for Darling Range had not actually been a Western Australian police officer since 2012, his original application and information—his personal file—had effectively been archived, and that I had sought advice with respect to what would be the appropriate action from the Commissioner of Police. He advised me that he was taking steps to secure the personal file of the member for Darling Range and that he would take whatever action was necessary and advise me accordingly. At this point in time, I have received no further advice.

**MEMBER FOR DARLING RANGE — QUALIFICATIONS****764. Mr Z.R.F. KIRKUP to the Minister for Police:**

I ask a supplementary question. Given that the minister has been aware of this issue for seven days about the potential discrepancies in the member for Darling Range's application to join WA Police, why is the minister not providing a full update to the house? Is the minister simply waiting for the house to rise to avoid scrutiny?

**Mrs M.H. ROBERTS replied:**

Firstly, I might just highlight standing order 75(1), which is about where ministers can be asked about matters connected to their administrative responsibility. Perhaps I would suggest that as a new member of Parliament, the member might want to do a little reading on the separation of powers, because unlike the standards that your nodding piece of deadwood sitting on the front bench —

Several members interjected.

*Withdrawal of Remark*

**The SPEAKER:** Members, I am on my feet. No crayfish. Member, you withdraw that remark.

**Mrs M.H. ROBERTS:** I believe that it is not unparliamentary —

**The SPEAKER:** Minister for Police, you know better. I asked you to withdraw that remark.

**Mrs M.H. ROBERTS:** Sorry; I withdraw that remark.

**The SPEAKER:** Thank you.

*Questions without Notice Resumed*

**Mrs M.H. ROBERTS:** Unlike the standards that members opposite had in government, I do not see it as my role to trawl through the personal records of former police officers who happen to be members of Parliament. I can tell the member for Kalgoorlie now that I will not be trawling through his record, nor will I be trawling through the record of the former member for Murray–Wellington, Mr Murray Cowper; that is not my role. If any offence has been committed here, that is a matter for the Commissioner of Police, and, young man, you should do a little reading on the separation of powers.

*Point of Order*

**Mr S.K. L'ESTRANGE:** The minister referred to the member as a young man and not as the member for Dawesville. It is unparliamentary not to refer to him as the member for Dawesville. His title is the member for Dawesville.

Several members interjected.

**The SPEAKER:** Members! It is a good point, but that is a nice thing to say about someone. It is a point of order that you should call members by their electorate but I do not think it was a point of order in that situation. I thought it was a compliment.

**CHAMBER DECORUM — STANDING ORDER 38***Statement by Speaker*

**THE SPEAKER (Mr P.B. Watson):** I wish to remind members about standing order 38, which states that members will acknowledge the Chair when entering and leaving the chamber and will not pass between the Chair and any member who is speaking unless it is unavoidable. When it is unavoidable, the member passing between the Speaker and the member on his or her feet, must acknowledge the Chair and wait for the Chair to indicate their approval for the member to proceed.

**CORRECTIVE SERVICES — CORPEX***Question on Notice 1972 — Supplementary Information*

**MR F.M. LOGAN (Cockburn — Minister for Corrective Services) [2.52 pm]:** In accordance with standing order 82A, I wish to table the following additional information to question 1972.

[See paper 1001.]



**MEMBER FOR DARLING RANGE — SERVICE MEDALS AND QUALIFICATIONS —  
CONTEMPT OF PARLIAMENT**

*Standing Orders Suspension — Motion*

**DR M.D. NAHAN (Riverton — Leader of the Opposition)** [2.53 pm] — without notice: I move —

That so much of standing orders be suspended to enable the following motion to be moved forthwith —

That this house calls on the Procedure and Privileges Committee to investigate whether claims made by the member for Darling Range regarding his education and service record amount to a contempt of Parliament.

*Standing Orders Suspension — Amendment to Motion*

**MR D.A. TEMPLEMAN (Mandurah — Leader of the House)** [2.53 pm]: I move —

To insert after “forthwith” the following —

, subject to the debate being limited to 20 minutes for government members and 20 minutes for non-government members to speak on the motion

Amendment put and passed.

*Standing Orders Suspension — Motion, as Amended*

**The SPEAKER:** Members, as this is a motion without notice to suspend standing orders, it will need the support of an absolute majority for it to proceed. If I hear a dissentient voice, I will be required to divide the Assembly.

Question put and passed with an absolute majority.

*Motion*

**DR M.D. NAHAN (Riverton — Leader of the Opposition)** [2.54 pm]: I move the motion. We have just heard that the member for Darling Range, a new member of this house, has resigned from the Labor Party and the committees of this Parliament, but will remain, at least for a while, as the member for Darling Range. The member for Darling Range was elected to this house on 11 March this year on behalf of the Labor Party. He was nominated, chosen, funded and promoted by the Labor Party. He is here because of his membership of the Labor Party.

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

**The SPEAKER:** Minister for Water!

**Dr M.D. NAHAN:** Over the last 20 days or more, we have heard one serious accusation after another about the claims made by the member for Darling Range about his curriculum vitae—his service record, police, military, medals, education and activity. This has been raised by the community and the media that have brought into question his bone fides, the claims upon which, first, the party selected him and, second, the people of Darling Range elected him to this place. Many of those claims have been reiterated in this house by the member for Darling Range in his maiden speech and otherwise. He has made claims about his university degrees and his service medals and records. Over the last 20 days or so, serious questions have arisen about these claims that bring into question his nomination by the Labor Party for the seat of Darling Range. He was elected to the seat of Darling Range based on these claims, which he has made as a member of this house. They bring into question his suitability as a member of this house. Over the last 20 days, we have pursued this matter with questions to the Premier. He is the leader of the Labor government in this house and the member for Darling Range was part of his caucus and team. We have asked question after question and had nothing but obfuscation by the government. All the Premier has said is that the member for Darling Range is investigating the matter and will answer these questions in due course, maybe next year. Today we heard that the Premier has not actually questioned the member for Darling Range for weeks. The Premier has not answered any questions about the veracity of the claims made by the member for Darling Range to get into this house—he has not questioned the claims and he has not answered the questions. The Premier has not answered the public and he is leaving it up to the member for Darling Range. The member for Darling Range needs to provide an answer to the issues in this house and the community. He is in this place at the behest of the Labor Party and the leader of the Labor Party needs to take leadership on this matter.

When I asked the Premier earlier today if he had asked the member for Darling Range to step down from the Labor Party, he said that he had not talked to him. The Premier has not provided any leadership. These issues bring into question the claims upon which the member for Darling Range came into this place. The proper procedure, particularly since the Premier has not provided leadership on this issue and the member is no longer, as I understand it, a member of the Premier’s team, the Labor Party, is to send the member to the Procedures and Privileges Committee. The questions about the member for Darling Range’s CV justifies sending him to that committee. He stood in this place and claimed in his maiden speech to have a degree from the University of Leeds. He made that claim and he does not have a degree from there. He made claims, outside the house at least, that he had a degree in police studies from the University of Portsmouth. The evidence is that he does not. He said to the

public of Western Australia and the electorate of Darling Range that he had a police services medal from serving for the United Nations. We now know, not through the government or the member for Darling Range but through the media, that it was a fake medal. In other words, the evidence is that he has fabricated his educational qualifications upon which he got into the Labor Party and was elected to this place, and which have been reiterated in this place, raising serious questions about his service record and his medals. That brings into question his suitability to remain and, at least, places a requirement on this house to take action against it. The member has now left the Labor Party and the government has stalled on the issue and not even investigated it for 20 days now. The Minister for Police said that all the records are in Iron Mountain and hard to get.

Several members interjected.

**Dr M.D. NAHAN:** Minister for Corrective Services, he is no longer in Corrective Services—stalled, stalled, but he is no longer a member of the Labor Party.

Several members interjected.

**Dr M.D. NAHAN:** He is no longer a member of the Labor Party; therefore, we should send him to the Procedure and Privileges Committee and we seek your support for that.

**The SPEAKER:** Members, please! I want to hear what the member is saying. Have you finished, Leader of the Opposition?

**Dr M.D. Nahan:** Yes.

**MR W.J. JOHNSTON (Cannington — Minister for Mines and Petroleum)** [3.00 pm]: Mr Speaker, I was expecting the Liberal Party —

**Mr D.J. Kelly:** Is that it?

**The SPEAKER:** Minister for Mines and Petroleum, you stood up; you have to take the call.

**Mr W.J. JOHNSTON:** It is normal that when a party wants to lead an attack, its members outline the details of their case. For some reason, the Liberal Party has decided not to provide any evidence to support a suspension of standing orders. I want to remind people in this chamber, because many people were not here at the time, that the Liberal Party accused me of making false claims in this chamber. They used question time inappropriately, in breach of the standing orders, to raise matters that I had talked about. I talked about the fact that the member for Carine had, in some way, had his name removed from the records of the Corruption and Crime Commission. Even after all that debate, no-one has ever actually explained how the member for Carine's name was expunged from the records of the CCC without the commissioner's agreement. We do not know how that happened. The member for Carine put two edited letters on the table of the Parliament and refused permission to have those letters copied by other members of the Parliament. What the member for Carine removed from those two pieces of correspondence was the name of the officials at the CCC whom he had been interacting with. Why did the member for Carine want to cover up whom he had been interacting with at the CCC?

The other person I raised a question about was the former member for Wanneroo, Paul Miles, who had forgotten to declare a very large donation—over \$10 000; I do not remember the exact figure—to his local government election campaign. That was never properly explained. The Liberal Party never referred either of those matters to the Procedure and Privileges Committee.

The member for Riverton was a minister who personally awarded a contract to Telstra without a tender while he was a shareholder in Telstra. That matter was never referred to the privileges committee. He was also a shareholder in QBE Insurance Group when the government awarded a contract for QBE to manage the home indemnity insurance scheme in Western Australia. It was never explained how he allowed himself to be in cabinet when that decision was made without revealing the fact that he was a shareholder in the company.

The member for Bateman had shares in a company that dealt with matters relating to his portfolio. He, himself, knew he was wrong in that because he referred the powers he had as Minister for Finance to the now Leader of the Opposition, but never told the Premier that he had done that. He never told the Premier that he had referred powers from his office to another office. That was never referred to the privileges committee. He took guests with private business interests to the Chinese Consul General, but no explanation was ever provided and no investigation was ever done. He took other guests with his cousin, I think it was, to the Weld Club for a conversation about government contracts, and there was no investigation. These are not matters I am inventing; they are all facts we know from the time the former government was in power. We can talk about standards. When I was referred to the privileges committee, I voted in favour of my referral because I knew I had nothing to hide.

The member for Darling Range needs to explain what is going on here. When he does, the community can make a decision about what needs to happen. That is called natural justice. Natural justice allows an accused person to have their say on the allegations made against them. We cannot draw a conclusion until the member makes those comments. That is exactly the standard the former Premier and every one of those members on that side of the chamber demanded in respect of Troy Buswell when he got drunk and crashed into five cars in Subiaco —

**Ms R. Saffioti:** In his government car.

**Mr W.J. JOHNSTON:** — in his government car. Remember, the only reason that matters became public —

**Ms R. Saffioti** interjected.

**Mrs L.M. Harvey** interjected.

**The SPEAKER:** Member for Scarborough!

**Mr W.J. JOHNSTON:** — in respect of Troy Buswell was because of an individual ringing Channel Seven. If that individual had never rung Channel Seven, the former government would never have explained any of those matters. When things started to go wrong, there was the health excuse. These were matters that all should have been properly dealt with but never were, particularly the Troy Buswell cover-up. Remember, too, that Troy Buswell assaulted an employee here in this building—sexual assault of an employee in this building—in fact, he became Leader of the Liberal Party after he sexually assaulted that woman. I am not talking about the chair sniffing; I am talking about his conduct when he undid a woman's bra.

**Mr S.K. L'Estrange:** What do you know about threesomes?

Several members interjected.

**The SPEAKER:** What was that?

**Mr S.K. L'Estrange:** It's another matter.

**The SPEAKER:** I will just call you to order.

**Mr W.J. JOHNSTON:** What a stupid, stupid man! No wonder you were such a terrible minister. If you think that I have been involved in sexual misconduct, you tell me what the allegation is. Go ahead!

**Mr S.K. L'Estrange:** It was not directed at you.

Several members interjected.

**The SPEAKER:** Members, please!

Several members interjected.

**The SPEAKER:** Members! This is a very serious moment in Parliament today. We want to hear it properly.

**Mr W.J. JOHNSTON:** I am not going to speak for much longer.

**Ms J.M. Freeman** interjected.

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

**Mr W.J. JOHNSTON:** I am not going to speak for much longer, but the hypocrisy that drips off the Liberal Party is extraordinary. Let us make something clear. The Premier has no responsibility to answer the questions asked by the Liberal Party in question time because they do not relate to his affairs as the Premier. The fact that he does answer those questions is to the Premier's credit because under the standing orders, he does not have to. But he is an open and transparent leader, unlike the former Premier who refused to provide information about ministers crashing their cars in Subiaco or ministers attending private meetings on their government time or the minister who signed a contract with Telstra, while he was a shareholder, without a tender. Those are all things that happened while that man was the Premier. This man is now the Premier. We now have standards in this chamber and one of those standards is natural justice. I cannot answer for the member for Darling Range, only he can.

**Dr M.D. Nahan** interjected.

**Mr W.J. JOHNSTON:** He has not yet made his statement in this house so none of us knows what is happening.

**MR S.K. L'ESTRANGE (Churchlands)** [3.08 pm]: Getting to the bottom of this matter is a serious issue. The opposition's role in this place is to hold the government of the day to account for how it acts on behalf of the people of Western Australia. None of us likes to see a member of Parliament come under this type of scrutiny for their own actions.

Several members interjected.

**The SPEAKER:** Members! I want to hear this in silence.

**Mr S.K. L'ESTRANGE:** We all owe a duty of responsibility to the people of Western Australia and the people of Darling Range, particularly when this story was led by journalists from *The West Australian*, to at least ask questions about the validity of the member's statements about his education and background and whether he was allowed or permitted to wear a military honour that was bestowed. Those questions are in the public's interest right now. In the media—on talkback radio and in the paper—those questions are being asked and the community is giving feedback to them on talkback radio asking for results. That is all we are asking for. We are holding the Premier to account on this issue for one fundamental reason. He found out about this 21 days ago; he said in this

place that he found out on or around 7 or 8 November. Since that time, he has had the opportunity to clarify to this place whether the member for Darling Range's credentials, as he publicly displayed and had talked about, were true. That cuts to the heart of what this motion is about.

We are most concerned about the member for Darling Range resigning from the Labor Party today without being given the opportunity to come into this place and explain himself and without the Premier of the day giving a detailed account of answers to the questions that are being asked in the public domain and by the media, and that have been reiterated in this place during question time over the last two weeks of Parliament. That is what this motion is about. In fact, the decision for the member for Darling Range to resign from the Labor Party and stay on as a member of Parliament leaves more questions unanswered than it answers. I will tell members why. It is because we still do not know whether the member has resigned because the Premier told him that that is what he thought he should do: "I think you should resign from the Labor Party and stay on the back bench." We do not know whether the Premier gave that advice to the member for Darling Range because he has not told us. We have asked time and again for the Premier to be accountable for the veracity of the background of one of his Labor members of Parliament. That is all we have been asking. We still have many unanswered questions. We have unanswered questions about exactly when the Premier became aware of these issues and how he went about trying to get the facts. We still do not have a detailed understanding of what action the Premier took regarding the member for Darling Range and his background. We have still not been provided with a detailed understanding of the actions, investigations and findings of the Premier and his office into what was a Labor member of Parliament—nothing. All we had today was the Premier standing and saying that the member for Darling Range had resigned; that was it. For all we know, the Premier, as the Leader of the Labor Party, has said: "Look, member; I'm sorry, but I can't have you on my team because I'll come under scrutiny. You've got to go to the back bench and become an Independent. I don't want you in the team and I'm not going to allow myself, the Premier of Western Australia, to be answerable to the people. I don't want that; you brought this upon me. I don't want that. I'm your leader. You go and sit on the back bench and be an Independent. You can stay over there; I'll look after myself." For all we know, that is what the Premier has said. Frankly, it is unsatisfactory. When the Minister for Mines and Petroleum talked about natural justice, I absolutely agree. We will get natural justice from the Procedure and Privileges Committee giving us the facts. We have asked the Premier for the facts but he has not given them to us. All we are saying is that the Premier should present the facts to Parliament and then see what happens next—allow natural justice to happen so the member for Darling Range can be presented the facts. He can look at the facts that are being investigated.

Several members interjected.

**The SPEAKER:** Members!

**Mr S.K. L'ESTRANGE:** He can then answer or make an explanation about whether he disagrees with these facts. He can stand up and say, "Here's what Parliament has decided; I disagree with it for the following reasons." That is all this motion is about. This motion is being brought on only because the Premier has refused to stand up and deliver a detailed explanation of all the questions that have been asked in the media and in this place regarding the member for Darling Range's background. This is not a matter for the member for Darling Range; this is a matter for the Premier! It has always been a matter for the Premier because it cuts to the chase of his leadership. We still do not know what advice he has provided to the member for Darling Range. We do not know what he expects the member for Darling Range to do from now on. We do not know whether he is going to be accountable, as the Premier of Western Australia, to the standards he has set for his backbench because he has just removed that backbencher from his party.

**Mr P. Papalia** interjected.

**Mr S.K. L'ESTRANGE:** We do not know whether the member did it on his own volition.

**Mr P. Papalia** interjected.

**The SPEAKER:** Minister for Tourism, I call you to order for the first and second time.

**Mr S.K. L'ESTRANGE:** We ask that the Premier makes a detailed response to all the questions that have been asked because he is the Premier and was the member for Darling Range's leader when these questions were put in the public domain.

**MR Z.R.F. KIRKUP (Dawesville)** [3.15 pm]: Mr Speaker, I rise to support the opposition's —

Several members interjected.

**The SPEAKER:** Members! I will hear this in silence.

**Mr Z.R.F. KIRKUP:** I rise to support the opposition's motion. It is amazing that 264 days ago, the Labor Party started with 41 members of Parliament and it has already lost one. What a fantastic team! While members opposite might not like the pressure that is being applied to them now —

Several members interjected.

**The SPEAKER:** Have you had your fun?

**Mr B.S. Wyatt:** I'm the longest serving Treasurer in a decade!

**The SPEAKER:** Then you're the longest serving Treasurer to get two calls to order, too. Members, this is a very serious issue. I want to hear this in silence. If anyone interjects, I will call them to order.

**Mr Z.R.F. KIRKUP:** We know that members opposite might not enjoy the pressure that is being applied, but this matter absolutely goes to the heart of the Premier's integrity, his judgement and his willingness to be accountable to this place. We all know, as per statements that the Premier has provided previously, that he has conducted an investigation through the Labor Party into what is happening with the member for Darling Range's qualifications. When it comes to matters of privilege, we know that in his maiden speech on 17 May, the member for Darling Range alluded to the fact that he led war crime investigations in the Balkans. He also alluded to the fact that the police force twice put him through university. These claims have now likely been disproven by *The West Australian*. In a speech he made here on 22 June, the member for Darling Range claimed he had been a detective both here for the WA Police Force and in the United Kingdom, and that he worked in surveillance and for a regional crime squad. The member for Darling Range also made a number of claims about his education—his degrees at both Portsmouth and Leeds universities—both in this place and out of it that have been clearly refuted and dispelled by those in the media. It is important in this place that if we are to ensure that each member is accountable and of the utmost integrity, they are investigated by the Procedure and Privileges Committee. That is why the opposition moved this motion. That is why we expect the government to support this bipartisan approach moved by the opposition today.

Several members interjected.

**The SPEAKER:** Members!

**Mr Z.R.F. KIRKUP:** We expect a bipartisan approach, member for Armadale, because this is a true test for members opposite if they believe in accountability of all members in this place and the claims they have made in this place.

**Ms M.M. Quirk** interjected.

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

**Mr Z.R.F. KIRKUP:** We have to ensure that each member of Parliament in this place is upright and trustworthy. Very clearly, the claims made in the member for Darling Range's maiden speech and in subsequent speeches are absolutely incorrect —

Several members interjected.

**The SPEAKER:** Members on my right! I will hear this in silence.

**Mr Z.R.F. KIRKUP:** These claims were made by the member for Darling Range in this place. The Procedure and Privileges Committee is the right avenue to pursue them to ensure that we get to the bottom of the claims that have been made. I find it absolutely amazing that members opposite clearly agree with —

**Ms M.M. Quirk** interjected.

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

**Dr A.D. Buti:** Slow down!

**Mr Z.R.F. KIRKUP:** I have only a minute left, member for Armadale.

Several members interjected.

**The SPEAKER:** Members!

**Mr Z.R.F. KIRKUP:** It is amazing that members opposite clearly believe that the member for Darling Range is not fit to be a member of the Labor Party, yet they support —

*Point of Order*

**Dr M.D. NAHAN:** The members opposite are screaming. Hansard cannot hear and nor can the opposition.

Several members interjected.

**The SPEAKER:** Members! I accept your point of order and I agree with you, Leader of the Opposition. Members, please; we have six minutes to go with this motion. As I keep telling you, this is a very, very important motion that has come up. I do not think some of the new members realise how bad this could turn out if it goes to the committee. Just listen in silence.

*Debate Resumed*

**Mr Z.R.F. KIRKUP:** A number of inconsistent and incorrect statements have been made by the member for Darling Range in this place. It is important, regardless of his resignation from the Labor Party, that Parliament investigates the veracity and truthful nature of the claims made by the member for Darling Range. If those opposite do not believe that the member for Darling Range is fit enough to be a member of the Labor Party, I am surprised they find him fit enough to be a member of this place.

**MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition)** [3.20 pm]: Fitting with what we have seen of this Premier since he took the leadership of the state, he sits back and refuses to take leadership on an issue. He had an opportunity to get up and articulate his point in this place and allow the opposition an opportunity to respond to that, but chose not to. That is the standard of Premier we have.

This a very important issue, and the opposition believes this should be referred to the Procedure and Privileges Committee because the Procedure and Privileges —

**Ms R. Saffioti** interjected.

**The SPEAKER:** Minister for Transport! Okay, I will call you to order for the first and second time. Do you want to keep going and go home early?

**Mrs L.M. HARVEY:** The Procedure and Privileges Committee has the opportunity to investigate not only claims of matters that might call Parliament into disrepute or be a contempt of Parliament, but also it gives an opportunity for members who feel as though they may have been adversely reflected on in this chamber to have their say. So the Procedures and Privileges Committee —

**Ms M.M. Quirk:** Like you lied to this house! A proven liar!

*Withdrawal of Remark*

**The SPEAKER:** Member for Girrawheen, I call you to order for the third time. What was that last comment, member, about “lie”? Was that about any particular person or was that just a throwaway line?

**Ms M.M. QUIRK:** No, it was about a particular person, and I withdraw it.

**The SPEAKER:** Thank you very much.

*Debate Resumed*

**Mrs L.M. HARVEY:** Thank you, Mr Speaker.

The Procedure and Privileges Committee is the appropriate committee to interrogate this matter. My colleagues have outlined very clearly—as has the media over the excruciating 20 days this has been in the newspapers—that there are serious concerns about the veracity of the claims made by the member for Darling Range that had him elected to this place. Just to sum up, those claims are that he was investigating war crimes in the Balkans, which apparently have proved to be untrue; there were claims about his degree being obtained from the University of Leeds; and there were claims about a postgraduate degree in police studies from the University of Portsmouth. We do not know if that was used inappropriately for him to enter the Western Australia Police Force; we do not know if the other degree was used inappropriately for him to gain employment in this state with the Department of Corrective Services. He has made references to his experiences and studies—his experiences in areas that we now know he did not serve—in this Parliament, which means he misled this Parliament. The response of the Premier has been that he is imploring him to come back to Parliament and explain himself, and what we have seen today is that the best efforts of the Premier have managed only to have the member for Darling Range resign from the Labor Party and the parliamentary committees that he was representing the Labor Party on as part of his parliamentary business. In effect, the Premier has protected the Labor brand. He has protected the Labor brand and distanced the Labor brand from the claims of the member for Darling Range. He has protected the Labor brand. What he has not done —

Several members interjected.

**The SPEAKER:** Member for Cottesloe, your own member is on her feet.

**Mrs L.M. HARVEY:** We are now asking for the Procedure and Privileges Committee to uphold the standards of this Parliament. The Labor brand has been protected, but every single day that the information about this member and the way he got elected on a series of mistruths—every day that that is out there—it impugns every member in this place! Every member of Parliament is now taken to have the same standards as the member for Darling Range, and that appals me! We get elected by our constituency based on the things we tell them about ourselves. They elect us on the experiences we say we have, that then give us the credentials to represent them. The constituency of the member for Darling Range has elected somebody under false pretences, and the Procedure and Privileges Committee of this place should interrogate whether the member for Darling Range is an appropriate person to be in this place. Until that occurs or the member for Darling Range leaves this place, every single one of us is discredited by his actions! So it is not good enough, Premier, to protect the Labor brand! Protect the brand of this Parliament! Protect the brand of every member of Parliament and force him to resign or refer it to the privileges committee!

Several members interjected.

**Mrs L.M. HARVEY:** Force him to resign. You forced him out of the Labor Party, now force him to resign! Bring it to the privileges committee so that we can at least know that the members of Parliament remaining in this place are respected.

**MR M. McGOWAN (Rockingham — Premier)** [3.25 pm]: I rise just to address the issues raised by the opposition. Firstly, the opposition claims that this matter has been out there and hanging around for 21 days. As I indicated to the house, on 8 November I heard about this issue via a media adviser. I went and consulted with the member for Darling Range in respect of this matter; he told me there was nothing in it. When I was in China with journalist Gary Adshead, at dinner one night in Shanghai he raised the issue of the police medal with me and I told him that I had spoken to the MP and that there was nothing in it. Upon my return to Western Australia Sunday week ago at midnight the issue had been in the paper the day before, and then on the Monday I called the member for Darling Range and had two conversations with him in relation to these issues; I have advised the house as to what he told me in those two conversations. So in effect this issue has been a matter of public attention since Saturday a week ago. What is that? Twelve days or thereabouts, or 11 days or thereabouts. There is point 1. So all members carrying on about 21 days of it being out there and in public and so forth is wrong. Secondly, my view —

Several members interjected.

**Mr M. McGOWAN:** Honestly, why do you not just listen?

**The SPEAKER:** Member for Dawesville, you have had your say.

**Mr M. McGOWAN:** Secondly, it is my view that before any of these matters in respect of the privileges committee could possibly be considered by this house, the house should afford the member for Darling Range the opportunity to put his side of the story.

Government members: Hear, hear!

**Mr M. McGOWAN:** It is just a fundamental matter of fairness. He is not here today and, as I have indicated to people, he has had a very distressing time, I have been advised, and a very difficult time with his family. He is not here today. The advice I have is that he will return tomorrow and make a statement to this house. To raise this matter today and suggest that somehow we should refer him to the privileges committee prior to him even having the opportunity to speak in here in relation to the allegations is wrong. It is just, frankly, wrong. The opposition should afford him the opportunity to do that. So I will not support the motion on that basis. We are not going to support it on that basis. He deserves the opportunity to express his point of view and we should give him the opportunity to explain.

Thirdly, today before question time the member for Darling Range resigned from the Labor Party and two parliamentary committees. His resignation from two parliamentary committees and the Labor Party is a very significant event, and no doubt it has caused him some further considerable distress and further considerable pain. Then to roll in here with this motion moments later just smacks to me of kicking a man when he is down. That is all the opposition is doing—kicking a man when he is down. He is now an Independent member of Parliament, and he will be able to come back here tomorrow and explain himself. But to come in here and kick a man when he is down, before he has had the opportunity to explain, I think says it all about the current opposition and the woeful state it is in. I will also say that the opposition might note that the National Party is not here. That is because its members do not agree with what the opposition is doing. They are not prepared to come in here and vote for this very unfair and precipitous motion that the opposition is putting forward. I also note that in the last term of the previous government, numerous issues were out there that were just ignored. I referred to them a little bit in question time, but I want to say this to the opposition: a Procedure and Privileges Committee goes two ways. A range of issues were not examined by the Procedure and Privileges Committee when the last government was in office. We may well find cause to submit a range of issues to the privileges committee concerning the Leader of the Opposition's shareholdings. Let me go through that. He held three shareholdings and he made decisions in respect of those shareholdings as a minister. The former Premier said that he broke the code of conduct. I think that is a matter that the Procedure and Privileges Committee would have great interest in. Let us go through them. The Leader of the Opposition held shares in Telstra while making announcements and decisions about Telstra winning contracts from the Western Australian government. He held shares in QBE as Treasurer while making decisions on the Insurance Commission of WA and having meetings with lobbyists representing QBE. He held shares in goldminers while making decisions on Western Australia's gold royalty rates. That is the Leader of the Opposition when he was a minister. Honestly—the standards!

Then we go to the pretender over here, the member for Bateman.

Several members interjected.

**The SPEAKER:** Members!

**Mr M. McGOWAN:** The issues about his shareholding arrangement were on the front page of the newspaper for—what?—two weeks. He was promoting his own shareholding interests for private benefit as a minister. He

was sacked as Minister for Finance. Under the then government, the Procedure and Privileges Committee never examined those issues, but maybe the Procedure and Privileges Committee would be interested in those issues.

**Mr D.C. Nalder:** Go for it!

**Mr M. McGOWAN:** Maybe it would be interested in those issues.

Let us go to the defence of Troy Buswell after the actions he took and the fact that he never resigned from the Liberal Party. In fact, after some of the things he did, he was actually made Leader of the Liberal Party. That is what the Liberal Party did with Troy Buswell.

**Ms S. Winton** interjected.

**The SPEAKER:** Member for Wanneroo!

**Mr M. McGOWAN:** What did the member for Scarborough know about all those issues with Troy Buswell? The matter was before the police. What did she know about those issues? What did she know about what he was up to when he devastated half of Subiaco on a drunken rampage one night? What did the member for Scarborough know about those issues? What did the member for Scarborough know about the conspiracy to keep all of these issues secret within government? There were senior ministerial officers who knew all about it. The Leader of the Opposition comes in here and talks about a junior backbencher who has done the right thing by himself and his family, but he should look at his record.

**Dr M.D. Nahan:** Look at yours.

**Mr M. McGOWAN:** Look at your shareholdings. Do you want me to go over them again?

**Dr M.D. Nahan** interjected.

**The SPEAKER:** Leader of the Opposition, I call you to order for the second time. Members, you had your chances to say your bit before and it was heard in relative silence. I want to hear this.

**Mr M. McGOWAN:** Members opposite come in here and talk about a very junior backbench member of Parliament who has done the right thing, when there are three ministers in the former government with shocking records of probity, two of whom are still in this Parliament.

**Dr M.D. Nahan** interjected.

**The SPEAKER:** Leader of the Opposition!

**Mr M. McGOWAN:** I think it would be very interesting for the Procedure and Privileges Committee to examine those issues. They are the sorts of things that the Parliament can do, because under the last government, those issues were not dealt with properly. All the former government did was cover up those issues. We saw what happened to the last government; it lost in the biggest landslide in history. The people expressed their verdict about the former government and its standards.

As I said, the member for Darling Range did the right thing, I think, by himself and his family. I think he deserves some credit for having done that, and perhaps, at this point in time, a little bit of understanding about what he is going through. Rolling in here about someone who is now an Independent member of Parliament, who is no doubt going through great pain, and continuing to put the boot into him in the way you are —

**Dr M.D. Nahan** interjected.

**The SPEAKER:** Leader of the Opposition!

**Mr M. McGOWAN:** — on a day in which he is no doubt going through great personal pain and when he is not a member of the Labor Party does you no credit at all. You all trying to dance on his predicament in the way you are does you no credit whatsoever. During the course of the last week, you were demanding his resignation from the Labor Party.

**Dr M.D. Nahan** interjected.

**The SPEAKER:** Leader of the Opposition!

**Mr M. McGOWAN:** You were demanding all these actions, he takes action, and then you say it is not good enough. I mean, honestly—does the opposition think that people do not see through it and how it manufactures issues? The opposition is recreating a crisis when the member for Darling Range has done the right thing by himself and his family. I urge the opposition to show a bit of consideration for him at this very difficult time for him and his family. In light of the fact that he has not even spoken to the Parliament, that he is an Independent member of Parliament and that the opposition has not afforded him the slightest bit of natural justice, this motion is obviously not something that anyone who is fair-minded could possibly support in their right mind. The National Party does not support it and we do not support it either.



*Division*

Question put and a division taken with the following result —

Ayes (12)

Mr C.J. Barnett  
Mr I.C. Blayney  
Mrs L.M. Harvey

Mr Z.R.F. Kirkup  
Mr A. Krsticevic  
Mr S.K. L'Estrange

Mr W.R. Marmion  
Mr J.E. McGrath  
Dr M.D. Nahan

Mr D.C. Nalder  
Mr K. O'Donnell  
Ms L. Mettam (*Teller*)

Noes (38)

Ms L.L. Baker  
Dr A.D. Buti  
Mr J.N. Carey  
Mrs R.M.J. Clarke  
Mr R.H. Cook  
Ms J. Farrer  
Mr M.J. Folkard  
Ms J.M. Freeman  
Ms E. Hamilton  
Mr T.J. Healy

Mr M. Hughes  
Mr W.J. Johnston  
Mr D.J. Kelly  
Mr F.M. Logan  
Mr M. McGowan  
Ms S.F. McGurk  
Mr K.J.J. Michel  
Mr S.A. Millman  
Mr Y. Mubarakai  
Mr M.P. Murray

Mrs L.M. O'Malley  
Mr P. Papalia  
Mr S.J. Price  
Mr D.T. Punch  
Mr J.R. Quigley  
Ms M.M. Quirk  
Mrs M.H. Roberts  
Ms C.M. Rowe  
Ms R. Saffioti  
Ms A. Sanderson

Ms J.J. Shaw  
Mr C.J. Tallentire  
Mr D.A. Templeman  
Mr P.C. Tinley  
Mr R.R. Whitby  
Ms S.E. Winton  
Mr B.S. Wyatt  
Mr D.R. Michael (*Teller*)

Pair

Mr P. Katsambanis

Mrs J.M.C. Stojkovski

Question thus negatived.

### FIRST HOME OWNER GRANT AMENDMENT BILL 2017

#### *Council's Amendments — Consideration in Detail*

Resumed from an earlier stage of the sitting.

**Dr M.D. NAHAN:** With the Treasurer's forbearance, when we went through this issue when the bill first passed through this house, we were trying to ascertain the impact of the first home owner grant bonus. At that time the data the government had was really preliminary; I think it was on 17 May the Treasurer announced that the FHOG bonus was going to be eliminated. From the data I have, the impacts resulting from the lags with approvals were such that we really did not have much data. In fact, the government's justification for the decision was based on data that Treasury had when it initially made the decision. I am going through that. Essentially, the government's argument was that adding the bonus on a full-year basis would lead to 650 new homes, of which only 380 were expected to be new first homes; there would be a substitution effect. Since then, if we look at the grant data for the four months that apply and put it on an annualised basis, there actually would have been 3 226 new homes under the scheme, of which, using the same ratio of new–new homes to substitution, would have led to 1 952 new–new homes. Now that the data is there, has the Treasurer done any other work to find out what the impact was? The Treasurer decried it as a waste of money, but has he analysed the effect of his decision on new homes and the expansion of the first home owner grant bonus? Does he still think the decision he made was the correct one?

**Mr B.S. WYATT:** I want to make one point first, and then I will make some broader comments around the question that the Leader of the Opposition asked, which is not an unreasonable question. My advisers have come prepared for the Council's amendments but do not have some of that information; of course we can get that in due course.

**Dr M.D. Nahan:** I would be more than willing to get it in due course.

**Mr B.S. WYATT:** I just want to make one point: I do not think I described it as a waste of money, but that perhaps a more effective use of money could be used. I want to make this point in particular. Have I done any further analysis since we last debated this? No, but it is important to note that applications for the first home owner grant will continue to be received for the boost payment for contracts entered into from 1 January to 30 June 2017, bearing in mind that there is up to 12 months after the completion of the transaction to make that application. I will do that analysis in due course because I will be interested to see what the end result will be, compared with the advice I received upon which we based our decision, but this is going to take more than 12 months to flow through because of the time delay within which people can still make their applications for the boost payment. That is probably an unsatisfactory answer in respect of the information the Leader of the Opposition wants now, but that is just the reality because we know what people are like; they will do their transactions and slowly get around to applying for both the FHOG and the boost.

**Dr M.D. NAHAN:** As the Treasurer knows, the FHOG has been around for a long time and it has been controversial as to whether it started around the time of the introduction of the GST. It was expanded periodically by various states and expanded again, I think, under Rudd's stimulus package. I think in some states it got to \$21 000.

**Mr B.S. Wyatt:** Nationally.

**Dr M.D. NAHAN:** Nationally. Does it just increase the price of the house? Once we make these decisions, it is important that we go back and test these things. Treasury officials are busy and often it is the government that makes the decision rather than Treasury officials, and appropriately so. I think it would be extremely useful to go back, since this is a test case, and it was during a period of real slowing in the market. Before the election, we got feedback from the industry, as no doubt the government did, that the housing market, after two years of being very overheated, was slowing dramatically, to the point that the industry was going to have a hard time retaining apprenticeships and other things. House prices were slowing expectations in the market and Keystart changes were being put in place, and the then opposition supported that move.

That is past tense; I am not going to do a political dance on that, but it would be useful to find out whether these things actually stimulate the economy. Do they create jobs? When we put it in, we knew that the marginal costs would be very large; we were going for the margin, but everyone gets it. I knew that was a very high cost because it had no net impact in terms of growth, but this was the only legislative tool we had, unless we created a new one, and it was too late.

**Mr B.S. Wyatt:** But it was also one you could start immediately.

**Dr M.D. NAHAN:** Yes, that is right. It was easy to do and could be implemented for a time through administrative processes. We had no choice. It would be very useful, especially where housing markets have been jacked around by policy—not here but elsewhere—for Treasury, if it had a little spare time, or an analyst, to use this as a case study to see if it actually works. They could go to other times, like the time of the Rudd stimulus, although that was during a period when funding for houses generally collapsed because of the global financial crisis. The banks just dropped out of the market so it was a period of shock. This is a more regular time. When the Treasurer initially answered the questions I had he gave the data he had from Treasury, but that was pre-FHOG bonus. Now that it is finished, I think it would be very useful if the Treasurer could provide me with an analysis: does this thing work?

**Mr B.S. WYATT:** The Leader of the Opposition is right, and I would be interested in that data also. It is a question that has no doubt been debated across this country ever since the first home buyers grant was introduced to offset, to a certain extent, the effects of the GST. Has it had an impact over time? I guess people have different views on that, but the Leader of the Opposition is right: the previous government's decision was not in response to a financial crisis; it was in response to a demand issue. It was a decision that state governments can make because, ultimately, the legislation follows some time after, but we can then, through administrative arrangements, get the money out the door at the time. I would be interested to know about that. In respect of new homes, we actually have until 12 months after the completion of construction. We can see how long this can often take because it takes some time to build a home and then there are 12 months within which to apply. I would have thought that by the middle of next year we will probably have a pretty good idea about what the impacts were, bearing in mind that applications will still be coming through. I will look at that, because I will be curious to know.

By way of an aside, this is something that governments do. We have commissioned an external party to have a look at and analyse revenue forecasting by Treasury—this is something that happens from time to time—and how it has gone over the last decade. I am looking forward to that. We have had conversations in this place about iron ore in particular and who gets it right out of Treasury and the range of private sector forecasters out there. Who knows who gets those sorts of things right? It is probably getting a little bit easier now than it perhaps was when the Leader of the Opposition first became Treasurer because the futures market is a bit more mature than it was even four years ago. There is a little bit more data in the market to stick these things on. However, I will do, because I want to know whether the information I got when we made the decision delivered in the end when the activity in the market responded. It is probably a bit early yet, but hopefully by mid-next year we might have a better understanding and idea of whether it worked. Ultimately, coming back to the point the Leader of the Opposition raised at the beginning of his comments about whether the first home owner grant stimulates activity or simply stacks it into the sale price, I guess we could find data that proves both points if we look hard enough.

**Dr M.D. NAHAN:** The information I have on applications indicates that some of the grants paid in October 2017 clearly still included the bonuses, but applications received dropped back down almost to the pre-bonus level, but the minister would probably want grants paid for a period to determine that.

**Mr B.S. Wyatt:** That won't be for a while yet.

**Dr M.D. NAHAN:** Yes, I would think so. We use a number of types of incentives for promoting house purchases, including conveyancing fees and other issues. It would be very useful if the minister looked at the most effective way to stimulate house purchases, if the government chose to do it. As the minister knows, we withdrew the FHOG on existing house purchases. We did that at the time because we had very high population growth and the restriction was on housing stock. I think some other states have done that. We followed New South Wales on that. There is an overheated market in the eastern states, which we never want to go through. That is my statement. However, if history repeats itself, after it slows in Melbourne, Sydney and Brisbane, investors will come over here. We need policies that are more effective in terms of spend per subsidy and also to make sure that we do not lob in subsidies that just build

up the cost of the property with no gain whatsoever. This is a really vexing area. Now that we are in a subdued market, maybe it is time to have a review of various housing policies, at least to assist with house purchases.

**Mr B.S. WYATT:** Ultimately, I think the Leader of the Opposition makes some good points. He is right; at various points over the years, all states have removed the FHOG arrangements on established home purchases for, I dare say, very similar reasons. I am probably not in a position to make a wise statement about the point the Leader of the Opposition made about the mechanisms that state governments have to stimulate activity in the new home market. There are a few things we can do. I will have a think about that, now that the Leader of the Opposition has posed the question. He is right; if we are going to look at these things, it is probably best to do it in a market that is a little more stable, which ours is. Yes, areas are still declining, but I think, by and large, we have a more stable market than New South Wales has had of late. The Leader of the Opposition is right; those markets fundamentally distort all sorts of other activities. New South Wales will have a problem in due course with its own budget, bearing in mind the build-up of revenue from stamp duty.

**Dr M.D. Nahan:** They had an increase in stamp duty in one year of \$7.5 billion.

**Mr B.S. WYATT:** I read a piece in *The Australian Financial Review* by an economist who said that the New South Wales housing boom was having a bigger distortion on the national economy than our iron ore boom. I will have to go back and find that because I found it fascinating. I will have a think about that. There is a range of things we can do in the housing space, short of entering into those conversations that the Australian Capital Territory has pursued, which is about much more dramatic reform. But the Leader of the Opposition's points are noted.

**Dr M.D. Nahan:** We struggled to do that because the ACT is a local government and a territory and has local government rates.

**Mr B.S. WYATT:** Absolutely. The ACT also had very high average wages. It has a range of benefits, so those sorts of reforms are easier to exercise there, even over 20 years, than they are in normal states that have more issues to deal with. The other issue about this that was raised in a conversation I had with Treasurers is that even if we wanted to do that, there would be some negative GST implications. The federal government would have to be involved. The ACT's budget is funded and it can do these things. There would be a penalty on states that would want to undertake this sort of reform process. There are so many moving parts in our fiscal federation, as the Leader of the Opposition knows.

**Dr M.D. NAHAN:** The minister can rule it out of line, but I wrote him a letter about the GST and one of the issues that has come up repeatedly in the modelling is that the big aspect with the GST is that we have to minimise the redistribution impact on the other states; otherwise, the politics get rough. Christian Porter did some modelling for Treasury when he was Treasurer to exclude the territories from the pool and put them to the side—it is a very big sum—and then start where we are now and look at the impact of that and then move towards what the Productivity Commission is proposing, which is the average thing. If the minister did that modelling, I think he would find that in about four years, the distribution impact of moving to the Productivity Commission's proposal—that is, having the commonwealth fund the territories—would not be that hard.

**Mr B.S. Wyatt:** I imagine that that would then require the commonwealth government to agree to do what it used to do and pick up the cost of the territories that the GST is now funding.

**Dr M.D. NAHAN:** Yes. It is easy for the ACT. Why does it get any money? It is because the commonwealth does not pay taxes—the biggest business in town. The other issue is that if we took Aboriginality out of the Northern Territory, it would not have a big claim at all. It is all Aboriginality. We could make an argument that the Northern Territory should address that issue; therefore, we would not have the phenomenal fight with Tasmania, South Australia or the other states, which is what is going to block the reform. I have written to the minister and asked him whether he can do the modelling. I am not playing politics; I am going to submit it to the Productivity Commission.

**Mr B.S. Wyatt:** No. That is good. If Christian Porter did some of this—I know there are some challenges in getting work done under former governments—hopefully I should be able to get some of it.

**Dr M.D. NAHAN:** The Productivity Commission wants to see it. I was told that the best modellers are in the state Treasury.

**Question put and passed; the Council's amendments agreed to.**

**The Council acquainted accordingly.**

## HISTORICAL HOMOSEXUAL CONVICTIONS EXPUNGEMENT BILL 2017

### *Second Reading*

Resumed from 23 November.

**MS C.M. ROWE (Belmont)** [3.58 pm]: I rise today to make a contribution to the Historical Homosexual Convictions Expungement Bill 2017. I am immensely proud of the Premier and the Attorney General for bringing this bill to state Parliament and I wish to congratulate them on this most important and deeply symbolic legislation.

This signifies Labor's commitment to righting a historical wrong that saw horrendous state-sanctioned discrimination and persecution towards gay men that should never have occurred. Such laws acted to shame gay men simply for being gay. They were designed to humiliate and denigrate. These laws not only caused immense emotional grief and pain for the victims, but also prevented those who were unjustly convicted from gaining certain employment and from travelling due to their criminal records. They were robbed of their human rights. This is, indeed, a dark chapter in Western Australia's history.

This bill establishes a framework whereby an eligible person, or, in the instance in which the person has died, the person's relatives, partner or guardian, can apply for expungement of historical homosexual convictions relating to consensual acts. This bill may affect only a relatively small number of Western Australians. However, these convictions have had ruinous consequences and detrimental and long-lasting effects on the lives of those who have been convicted unjustly. In fact, it is almost unbelievable to think that such laws existed. It was only in 1990 that homosexuality was decriminalised. For decades, unjust laws have allowed for the open discrimination of gay men, perpetuating prejudice and bigotry, publicly shaming them for their sexuality, and stripping them of their dignity, thus allowing the hatred to be tolerated and accepted. This sent a clear message to members of the gay community that they are not considered equal in the eyes of the law. This is clearly wrong.

This bill is long overdue. I wish to state for the record that I am deeply saddened about these past wrongs. I am sorry. It should never have happened.

Debate adjourned, pursuant to standing orders.

### McGOWAN GOVERNMENT — FIRST YEAR PERFORMANCE

#### *Motion*

**DR M.D. NAHAN (Riverton — Leader of the Opposition)** [4.01 pm]: I move —

That this house expresses concern over the failures of the McGowan government in its first parliamentary year.

This has been an interesting year. I would like to talk about two major issues, and my colleagues will go through others. The first is the proposed increase to the gold royalty and the position that the Liberal Party has taken on that issue. The second issue concerns my role as shadow Minister for Public Sector Management, and it is the processes of reform of the public sector that I have seen to date. A state government is essentially a service provider. Therefore, the effectiveness and efficiency of the bureaucracy and the public sector are vitally important issues at the state government level compared to at other levels of government.

I will run through some of the history of the gold royalty. My first interaction with the gold royalty was back in the 1980s when I was encouraged to come from the university to participate in a review of all royalties, including gold. At that time, in about 1985, not only was no royalty applied to gold, but gold production was not subject to the payment of income tax. A gold royalty inquiry was undertaken in which I and others participated, in my case only part-time, and the report of the inquiry was submitted to the then Labor government. The Labor government at that time had committed to introducing a profit-based royalty on minerals. The two major minerals that were considered at that time were iron ore and gold, and perhaps also nickel; I cannot remember. That royalty inquiry took three years and made some recommendations. The major recommendation, particularly following the position of the government of the day, was that the government introduce a profit-based royalty. We looked at gold in detail. We recommended introducing a gold royalty of 2.5 per cent ad valorem—that is, based on added value—and, if the government of the day wished, to top that up with a profit-based royalty if the profit of the business went above a certain threshold. That was in the days of the Ross Garnaut inquiry into the introduction of a petroleum royalty.

The inquiry did a lot of modelling, and we identified that a royalty on gold of above 2.5 per cent would mean that ore would be left in the ground, or mines would be curtailed in size. The gold industry is different from the iron ore industry, because exploration is very risky. Goldmines have great difficulty raising money for exploration and development. Therefore, exploration in the gold industry is ordinarily funded from retained profits. If profits are taken away from gold businesses, they automatically need to cut their exploration budget. Goldmines are different from iron ore mines. Iron ore mines last for decades; goldmines last, on average, four to seven years. If they do not invest continuously both on-site and off-site, they will not last.

Several members interjected.

**Dr M.D. NAHAN:** There are some exceptions. The Boddington goldmine has been around for 30 years. When our government was considering the introduction of a gold royalty, one reason we did not do that was that the Boddington goldmine was looking at a \$4 billion investment in the expansion of the pit. The Telfer goldmine, which has been around for 30-plus years, also needs to make a number of incremental investments. If we take the profit out of goldmines, they will shrink. That situation may be different in iron ore mines, and sometimes in copper mines, and also in the larger goldmines, particularly when they are mining a mix of metals.

The Liberal government introduced a gold royalty in the 1990s. I believe that was a bipartisan decision, but I cannot confirm that because I was not around at the time. The royalty rate at that time was 1.25 per cent. In the late 1990s and early 2000s, the royalty rate was increased to 2.5 per cent. That rate was chosen on the basis of the last thorough review of mineral royalties some 30 years ago. Since that time, the gold industry has been one of Western Australia's great success stories for employment, job creation, investment and exports. However, it is a fragile industry. Most of the mine pits are, on average, four to seven years old. Without a constant flow of a large amount of risky investment, they will die. The Gallop and Carpenter Labor governments did not change the royalty rate on gold or review the rate. In 2010 or 2011, the first Barnett Liberal government decided to conduct a review of all royalties, other than iron ore. Iron ore was excluded because discussions were already taking place about increasing the royalty rate on fines. Treasury and others had extensive consultation with industry over, I think, a period of three years. They went to industry and got data on mines from the then Department of Mines and Petroleum, which had a great deal of information and expertise on mines and analysed the potential impact. When the report was finally delivered, I was the Treasurer. A lot of pressure was put on me to accept the gold royalty increase. The recommendation from Treasury at that time was an increase from 2.5 per cent to 3.75 per cent, which is exactly the same as the Treasurer proposed in the budget this year.

The reason why in that budget I wrote down \$16.5 billion in revenue was that the deficit was growing. We were under fiscal stress like never before. Members of the opposition at that time relished that, but from a Treasury perspective, I had every incentive in the world to introduce a gold royalty. We looked at that thoroughly. However, from my background, and from the arguments of the then Minister for Mines—I think there were two different ministers at that time—we decided not to do that, because it was clear to us that a number of mines, both large and small, were very marginal. If we were to introduce a 50 per cent increase in the royalty rate on gold, it would have significantly impacted investment, jobs and exploration for those mines. If we wanted to get more money out of them, we could have had profit-based royalties. That would have taken a lot of work, but we could have done that if we wanted to. We considered that option in 2014 and 2015 and chose not to do it. We had a huge incentive to do it because our revenue was in freefall, but that was our policy position. At that time, the opposition, led by the member for Rockingham, looked at the issue. I cannot say whether Labor played politics with it or looked at it, but his position was exactly the same as ours in 2014 and 2015. He joined in with the crowd of miners outside Parliament House, wearing a gold hard hat with his name on it, and said, "I'm for the gold industry." He said that Labor would not increase the royalty on gold because it would destroy jobs and investment. He said it over and again. We had debates about it in this house because he thought we were going to do it because we were more desperate than this government for revenue. I accept that the government now has an issue with revenue. I wish the government members would have accepted it in opposition. They did not, but it is a different position and different people. The then Leader of the Opposition made a claim to the gold industry and the public in 2014, 2015 and 2016 that he would not increase the royalty on gold. He took that promise to the election; it was a promise that he cannot run away from.

As soon as the McGowan government came into existence, its members started trying to rewrite the fiscal position and say that the books are much worse than they thought and they would have to put in place revenue measures. The Treasurer started spouting about all sorts of measures. I have been told—I was not privy to those meetings—that during that period the Treasurer or the Premier, it is not clear which one, had meetings with members of the gold industry and told them that a gold royalty increase was not under consideration in the budget. I can see why the government did that because if it had given any hint of the royalty rate going up, there would have been crowds at Parliament House and elsewhere. Government members avoided the campaign, but that is what they told the industry. Then, in the budget, they proposed the royalty increase that was recommended to us with a small exception: an alteration to the minimum cut-off of 2 500 ounces, but the rest of the proposal was identical to ours. That is the proposal that members opposite swore they would not put in in 2015, 2016 and 2017 up until the budget time. The arguments put forward by the government of the day—the Treasurer and Premier and, I think, the Minister for Mines and Petroleum—was that it would not impact mines and there would be no impact on jobs, investment or exploration. The government did not have in-depth consultation with industry or indeed with the mines department.

My experience in 1985 and in 2014 and 2015 was that that was not true. It would have an impact, and it was obvious. We saw in the media that the company that owns the Telfer mine, one of our largest mines that is a very old and deep mine, was either going to invest an extra \$90 million into the mine or shut it in 18 months. It was all there in the literature. The company had to make reports to the ASX; therefore, that data is accurate. It is also available from a whole bunch of consulting agencies and stockbroking firms. Telfer's situation was blatantly obvious to anybody who bothered to look. The gold royalty would have—this cannot be said absolutely—probably killed off the \$93 million that was required to keep the mine going for another four years, and in 18 months lead to the cessation of mining and closure of the mine and the loss of 1 550 jobs. However, the government of the day said that the increase would have no impact—simply not true. The government did not talk to industry; that is true.

In the upper house, with the crossbenchers, we voted against the regulation to increase the royalty on gold. I stand by that decision. It was the right decision because the McGowan government not only, as the opposition at the

time, went into the campaign over and again saying that it would not increase the royalty rate on gold, but also said, quite rightly, that the overriding priority of the government would be job creation. It said that over and again—irrefutable. It was the right issue to focus on and one of the main reasons Labor had a landslide victory. Labor said it was committed and had a plan to create jobs. This government has gone against an election promise not to increase the gold royalty rate and it is denying that that action will destroy jobs, which is what it will do. We, with the crossbenchers, quite rightly blocked it. The lesson is: be true to your word and do not make claims that are blatantly untrue, particularly when it comes to an impact on jobs.

The Treasurer then flagged that he would probably come back in the future and have another go at the gold royalty. He did, and I think he made three changes. The threshold of an \$A1 200 floor, below which the royalty increase would not apply, was changed to \$A1 400. It did not impact the estimated revenue flow. He also did the right thing and put in a 2 500-ounce floor, below which a company does not have to pay any royalties. That was the right thing to do. If a company went above 2 500 ounces, it would have to pay royalties on all the gold received that would potentially bring in large numbers of small prospectors and goldminers, and it simply is not worth the regulatory effort to collect money and assess those people. I do not think that would have cost the government very much money. The Treasurer also then proposed to try to address the marginal mines, of which he said, by the way, there were none, by putting in a clause that states that a mine does not have to pay the increase in gold royalty if its all-in sustainable costs are within 85 per cent or higher of the price. That was a useful type of measure, I suppose. That data can be measured and independently assessed. There is a big fight between industry and regulators about what is all-in sustainable costs, and it might have had an impact. The Treasurer estimated that change would lead to a \$60 million reduction in collections over four years.

When the Treasurer first introduced the gold royalty proposal, he said that it would not impact any firms. He then introduced something that was supposed to help marginal firms and he was writing down \$60 million in revenue. Clearly, those two do not go together. He cannot write down revenue with a tax change if he claims there is no marginality—there is no loss. He also failed to recognise, and this is important, the impact of royalties, particularly above 2.5 per cent on the size and the operations of the mines and exploration. There is a range of forecasts out there and members can choose to read what they want to, but the Chamber of Minerals and Energy with some consultants looked at the future of the gold industry in Western Australia. Although we are very productive and very high cost with a lot of new innovations and investors, mostly locally made, by the way, the gold industry is the archetypal, successful Western Australian-based mining business. The gold industry employs more drillers than any other type of mine site. It has a spin-on effect, and in particular its regional involvement is phenomenal. It is a really good heart and soul of the mining sector in Western Australia, which is the basis of our economy. But the forecasts, particularly for a large number of known reserves, which are in very old mines, such as Boddington, the Super Pit and Telfer, are that they will come to an end in the not too distant future. The forecast is that gold production will decline very sharply over the next four to five years by almost 50 per cent unless there are incentives for miners to discover new fields and sources or to expand existing ones. Unless we have exploration, the gold industry will shrink substantially and many of the 25 000 people directly employed in the gold industry will be out of work. That is the data. That is the serious issue.

In the Treasurer's last go at the gold royalty increase, he said that he had talked to the Chamber of Minerals and Energy, but he did not do so very vigorously. He went to the CME and said, "Here's what I'm going to do." The reality is that the Treasurer did not speak with any of the goldminers in the second round. He did not speak to them, because of course they would be against it. If the Treasurer wanted to come up with an altered plan to address marginality and maybe exploration, he should have talked to the firms involved, but he did not do that. He went out of his way not to talk to the people who would be impacted by the mines. Back in the 1980s, it took a three-year review. During our time in government, we took a three-year review and discussed it with everyone. We understand that this time it was just a desperate grab for money without considering the consequences on employment and the future of the industry and jobs. Last night, the Liberal Party with the National Party and the crossbench, once again, disallowed the increase in the gold royalty. It was the right thing to do.

Another issue, of course, is the perverse impact of the GST. In three or four years' time, 60 per cent of the money raised by the gold industry in Western Australia would be sent to other states. Yes, there would be a hit of an estimated \$316 million over the next four years, but it would then drop precipitously after that. In other words, after the first three years, we would give most of this revenue to Tasmania and South Australia. Those states would get the money and it would create jobs over there. The government would take the royalties from this state and destroy jobs here. That is not job creation. The Liberal Party did the right thing and stood up for it. I am proud of that.

As Leader of the Opposition, I gave a response to the Governor's speech in which I recognised—how could I do otherwise—the difficulties the Treasurer faces in balancing the books and that we need to have balanced books. Our state has a structural deficit for a variety of reasons and we also have hellishly risky revenue flows due to our heavy reliance on iron ore prices. That is not a long-term sustainable solution; it just is not. I indicated that I would provide support to efficiency measures if they are effective. I want to talk about one measure that I am very concerned about that needs to be done, but I do not think is being done well. I reserve some comment, though.

I did say that the government was very clear before the election, when it knew the challenges it had. The Treasurer sat in this place as shadow Treasurer for four years and the Premier sat in this place as Leader of the Opposition. They knew thoroughly the challenges and the trends we would face, and committed to no new taxes or tax increases and no new increase to gold royalties. They have broken those promises. I indicated that I would support the government on efficiency measures, but I would not support it on revenue raising. I know the government has to break promises. The issue is which ones it breaks. We will support the government on breaking some promises but not others. The problem is that the Labor Party went to the election promising not only no royalty increases and impossible debt and deficit reduction, but also \$5 billion of expenditure, which it does not need and has no way of funding. That is the problem. The government is meeting its expenditures plus, but it is failing to meet its commitment to not raise taxes and charges. We do not support that.

The government sought a general mandate for and is pursuing reform of the public sector. The government went through a policy of reducing the number of departments significantly—by 50 per cent, I think from 40-some to 20-some—and building large departments. I have been critical of that because I have seen it before in this state. Geoff Gallop did the same thing, but it did not lead to efficiencies and clarity of decision-making in departments—in fact, the opposite. More importantly, it did not save any people. Looking at the data, the number of public servants shrank immediately after the reform, but rose sharply thereafter. It depends on how it is done. But it can be done; let us see how the government does it. Also, the first thing Geoff Gallop did as Premier was to put together a high-level committee to look at restructuring the public sector—something like this services review. But changes to the number of departments, senior staffing and the senior executive service were done before the review. The review might be in the government's hand—I do not know—but, if so, it has come recently. In other words, the government made all the structural changes before it had the plan. In fact, the government announced the plan after it had done most of the restructuring. It was done on an ad hoc basis, and we can see that. Also, the government went in with a target to reduce the size of the SES by 20 per cent. It has done that to a large extent and it will cost the government huge amounts of money, but is that effective?

I give the example of the Department for Child Protection and Family Support. There have been four exits from the senior executive service of the Department for Child Protection and Family Support—it has changed its name a bit—all senior women. I know two of them; they are absolutely excellent. That cost about \$2.4 million or \$2.5 million in payouts on top of their entitlements. The government replaced those four positions with three new positions and new people. The average level of the new appointments exceeds the old positions. In short, the government spent \$2.5 million to get rid of the old positions and it has replaced at least three of those four positions with higher-paying, higher-level jobs. Will that improve anything? It will take the government a long time to earn back the \$2.5 million. This is in a department under real demand stress that wears people out—it is a hard job—and where we need the best people. But the government has lost some of those people. That can be seen in departments all around the place. The morale of the public sector at the senior level is rock bottom. People do not know whether they will have a job, what the guidance is or what the structure is, and they all expect, quite rightly, that after the services review is released, there will be another reshuffle maybe next year. The public sector is the state's service delivery agencies in education, health, child protection and mental health. The effectiveness of the bureaucracy determines the effectiveness of frontline services and that determines the effectiveness of the government. The way the government has gone about this is just chaotic.

We have also seen changes at the highest level to the Road Safety Commission and to Lotterywest that were done with no explanation and in secrecy. This permeates the public sector, and we can only assume that these people in higher level positions were fired and paid out because they did not do what their masters wanted them to. Many were guardians of trust fund money that they were in the process of allocating. In short, we will find in the next year or so that the government has raided the road trauma trust account and Lotterywest to fund political commitments and other politically preferred activities. That is no way to run a government.

The government also made a commitment in the last budget for 3 000 voluntary redundancies. As I said before, the government is clearly assuming that the inefficiencies of the higher costs in government relative to other states lie in backroom bureaucracy. Maybe it does to some extent, but I can assure members opposite that they will find out that that is not necessarily the case. I think we had four or five rounds of redundancies in which the bureaucracy was reduced by 5 500 people over four years. That is a large reduction. Indeed, the total public sector did not grow at all between 30 June 2012 and 30 June 2017. We took backroom people, replaced them with the appropriate people, and put them on the front line. There is a lot more underway in the government's reform. We are seeing signs that removing 3 000 public servants through voluntary redundancies will clearly and emphatically impact the delivery of frontline services unless it is done very, very well. It has to be done very well or else the government will see significant impacts on frontline services. So far, we do not really have enough data or evidence about what the government is doing. We received information that the government was going to remove 800 people from the Department of Education at "Silver City" and there are only 954 people there. I can tell members opposite that if they remove 84 per cent of the people from "Silver City", they will have a dysfunctional education department. Things like testing, human resources, oversight and coordination, and operation and redeployment will not be done, or will be done at the schools, so the government will be pushing huge amounts of work on schools. We are

just the opposition; members opposite are governing. We will hold them to account but I can see a process that has not been well thought out or planned. The government has failed to recognise that at least the administrative side of the public sector was pretty lean and that reforms have to take place—efficiencies, if you wish—in the delivery of frontline, essential services. That is bloody difficult.

We are also seeing issues with Perth Children's Hospital, King Eddy's and Armadale–Kelmescott Memorial Hospital, and will soon in Fiona Stanley Hospital where the pressures of change are such that the staff are in revolt. I suspect that the government is pushing reforms through there. If the government does not do this well, it will see substantial reductions in the quality of and increased costs in delivering these essential services. I do not think the government has had a good year but I think next year will be even tougher. We look forward to holding the government to account.

**MR A. KRSTICEVIC (Carine)** [4.34 pm]: I, too, want to contribute to this debate and reflect on what has happened in this state and this Parliament since the March election. Generally, when the Labor Party was elected in this state with such a convincing victory, it made lots of promises and commitments to the community. It raised expectations and, unfortunately, the bar was raised extremely high during the election campaign. The now Treasurer is on record indicating that he thought the bar had been raised extremely high and that he would not make some of the commitments that the now Premier and other members of the Labor Party made during the election campaign. He is not silly. He knew the state of the books, the finances and economic conditions that had been prevalent for many years in the state prior to the election. In his first budget, the Treasurer indicated the difficult conditions that the previous state government inherited and the headwinds that we had to move through to try to manage the state's finances. A reference was made to our first term in government and getting projects underway while trying to manage the state during the global financial crisis. As I have indicated previously and as is very clear to everybody in this house, we pulled a lot of levers to make sure that the state and this country managed to get through that process. I think we did very well because we did not feel the effects of the GFC to any great degree in Western Australia at that point. The rest of Australia benefited from the direction that we gave to the rest of the country.

Obviously, as we have indicated before, then we had the mining construction boom, which came on very quickly after that. It created problems in being able to access labour. The cost of labour became very expensive. Nobody wanted to work in the city; everybody wanted to go up north and get high-paying jobs. Of course, we found ourselves in the position, not that long ago, in which we were looking to recruit people from not just the rest of Australia—because there were not enough people in Australia for all the jobs that were going in Western Australia—but also overseas. It is amazing how quickly circumstances change. We have been through a massive rollercoaster ride from one extreme to the other. I think that reflects the nature of our economy in Western Australia. We need to be very conscious of how quickly we move through our cycles, how unstable our revenue sources are and how we invest money in this state and the commitments that we make. We need to be a lot more cautious heading forward.

It does not help when the federal government is being difficult about giving us the money that needs to be invested in Western Australia through not just the GST, but also other distributions that could make up the differences. The federal government does not appreciate the fact that to make a dollar, you have to invest a dollar. We know that very well from small business. People need to invest in small business and work not just in the business but on the business to make sure that it grows and delivers more into the future. It has been proven for a long time now that Western Australia has not just the capacity and ingenuity, but also the drive, commitment and smarts to be able to carry the entire nation of Australia, if it is given that opportunity. I think it would be a wise investment for any federal government to put more money into Western Australia so that we can grow the economy of Australia, which all Australians can benefit from. I do not think anybody in this house would disagree with that. I am sure that if other people around Australia were to look at it from a macro level rather than a micro level and a self-interested perspective, they too would say that if this was their business, they would be running it very differently from the way things are happening. It is very disappointing that we are not able to sell that message.

As we all know, we work within political cycles and we are all, I suppose, chasing votes for the next election and making the commitments that we need to make to get votes. Sometimes those commitments are good and, at other times, they are not necessarily the best investment of dollars to make a return for the community at a broader level. We need to make sure that we always try to get that right. We all have that intention and mindset but we do not necessarily deliver it for many different reasons. Sometimes when those days pass, we reflect on some of the things that have happened and some of the decisions we have made. We always think, "That could've been done a little bit better and that could've been done differently." We learn with hindsight, but we also need to make sure that we stand up for our communities and the best interests of the state, not always the best interests of political expediency. I know that is difficult to do in this place. It happens from time to time, but it is a difficult thing to get through. When the Labor Party won the election, I went through the effort of putting all these tags on the Labor Party promises, but of course we know that most will not be delivered upon. Some of them obviously will be if they fit in with the agenda of the party; others, as we have seen over recent times, have been reneged on. In September this year, the Premier said sorry for all the broken promises; he was sorry that they would not be delivered on and sorry that the government has raised taxes and charges.



Several members interjected.

**Mr A. KRSTICEVIC:** The Premier said sorry —

Several members interjected.

**Mr A. KRSTICEVIC:** No, no, it is well documented. I am reading from an article in *The West Australian*, but the Premier has also said it in this house. I am sure I heard him say, “Sorry for the broken promises.” I am not going to list every single promise that will be broken or not delivered on; I have them in this book. I am sure that at some point in time we will go through them individually and tick off every single promise.

Several members interjected.

**Mr A. KRSTICEVIC:** They were to do with taxes and charges, yes, I know, and obviously —

**The ACTING SPEAKER (Mr T.J. Healy):** Member, he is not taking your interjections. You will have a chance to contribute.

**Mr A. KRSTICEVIC:** We obviously know there will be broken promises; we all expected it. It is not like anybody in this house really thought all the things spoken about during the election would actually be delivered. We would have had to be living in wonderland to expect that to happen. In the heat of battle during a campaign lots of things are said; unfortunately, I suppose, he who has the most money and is able to advertise with the most vigour gets his message across more clearly. Ultimately, I think the community always has a degree of scepticism when it hears these things because it is well versed in political speak when making promises and then not coming through on them. As time goes by, I will look through those promises—I am sure the opposition will do it individually—to see which ones have and have not been delivered.

In saying that, obviously it is not a good idea to deliver all those promises because some are not a good investment. I have no doubt that will drive the decision-making process along the way. The government may say, “Well, that seemed good at the time but it is probably not the right decision to make now.” Again, if that is articulated to the public, the government may say, “At that point in time we really thought that was going to happen and we were keen to make that promise but there have been changed circumstances since our election.” It cannot talk about changed circumstances before its election, because it knew what they were, but if the government gives an open, honest and transparent account of those changes, I am sure the public will take that on board and factor that in.

It is interesting that obviously one of the things spoken about during and since the election was this thing called gold-standard transparency. There was a big critique of the previous government about not being transparent, making people go through freedom of information applications, not releasing contracts and holding back information, but we are seeing patterns of that emerging with this government. I wonder why these things happen, because governments change and new governments come in and start accessing information and finding out what has been going on. So over time those things come out and become available to the community. The community sometimes gets concerned when it sees the same pattern coming from a different mouth; it raises a lot of issues about where we are heading as a state and what we are really trying to achieve. I do not believe that any decision that a government or minister makes should be hidden behind a cloak of secrecy or made to seem better than it really is. The people of Western Australia are intelligent enough —

**Ms S.F. McGurk:** Where’s the business case for the freight link?

**Mr A. KRSTICEVIC:** Like I said, I am telling you what my view is —

**Mr W.J. Johnston:** Where’s the business case?

**Mr A. KRSTICEVIC:** As a humble backbencher and a former government Whip —

Several members interjected.

**Mr A. KRSTICEVIC:** — I do not have that —

**Mr W.J. Johnston:** Yes, you do!

**Mr A. KRSTICEVIC:** I do not have that information! I do not have it!

**Mr W.J. Johnston:** Yes, you do! The Leader of the Opposition has it!

**Mr A. KRSTICEVIC:** He may have it. I do not have it —

**Mr W.J. Johnston:** Show up to shadow cabinet and get it released!

**Mr A. KRSTICEVIC:** I tell members, if I am ever lucky or fortunate enough to ever be on the government benches again and if I am a minister, members can take my word that I will never, ever, ever hide anything and I will be happy to lay everything on the table.

Several members interjected.

**Mr A. KRSTICEVIC:** I will be happy to lay things on the table if I am ever a minister and if I am ever Leader of the House.

Several members interjected.

**Mr A. KRSTICEVIC:** Mr Acting Speaker, please, I am just trying to get a few things on the record. I am making a commitment and obviously stressing my disappointment about some of the things that have occurred.

We have talked about paying off the debt like a mortgage; obviously, that is the best we can do because it will take a long time and be a long process, especially when we have a huge spending commitment of around \$5 billion. We recently had the first budget of the new Treasurer, who supposedly is the longest serving Treasurer for a while. I look forward to his long and prosperous reign over the next three years. Hopefully, he will be able to turn that ship around, but I do not see debt going down. I hope it does, but I really do not think I have seen anything so far that gives me great confidence. When I look at the various journalists, such as economics journalist Shane Wright and the famous Joe Spagnolo with his “What’s the plan, Stan?”, it is very difficult to see what the future will be.

We know that if we want to improve our financial position and put the state in a better light, we need to invest money. We need to grow the economy. That is the best way to improve the state of the books. Are we growing the economy? Are we investing? Well, we are cutting 3 000 jobs through redundancy. I do not know that that will necessarily contribute to any economic growth. I think it will cut back on frontline services. During our term of government, we cut back the public service as much as possible. I really think that will have a negative impact. As to reducing the number of agencies from 41 to 25, again, I do not have a problem with that but I think a process needs to be gone through.

**Mr J.N. Carey:** We did.

**Mr A. KRSTICEVIC:** A process that takes more than five minutes needs to be gone through to understand what an agency does and how it interacts, and the impacts of cutting that agency and joining it with another agency. I have seen plenty of amalgamations —

**Mr J.N. Carey:** So you support big government?

**Mr A. KRSTICEVIC:** No, I am just saying that a process needs to be gone through to get there.

**Mr J.N. Carey:** We have. We did a review —

**Mr A. KRSTICEVIC:** Well, I do not know how well that review was done. It was a very short review. I previously worked in government, and small changes take a long time to implement. This is obviously a very significant change that I hope works. When I see the government go from 41 agencies down to 25, get rid of a lot of the leaders in those organisations and tell them their services are no longer needed and that the government is happy to pay out their contracts, would it not have been smarter to say, “Actually, we’ll employ you and keep your intellectual capacity and corporate knowledge, and since we have to pay you out if we let you go, we might as well just keep you on the books and have you working in those organisations so that we can try to make sure that it works in the future”? That would have been —

**Mr J.N. Carey:** And incur more leave —

**Mr A. KRSTICEVIC:** — a commonsense approach.

**Mr J.N. Carey:** — which costs the state more.

**Mr A. KRSTICEVIC:** We are talking about the people who have been leading these organisations, in some cases, for decades and have so much corporate knowledge in the government. I am sure that anybody running a business would not want to lose that intellectual capacity, that corporate knowledge, on the basis of paying them a reasonably healthy sum of money, as we have seen with some of the things that have been brought to the attention of the house, and at the same time not getting anywhere. I think that is a bit of an issue. Hopefully, the frontline services will not be impacted.

Obviously, we know that households are struggling. It is very difficult out there. It is very difficult for everybody. It is very difficult for people who have assets and even more difficult for people who have no assets. We hear that every day in our communities. I have people, as we all do no doubt, coming to my electorate office looking for help, guidance and direction, and we hear some very sad stories. It breaks my heart to hear some of the things that people are going through. I can relate to some of those things through my personal experience and family members and others. I know how difficult those things are. Not everybody is able to be helped by their families to get through the circumstances. Some people are lucky enough to be able to be supported, but others not so much. That level of complexity is worth noting.

I also note that one of the important bills brought to this Parliament was the Western Australian Jobs Bill. We looked on that with great interest when it was brought into Parliament. We were told it was all about creating jobs, even though the government is offering 3 000 redundancies. It is all about jobs, even though the government is getting rid of the leaders of its public service. It is all about jobs, even though the government is increasing taxes and charges on the community. It is all about jobs, even though the government is increasing the payroll tax. It is all about jobs, even though the government is trying to hit the gold sector. It is quite an interesting contradiction for the government to talk about jobs when we look at some of the things going on. As we all knew when the WA jobs bill came in, places such as the eastern states and New Zealand are all part of WA—they are local! Of

course, there are a lot of intergovernmental agreements under the commonwealth banner that make us subject to all these laws. Obviously, that bill will not have the impact that people were hoping for. The government talked about participation plans, but we still do not know what a participation plan looks like, what it means or what it will do to help the situation.

[Member's time extended.]

**Mr A. KRSTICEVIC:** The WA jobs bill did not really give me great confidence. It points in the direction of the government saying it is going to do more of the same; in other words, it is going to try to do the best it can to make sure jobs are given to Western Australians when it is financially prudent to do so. Again, the exemptions to the obligation to offer jobs to Western Australians make sense from the point of view of Australia and, obviously, Western Australia. The levers to try to change things are very small. I thought I should look at this big 138-page "Plan for Jobs" carried around by the Labor Party during the election campaign. I had a look at the WA jobs plan, because it was heralded as the saviour of the economy. I looked at it in detail and I saw that there was a cover page, 10 pages left intentionally blank, a contents page, an introduction page, a 16-page executive summary, 11 full-page chapter covers without content, a back cover and all these fluffy statements. All of a sudden, this 138-page job plan came down to very few pages.

Several members interjected.

**The ACTING SPEAKER:** Members!

**Mr A. KRSTICEVIC:** It looks like a big plan, but like I said, anyone who likes pictures and blank pages will get a lot out of this document! I am not sure how much that jobs plan itself is going to deliver jobs along with the WA jobs bill. Like I said before and I say again, I genuinely hope that the government succeeds for the sake of all Western Australians. I do not like to see any government fail and I think ultimately we are all here for the same reason. We are here to try to deliver better outcomes for the people of Western Australia. It is really just a matter of which road we take to try to achieve that objective. I do not think anybody is here for any other reason, so as much as we heckle each other about these things, I think fundamentally we need to acknowledge that we are all here for the same reason. I hope we are all here for the same reason—that is, to help our constituents, make their lives better, try to get good outcomes and to make those decisions as fairly as possible. I think I have said before in this place that as much as we say that there is no money, I think there are winners and losers. Those deemed to be the winners by the new government will have plenty of money and there will not be much for those deemed to be the losers, under whatever criteria that might happen to be. We have seen that already occurring. I am not going to go through all these wonderful photos of all the Labor Party members and ministers handing out their Local Projects, Local Jobs cheques signed, in some cases, by them.

**Ms A. Sanderson:** They are not Labor Party members.

**Mr A. KRSTICEVIC:** They are. Right here in this photo is Hon Peter Tinley.

**Ms A. Sanderson:** Do you mean a local member?

**Mr A. KRSTICEVIC:** They are local members; that is correct.

**Mr S.K. L'Estrange:** It says Labor on the cheque.

**Mr A. KRSTICEVIC:** It does say Labor on the cheque. I have not seen one Liberal Party member handing out one of these cheques yet for the government's Local Projects, Local Jobs program. It is amazing.

Several members interjected.

**The ACTING SPEAKER:** Members!

**Mr A. KRSTICEVIC:** I made lots of commitments. I was going to put extra lighting at Carine Regional Open Space. There were a number of commitments. I am happy to take a cheque for those commitments, even if it is only for \$25 000. Every little bit counts. There are obviously cheques for people. I do not remember ever getting this sort of cheque when I was in government for eight and a half years. I do not remember having a cheque with my name written on it and saying, "Here is your local member giving you a \$25 000 or \$50 000 cheque just to help you do whatever you happen to be doing." It is interesting. It just reinforces the fact that there is money. There is no doubt that there is money to be spent. As I have said before, I am sure there was no process to check the validity of those investments into election commitments.

The other thing I want to talk about is the merging of the State Records Office with the State Library of Western Australia. We know from history that that is not a good thing to happen. We know from the WA Inc days that that is how the problems started. A royal commission inquiry back then indicated that the archive should be separate from the State Library. That will take us back to the WA Inc days.

**Mr D.A. Templeman:** They will be accountable to the Parliament. Nothing will change in that.

**Mr A. KRSTICEVIC:** I hope that the State Records Office comes out with that sort of statement, because I have not heard it say that it feels supported and that it is comfortable enough to say that things have not gone backwards and that we are still in the same place that we were prior to the merger. If that is the case, I hope that the

State Records Office will make that statement. Unfortunately, the only statement I have heard from it criticised the move, not from the point of view of not wanting to change or do something different, but in terms of seeing a switch back to the dark old days when things could be done.

**Mr D.A. Templeman** interjected.

**Mr A. KRSTICEVIC:** I am just saying that is what the State Records Office is saying.

**Mr D.A. Templeman:** As you know very well, it is an administrative change. They are accountable to the Parliament.

**Mr A. KRSTICEVIC:** I hope that is the case. I hope it gets the resources it needs to continue its function. I know that successive governments have not necessarily given it the resources it needs; I am not necessarily saying that the former government was a world leader in giving the State Records Office the money it needed to do its job.

I do realise the importance of record keeping, and there have been many occasions on which that has come into play. Recently, in October, the head of the Australian Medical Association in Western Australia indicated that there were issues with the morale of doctors in hospitals, so that is also something we need to keep a careful eye on.

I turn now to the student-centred funding model. Schools with more than 1 200 students have had their funding slashed significantly. Schools that are successful, have delivered good outcomes and that parents are flocking to send their children to have had their funding cut by around \$1 000 per student. I think that is a bad move. The government needs to make sure it has done its analysis to see whether that money has been wasted as opposed to being a bad investment. I think all schools agree with that. They need more money, but they do not need to have funding cut from various schools.

We have talked about pensioners being hit hard. We know how much self-funded retirees are struggling out there and having their rebates capped. They are trying to survive in very difficult times, as we know. The government has introduced a foreign property tax; I will be interested to see how much money that brings in at a time when property prices are very, very low and going backwards, and when properties are not exchanging hands very readily. I understand what the tax is there for, but it is interesting to note that the foreign property tax was brought in at the same time that the federal government introduced a foreign property tax to get some money.

I turn to the local government and heritage portfolios; some great work has been done there. The minister has introduced a number of bills that were introduced by the former government but did not get through Parliament. Of course, it is great that he has reintroduced those bills. He has done a great job in bringing that information through. Some good work was done by the former government, the fruits of which the current minister has been able to enjoy! Unfortunately, the former government did not do as well as it could have in the local government space during the first half of its term, but in the back end it did much better. It is good to see that the Auditor General is now going to be involved in the local government sector to a greater degree, and is also great to see that the new Heritage Bill 2017 has been introduced in this place so that we can make some real investment —

**Mr D.A. Templeman:** I thought we might sit late tomorrow night to pass that!

**Mr A. KRSTICEVIC:** I have a lot for the consideration in detail stage of that bill, so I am looking forward to hearing the minister's extensive knowledge of that portfolio.

There are obviously many areas of concern. We have had the First Home Owner Grant Amendment Bill 2017 and the Sentence Administration Amendment Bill 2017, both of which were rushed to the upper house, and will now be coming back to be fixed up, which should have happened in the first place.

[Member's time expired.]

**MR D.C. NALDER (Bateman)** [5.03 pm]: I acknowledge the effort made by the member for Carine; I would actually dearly love to hand over my time to allow him to continue this great discussion!

Several members interjected.

**The ACTING SPEAKER:** Thank you, members!

**Mr D.C. NALDER:** I stand to further extend the analysis of the past 12 months of the current government. As I said yesterday, I have to admit that I am surprised. I am surprised at the extent to which the government's rhetoric has changed from what we heard before the election to what we have heard in the first year of this term of government. As shadow Treasurer and shadow Minister for Finance; Energy, I want to focus primarily on those areas.

I will start by looking at the budget and the current debt situation. As we know and have talked about for some time, the current government went to the last election promising to pay down debt like a mortgage and to return the budget to surplus by 2019–20, while at the same time not increasing taxes, introducing new taxes or placing imposts on households. Instead, we have seen a vast array of broken promises in the first 12 months of this government.

One of the key issues put forward by the government is that the former government left the state's financial affairs in a mess. That has been the Labor government's claim for the entire 12 months. The government has focused on the past, and everything is the former Liberal government's fault. The Labor Party is apparently the only party that

can come into government and fix this up. It has been fascinating to watch how far off the mark the government has been in fixing up the situation. That is what is really telling. When the government took over, the state net debt, as at 30 June, was just under \$32 billion. We acknowledged that that was high and we acknowledged that it needed to be dealt with. We agreed with the Labor Party that it needed to be dealt with. The Under Treasurer also indicated in the lead-up to the election —

Several members interjected.

**The ACTING SPEAKER:** Members! Members on both sides, can we not have our own private little debate. The member for Bateman is on his feet.

**Mr D.C. NALDER:** In the lead-up to the election, the Under Treasurer said that, irrespective of who won the election, the new government would have to deal with the debt issue. When the government's first budget was put out, we saw that debt would peak at \$43.8 billion. This was after the Labor Party said during the election campaign that with its uncosted election commitments, debt would reach only \$39 billion by the end of the term of government. Interestingly, Treasury costings for what the Liberal Party took to the election showed that by the end of the first term of a returned Liberal government, debt would have been \$28.8 billion. As we have said, that would have involved the 51 per cent sale of Western Power; we know that whole story.

When we look at the bond rate of three per cent that Treasury paid, we can see that the current debt has an annual interest expense of around \$975 million. When we look at what the interest expense will be on net debt at the end of this term of government, we see that it is around \$1.485 billion—an extra \$510 million a year. When we talk about fixing the budget and fixing the financials, the Labor government would have us believe that it had to break all its promises and introduce all these new taxes to fix the financial situation that it inherited. But as I have said in this place before, all these new taxes combined would not generate enough revenue to cover the increased interest expense that this state is facing over the next four years.

**Ms S.F. McGurk:** Then agree to the royalty increases.

**Mr D.C. NALDER:** I just heard the member for Fremantle suggest that we agree to increasing the gold royalty. We know that after the first term of government and the redistribution of the GST, there would be about \$40 million in revenue from that new tax.

**Mr W.J. Johnston:** It's not a tax and you know it's not a tax.

**Mr D.C. NALDER:** Whatever the minister wants to call it, it is an impost —

Several members interjected.

**The ACTING SPEAKER:** Members, thank you! Member for Bateman, speak to me.

**Mr D.C. NALDER:** The member for Cannington wants to go into the technical definition of whether a \$40 million impost on companies is a tax.

**Mr W.J. Johnston:** No. You are lying to the chamber.

**Mr D.C. NALDER:** I beg your pardon.

**Mr W.J. Johnston:** I said that you're lying to the chamber.

*Withdrawal of Remark*

**Mr S.K. L'ESTRANGE:** The member for Cannington just referred to the member for Bateman as a liar and he should withdraw.

Several members interjected.

**The ACTING SPEAKER (Ms S.E. Winton):** I believe he said that he was lying, not that he was a liar.

**Mr D.C. Nalder:** Are you going to let that go through? You are going to seek advice.

**The ACTING SPEAKER:** Before I do, I would prefer it if you did not make those comments to me and let me deliberate.

**Mr D.C. Nalder:** I would prefer that they not refer to me as lying in this chamber.

**The ACTING SPEAKER:** Excuse me. I ask you again not to give commentary on how I should handle it; thank you. I ask the minister to withdraw.

**Mr W.J. JOHNSTON:** I withdraw.

*Debate Resumed*

**Mr D.C. NALDER:** The gold royalty would have generated \$40 million for the state, but, as I have said, the increased interest expense is over \$500 million a year. Government members argued about the financial situation of this state for two years leading up to the election, yet they went into the election promising that they would not

increase taxes or introduce new taxes. If members want to argue semantics about whether the gold royalty increase is a tax, I would be happy to spend a whole day debating that. I can guarantee that every company out there would believe that it is a tax increase, even if it is not the technical definition of “tax”. I do not know anybody who would say otherwise.

The interest expense will have increased by \$500 million a year by the end of this term of government. The government has not dealt with the current financial situation, but it has a couple of other worries. On one hand, the government has kept spending, but, on the other hand, it is talking about cost reductions in the public service and the involuntary redundancies of 3 000 staff —

**Mr W.J. Johnston:** Voluntary.

**Mr D.C. NALDER:** Sorry—the voluntary redundancies of 3 000 staff. The government also talks about zero cost growth in the areas of health, police, corrective services, agriculture and, after the first 12 months, education. I am a little dubious about the government’s ability to deliver on zero cost growth if it cannot deal with some of the inputs in its budget that involve the reduction of 3 000 staff in the public service. It has some real challenges around its expense lines.

One of the reasons the Treasurer put forward for the state government needing to break its promise on not introducing new taxes and not increasing taxes is the \$5 billion revenue writedown. As I have said before in this house, roughly 25 per cent of it has been manufactured. There is not a real revenue writedown. One element was because the GST was forecast to be 38c and the reality is that it is just over 34c, but the government forgot to add that the federal government topped it back up to 38c. So it talks about a revenue writedown when it was not really a revenue writedown. When I pointed that out to the Treasurer, he argued that the 38c top-up was applied last financial year, not this financial year. I then pointed out that page 212 of budget paper No 3 refers to slippage—a new line item that the government has put in the budget. I am still not clear why that has occurred, but several hundred million dollars has been transferred from the early years to the latter years. I believe it is to give the impression that the growth in net debt is slowing and, in fact, helps the government reduce net debt from \$43.8 billion to \$43.6 billion between 2019–20 and 2020–21. I think it has been pretty ordinary to say the least.

The difference of \$510 million a year is based on the difference between \$31.96 billion and \$43.6 billion. According to the Treasury costings of the Liberal Party’s election commitments, net debt would have been \$28.8 billion by the end of the term, but the impact on interest expense on the difference between \$43.6 billion and \$28.8 billion grows even further. I am talking about a figure of \$650 million. What makes this interesting is that yesterday in this house, the Treasurer said that if half of Western Power was sold, it would not help the finances and net debt would still grow. The point is that if we sold 51 per cent of Western Power and removed \$11 billion from the balance sheet, the difference between \$32 billion and \$43.6 billion is just over \$11 billion, and we are saying that that is a \$500 million interest expense. The sale of 51 per cent of Western Power would save in the vicinity of half a billion dollars a year in ongoing annual expenses for the state.

**Mr W.J. Johnston:** Can I ask you a question?

**Mr D.C. NALDER:** No; the minister has had his chance.

**Mr W.J. Johnston:** The \$11 billion is not part of general government debt.

**The ACTING SPEAKER:** Minister, I am sorry; the member is not taking interjections.

**Mr D.C. NALDER:** Madam Acting Speaker, thank you for your support.

I understand the difference between the general government sector and the total public sector, and I understand that Western Power sits in the total public sector, but we always refer to the total net debt of the state.

**Mr W.J. Johnston:** But the total net debt doesn’t drive the general government sector borrowing figure.

**The ACTING SPEAKER:** Minister, please. I look forward to you getting to your feet and perhaps offering a contribution in a little while.

**Mr D.C. NALDER:** I am happy to stop talking about total net debt and talk about the general sector debt. We have seen the state government increase general government sector debt by 50 per cent in its first year of government. It has introduced a Loan Bill to increase it by 50 per cent.

**Mr W.J. Johnston:** It’s just not true. It’s just wrong.

**Mr D.C. NALDER:** I want to put on record that the member for Cannington is now claiming that it is not true. In the first few months, a bill was put through this house to shift the general government sector debt from \$23 billion to \$34 billion. The government has put through a bill to increase general government sector debt—it will take four years to spend it; I get that—by 50 per cent. I do not care how the government wants to mix it; it has. That is a little bit about the financials. The financials are not improving. The government could potentially get some benefit from some upturn in the mining sector, but it has some pressures in other parts of the economy.

I will turn to a few other things that the government has done with the cost of living. In opposition, the now Premier accused the former government of being mean spirited when it increased electricity prices by three per cent last financial year. After the election, the government increased electricity prices by 10.9 per cent—close enough to 11 per cent. What is really interesting is that, through a freedom of information application, we uncovered that the Treasurer was fully aware that because electricity price rises are based only on the fixed charge, this would result in electricity price rises of 30 per cent and more for pensioners and other vulnerable Western Australians. I do not know how the government wants to dress it up, but if the government wants to call the former government mean spirited for a three per cent increase, I do not know what we could call this increase. The government has talked about by how much the former government increased taxes and charges over its eight years in office. We need to remember that the increases in taxes and charges that have been imposed by this government are greater than those increases because of the effect of compounding. The actual impact on households has been extreme. One of the government's former leaders warned the government about this publicly. He said that governments need to be wary of the unintended consequences of their decisions and the flow-on effects to other parts of the economy. That is what we are starting to see with this government.

It was interesting that yesterday the member for Baldivis tried to correct me and suggested that I was reading from the media. I was referring to data and a press release put out by the Australian Bureau of Statistics. I want to quote a couple of things, because I think the member for Baldivis got a bit confused. He actually used the same numbers as the ones I had used. I said that the median duration of job search in Western Australia has increased from 12 weeks in March 2017 to 27 weeks in 2017. This is the second highest median duration of job search, behind only Queensland at 29 weeks, nine weeks longer than the Australian average at 18 weeks, and almost double the best performing state, New South Wales, at 14 weeks. I said all these things. If members want to pull certain financial levers, they need to understand the consequences of doing so.

We have seen a big backflip from the government this year. That backflip has not copped a lot of attention in the media at this time, but it is to do with privatisation. What we have had from this government is privatisation by stealth. I am talking about the Warradarge wind farm. I do not care how the government wants to dress that up; it is privatisation by stealth. The government has entered into a partnership with a Dutch private equity fund under which two state-owned assets—the Warradarge wind farm at Albany and the solar farm at Greenough River—have been transferred to that fund as an equity injection. Under this agreement, I think the Treasurer said that the state will own 20 per cent and the Dutch equity fund will own 80 per cent of those assets. There is no transparency about this deal, because it is all commercial-in-confidence. We are being asked to take on good faith that proper market-tested valuations have been done on those assets that have been transferred. That is a big question mark. How do we know that is in the state's best interests? Apart from the fact that the government has absolutely broken its promise that it would not privatise assets, we do not know whether the state is getting the best deal it could get. We do not know whether a business case was done in which the weighted average cost of capital that the state can generate was compared with the cost of capital of a private equity firm. We are supposed to take it on good faith that this will be a good deal for Western Australia. I suggest the government has done this to get it off the balance sheet. However, there are question marks about the change in accounting standards and whether that will be sustainable or will come back onto the balance sheet in two years. A lot of questions will be asked about this moving forward.

A number of concerns have arisen over this past parliamentary year. As the shadow Treasurer and shadow Minister for Energy; Finance, I have raised concerns to do with my shadow portfolios and with what this government promised and committed to the people of Western Australia and what it has been delivering ever since that time.

**MR S.A. MILLMAN (Mount Lawley)** [5.23 pm]: I am relatively new to this place, so I am still learning the ropes and how one goes about these debates. The opposition has advanced the proposition that this house expresses concern over the failures of the McGowan government in its first parliamentary year. During this debate, we have heard from the members for Carine, Riverton and Bateman. Not one of those members pointed to one particular event, policy or objective and said, "There is a failure." They talked about different narratives and issues. They said that the government could have done this better or done this differently. As they advanced their case, they failed to provide any philosophical narrative that would have combined the arguments they were trying to present. Members opposite do not know which way they are coming or which way they are going. Their problem is that they no longer know what they stand for. On the one hand, they say to us that they are concerned about the revenue situation, yet they voted to oppose the gold royalty increase. On the one hand, they say to us that they are worried about reigning in expenditure, yet they criticise us for our machinery-of-government reforms, which are designed to try to bring the structural situation of government back under control. On the one hand they say to us that we need to spend more money in government, and on the other hand they say that the deficit and debt are a significant problem. Unless and until opposition members can strike upon a fundamental narrative about what they believe, they will continue to struggle to land a blow on a focused, disciplined and dedicated government that understands precisely what it is trying to achieve—that is, a better future for all Western Australians.

When I look at our frontbench, I do not see any failure. I see precisely what the people of Western Australia voted for on 11 March in overwhelming numbers. The Labor Party was delivered a mandate. Overwhelmingly, in the electorates that we represent, people voted for a change of government. People might have voted for a change of government because they wanted a fresh approach. People might have voted for a change of government because we had activated and energetic local campaigns. People might have voted for a change of government because the candidates that we put forward reflected the values and beliefs of the communities they were seeking to represent. People might have voted for a change of government simply because this mob opposite had run out of horsepower.

This is a significant problem for the state of Western Australia. This government ought to be held to account. We need a dedicated, focused and hardworking opposition, advancing intelligent, worthwhile and meaningful arguments. We do not have that, and we have not had that. We will not let the absence of a focused, dedicated and professional opposition stand in the way of us doing exactly what the people of Western Australia have elected us to do. I have the utmost respect for the member for Bateman. I understand precisely where he is coming from in the arguments that he advances. The fact of the matter is that we live in a parliamentary democracy. The 2017 election was nothing if not a referendum on the privatisation of Western Power. The results speak for themselves. The people of Western Australia voted overwhelmingly for the position that we put. The position that we put was informed and underpinned by the fundamental philosophical view that monopoly assets ought not to be privatised. The problem for the member for Bateman is that on the one hand he says that one way to fix the balance sheet is to privatise Western Power, but on the other hand he wants to criticise the government for what it is doing with Synergy and Greenough.

Several members interjected.

**Mr S.A. MILLMAN:** We said we would not privatise Western Power, and members opposite know that is true.

I would like to contrast the approach that has been adopted by the opposition this afternoon with some of the achievements of the McGowan Labor government in the short time it has been in office. We have, for the first time in history, a minister responsible for tackling family and domestic violence. We have Minister McGurk who is serving the interests of the community, putting the interests of women first and taking positive and active steps to deal with what is a well-known scourge in our community. We have a Minister for Tourism; Defence Issues who is working tirelessly to promote and diversify the Western Australian economy through encouraging tourists in our market. Time after time, Minister Papalia has stood in this place to tell us just how many more tourists are going to come here when direct flights arrive from East Asia via China Southern Airlines, China Eastern Airlines and Japanese Airlines, to say nothing of the fact that he lobbies assiduously and with a dedicated commitment for Western Australia's share of defence manufacturing. Take a leaf from his book, members of the opposition. We have a federal Liberal government and we need its help to encourage and promote our industry. Oppositions members should get on board. Whose side are they on? We have a Minister for Health who has, in his first weeks in office, taken on the heavy burden of responsibility of repairing the problems that plagued Perth Children's Hospital. When the new government was elected, the only thing that was required in this scenario was leadership, and the Minister for Health has stood up and answered the call. We see today the fruits of his labour: a time line set for the opening of Perth Children's Hospital.

**Mr W.R. Marmion** interjected.

**Mr S.A. MILLMAN:** Something that I know is dear to the heart of the member for Nedlands because it lies in his electorate.

**Mr W.R. Marmion:** I wish it was opening earlier.

**Mr S.A. MILLMAN:** Everybody does. It would have been fantastic to have had the hospital opened on time and on budget. Unfortunately, that has not happened.

**Ms J.J. Shaw** interjected.

**Mr T.J. Healy:** Order!—sorry.

**Mr S.A. MILLMAN:** I will come to the member for Southern River. We have a Minister for Health who is committed and dedicated to delivering an affordable and good quality public health service to the people of Western Australia. We have a Minister for Police who is focused on tackling crime. Both parties campaigned strongly on the issue of methamphetamines at the state election. I have no doubt that if the opposition had been elected into government, it would have applied what it thought were the best policies to tackle this issue. Unfortunately, plagued as it is by the absence of an overarching narrative to understand precisely what it is that they believe, its members do not know whether they are coming or going. When it comes to tackling the scourge of meth, the Minister for Police has implemented a multi-faceted approach that is targeted at prosecution, protecting the community and tackling the importation and proliferation of this evil drug. We see a comprehensive strategy involving legal enforcement, more police and more investigations in order to deal with this issue. That agenda is being forcefully pursued by the Minister for Police who is acutely aware of the damage that this drug does to our community. We have an incredible Minister for Transport who is delivering on what will be a terrific



landmark nation-building program for Western Australia. People will talk about Metronet for decades to come. It is a transformational project that will drive growth, jobs, economic investment and opportunity. There is no better person to have in the driving seat for that endeavour than the hardworking, dedicated Minister Saffioti who is putting all her effort into making sure that when we deliver Metronet, it is world-class and befitting of the people of Western Australia. I know that it will make a massive difference to the people in the communities of the members for Southern River and Swan Hills and all people in Western Australia because of the significant transformational economic impact that it will have. It is a project of vision, a project for the future and a project that will make a massive difference to the lives of Western Australians. I say to the Leader of the Opposition: do not be a nay-sayer, do not be pessimistic and do not talk down Western Australia. He should talk it up and be on “Team WA”. Let us make a difference because Metronet —

**Mr S.K. L’Estrange:** He said it was the greatest depression ever.

**Mr S.A. MILLMAN:** Member for Churchlands, that is why we are on the path to fixing it. Metronet is going to make a massive difference. Let me come to the member for Churchlands. We have a Minister for Education and Training who is supported by some fantastic backbenchers with a story of wonderful careers in the education sector—Madam Acting Speaker (Ms S.E. Winton), I see you in the Chair, and the member for Southern River and the member for Kalamunda. I wonder how much better the local high school in the member for Churchlands electorate will be when those crippling enrolment pressures are reduced. Anyone driving past Churchlands Senior High School can see the proliferation of transportable classrooms, which is an indictment on the situation. Do members know what we are doing? We are investing \$60 million into the electorate of the member for Nedlands to build a new high school to alleviate the pressure on the school in the electorate of the member for Churchlands. All the member for Bateman can do is complain about us handing out oversized cheques. I am coming to his electorate with a cheque for \$64 million for a brand-new high school. I am coming after the member for Churchlands next and I will say to the people in his electorate: there is a much better high school. That is a service to the community.

**Mr S.K. L’Estrange** interjected.

**The ACTING SPEAKER:** Member!

**Mr S.A. MILLMAN:** Just give me one second to finish this point. I am on a roll, member for Churchlands. This also benefits the people of my great constituency in Mount Lawley because it will also alleviate the enrolment pressures on that most magnificent school: Mount Lawley Senior High School. Sorry, the member for Churchlands has a question—let’s go!

**Mr S.K. L’Estrange:** I like your efforts with the Kitchener Park school, I cannot wait for that to be opened, but the population at Churchlands will still be over 2 000. Will the member ensure that the City Beach high school site stays for education purposes into the future?

**Mr S.A. MILLMAN:** Member for Churchlands, what a great question. It highlights the sort of deliberate, long-term view that this responsible, new government is taking. The member for Bateman talked at length —

**Mr S.K. L’Estrange:** Will you preserve the City Beach high school site for a new school?

**Mr S.A. MILLMAN:** I will tell the member what we will do. We will preserve Mount Lawley Senior High School and we will alleviate the pressure on Churchlands Senior High School by making sure we build the Kitchener Park high school.

**Mr S.K. L’Estrange** interjected.

**The ACTING SPEAKER:** Thank you! Member for Mount Lawley, through me. You are going to run out of time.

**Mr S.A. MILLMAN:** Sorry, I beg your pardon, Madam Acting Speaker. I am going to try to lower the tone a bit because we are getting a bit excited.

**The ACTING SPEAKER:** I would appreciate that.

**Mr S.A. MILLMAN:** I am trying to tell that to the member for Dawesville. One of the fundamental considerations that needs to go into the significant and onerous responsibility that the McGowan Labor government now bears is this: the significant population growth in Western Australia over the last 10 years with an attendant increase in the size of the state and the cost of government expenditure. Contrary to what has been advanced against us, in order to respond to that, we need to make sure, scalpel-like with nuance and attention to detail, that we control the cost of government sensibly, assiduously and not drastically, because at the moment we see those nascent signs of a recovery. That optimism and confidence is slowly returning, due in no small part, I am sure, to the new approach adopted by the McGowan Labor government. Optimism is coming back into the community with a fresh start. We do not want to trample on those green shoots of economic recovery so, gradually and sensibly, we need to shape, change and shift the size and scope of government service provision. That is a difficult task. That is why we have had machinery-of-government changes and the introduction of a voluntary redundancy scheme. These are sensible,

proportionate, responsible and appropriate mechanisms to try to bring the structural concerns that are attending the WA state budget's system back under control. This is a difficult task but, luckily, we have a Treasurer who is up to the task. Time and again, this Treasurer—a graduate of the London School of Economics, no less—has shown himself to be adept at identifying and responding to the economic and budgetary issues that our state currently faces. I commended the Treasurer for his first budget. His first budget was better than the eight and a half years of budgets that preceded his first budget. His first budget shares the responsibility for fixing the state's finances equitably across the community. All we need is an opposition that takes its responsibility—its sacred duty to the people of Western Australia—seriously and makes a fair contribution; to be part of the solution, not part of the problem.

Let me finish on this. We have an activist, engaged and committed Attorney General who has brought before this Parliament historical legislation—fantastic legislation—that fulfils one of the Labor Party's key election commitments that it took to the people in March. It was to put victims back at the centre of our justice system to rebalance the scales of justice in the interests of fairness. Once again, through all the legislation that the Attorney General has brought to this chamber, we are achieving that objective.

When I turn my mind to this motion and I hear criticism of the failures of the McGowan government, I am amazed at the opposition's audacity in bringing such a motion before this Parliament because, as I survey the landscape of the past nine months of the McGowan Labor government, I see no failures. I see nothing but success after success after success!

**MR S.K. L'ESTRANGE (Churchlands)** [5.42 pm]: I am very excited, Madam Acting Speaker!

**The ACTING SPEAKER (Ms S.E. Winton)**: I am excited to hear you.

**Mr S.K. L'ESTRANGE**: This has been a fantastic year for the opposition. I will tell members why. We suddenly realised that we might be in opposition for only three years; that is what we just worked out. We just worked out that we might be here for only three years. We will get time to regenerate, recuperate, reinvigorate and recruit new talent—all these opportunities—while the poor ministers do their 20-hour days with their double-dipping car allowances, getting bogged down in those green covered folios that ministers get. They take their ministerial overnight bags and drag them home. The kids ask whether they will get to talk to mum or dad; they say, “No, kids; I've got to go to the study” and they work all through the night. They do not get to be energetic, enthusiastic and creative. They are now bogged down in the mechanics of government. Nobody has been more disappointed than me in this Labor government. I will tell members why it has been a terrible first year for the Labor government of Western Australia!

Several members interjected.

**Mr S.K. L'ESTRANGE**: It has been a terrible year! I will tell members why it has been terrible. In its first year, the government demonstrated a complete lack of integrity to the people of Western Australia.

**Ms J.J. Shaw** interjected.

**Mr S.K. L'ESTRANGE**: The member for Swan Hills is getting all excited over there. It demonstrated a complete lack of integrity. Do members know what else the government has shown the people of Western Australia? It has shown a complete lack of fairness. Members can go and ask the pensioners who were whacked with a 10 point something per cent electricity price increase during the middle of winter.

Several members interjected.

**The ACTING SPEAKER**: Member for Churchlands, I know the member for Mount Lawley really got you excited, but can I get you to speak through me. That way, I will be able to help you keep the chamber a bit quieter.

**Mr S.K. L'ESTRANGE**: I so much appreciate your protection, Madam Acting Speaker, from the mob opposite!

**The ACTING SPEAKER**: Speak this way, member; through me.

**Mr S.K. L'ESTRANGE**: I absolutely appreciate your protection because they are a mob!

Several members interjected.

**Mr S.K. L'ESTRANGE**: They are an absolute rabble! They not only lack integrity and fairness; they lack honesty. Honesty is a big thing for the people out there in Western Australia. They will judge a government on whether it can be trusted. That is what they will do.

**Ms J.J. Shaw** interjected.

**Mr S.K. L'ESTRANGE**: Member for Swan Hills, or wherever you are from, the public do not trust you. They know members opposite cannot be trusted.

Several members interjected.

**The ACTING SPEAKER**: Members! Member for Swan Hills, if you continue, I will call you.

**Mr S.K. L'ESTRANGE:** Thank you again for that protection from the rabble up there on the back bench, Madam Acting Speaker. The member for Swan Hills is out of control. Here we are in our first year. For mathematicians out there, when we combine the numbers the Liberal–National Parties have at the moment with an extra 12 seats—if we add another 12—guess what that means? It means we are back in government! Us, plus the Nats, plus 12 means we are back in government. Guess what happened today? That number dropped to 11 today. It is one down, 11 to go. That was the government's backbencher. Members opposite all loved him. They all said his integrity was intact and their integrity was intact. They said, “We know what we're doing; we're supporting our mate.” I remember the Minister for Veterans Issues saying, “I won't take this muck; I'll stand side-by-side with my Labor mate. I won't let him down!” No worries, mate; off you go to the crossbench.

Several members interjected.

**The ACTING SPEAKER:** Thank you! Member for Churchlands, could you please speak through me. Hansard is having a lot of trouble picking up everything you are saying.

**Mr S.K. L'ESTRANGE:** Thank you again, Madam Acting Speaker, for your guidance.

**The ACTING SPEAKER:** Would you like to actually listen to it? That would be great.

**Mr S.K. L'ESTRANGE:** I do have to speak to the audience but I will make sure that Hansard can hear me. I think Hansard can hear me.

**The ACTING SPEAKER:** No, member for Churchlands. You are not speaking to an audience; you are speaking to me.

**Mr S.K. L'ESTRANGE:** Through the Chair; I know I do not have to face that direction —

Several members interjected.

**Mr S.K. L'ESTRANGE:** Through the Chair: the cameras are not there; they are over there. There are people who enjoy watching Parliament, members. A big audience out there would love nothing more than to hear my speech on why the Labor government cannot be trusted.

**Ms J.J. Shaw** interjected.

**Mr S.K. L'ESTRANGE:** I have just made the point, member for Swan Hills, that the government is now one member down and there are 11 to go. I reckon that 11 will rack up pretty quickly because I have not heard a great number of performances from the member for Burns Beach, but he is on 2.5 per cent. We get a few innocuous interjections from the member for Kalamunda, who is sitting on 2.5 per cent. What is the member for Burns Beach during there; he used to be over there? Actually, it is a good thing he moved because where he was sitting is a danger zone. He has to be careful.

Several members interjected.

**The ACTING SPEAKER:** Members!

*Point of Order*

**Mr M. HUGHES:** The noise from our side is so strong that I cannot hear the drivel that I would like to hear. I would like to hear the drivel in some degree of silence, please.

**The ACTING SPEAKER (Ms S.E. Winton):** Thank you, member. The member for Kalamunda has indicated he is finding it hard to hear at the back, so if you could keep it a bit quieter. Member for Churchlands, again, I know you are playing to the cameras, but perhaps play to me.

*Debate Resumed*

**Mr S.K. L'ESTRANGE:** The people of Western Australia need to hear this, Madam Acting Speaker. They deserve to know the truth because they are so used to not getting the truth.

Several members interjected.

*Point of Order*

**Mr W.J. JOHNSTON:** I thought that it might assist the member for Churchlands to know that there are recording devices and amplifiers in the chamber, and that he does not have to yell to be heard. It may be of assistance if he understood that there is electronic equipment here to project his voice. He does not have to yell at you in the way that he is currently yelling at you in a very disrespectful way.

**The ACTING SPEAKER (Ms S.E. Winton):** Thank you. No, that is not a point of order.

*Debate Resumed*

**Mr S.K. L'ESTRANGE:** The member for Cannington always likes to give good advice. He is a man of great knowledge in this place. He often pontificates on all sorts of things, be it the definition of tax through to the volume of my voice. I thank him for his learned interjection. I will reiterate this for the member for Kalamunda, who did want to listen to this very important point. I thank the member for Kalamunda.

The point I am making is that the government is now one member of Parliament down in its team; it is one down, 11 to go. The member for Kalamunda is sitting on 2.5 per cent, and the member for Burns Beach—who avoids sitting near where the member for Darling Range used to sit, with good reason—is sitting on 2.5 per cent. We have the member for Jandakot sitting on one per cent, the member for Murray–Wellington on 1.4 per cent, the member for Kingsley on 0.7 per cent, and the member for Pilbara—even with \$1 billion spent on his electorate—on 2.3 per cent. Earlier this year we heard that fantastic contribution from the member for Kingsley, who thought it was unfair that the member for Pilbara got \$1 billion and she got only a few hundred thousand dollars. The member for Bicton sits on 2.9 per cent. Once all those members get rolled out on a three per cent swing —

Several members interjected.

**Mr S.K. L'ESTRANGE:** What is the member for Southern River on?

**Mr T.J. Healy:** You always miss me out!

**Mr S.K. L'ESTRANGE:** Do I? Sorry, the member is right. The member for Joondalup is on 0.6 per cent, and what is the member for Southern River on? I cannot find it.

**Mr T.J. Healy:** I feel left out!

**Mr S.K. L'ESTRANGE:** I am looking at those under three per cent. Anyway, the point I am getting at —  
Several members interjected.

**Mr S.K. L'ESTRANGE:** Calm down! If you want a bigger swing, go for it!

**The ACTING SPEAKER (Ms S.E. Winton):** Members, thank you! Perhaps we can google all those margins. Can we continue on the point of the motion. Thank you.

**Mr S.K. L'ESTRANGE:** The point of the motion is that this has been a terrible year for the Labor government. It has lost one of its MPs in its first year, for which it took no responsibility, by the way. It just left it completely up to him to wither on the vine and make his own decision to go. But, anyway, it has lost an MP. Eleven more to go and we are in government! I am highlighting the fact that with that member gone and another seven sitting on under three per cent, we have to find only four seats at the next election. I tell members what: there are a few members sitting on under 5.5 per cent who will quickly make up that four and, lo and behold, the ministers will get a rest. The people of Western Australia will say, “Do you know what? No, thanks.” That is what the people of Western Australia will say if the government continues the way it is, showing a complete lack of integrity, a lack of honesty and a lack of fairness to the hardworking people of Western Australia on fixed incomes and doing it tough, trying to run these social issues through the Parliament—no doubt important social issues—and continuing to grandstand without actually cutting to the chase of what it is here to do.

The government is fundamentally here to do what it promised at the last election, which was to increase jobs. It said that jobs were the number one thing it would focus on this year. Back onto the track record of the government in Parliament this year, what did it do? It introduced a jobs bill. And what did we do? We had the absolute pleasure of having the Premier sit at the table in here during consideration in detail. After three and a half hours we worked out that he did not know anything about his bill. Not only did he not know anything about his jobs bill, but also his jobs bill would not create one extra job.

**Mr T.J. Healy:** Yes, it does.

**Mr S.K. L'ESTRANGE:** It would not create one extra job. In fact, when he was asked —  
Several members interjected.

**The ACTING SPEAKER:** Members, I am really finding it difficult to hear the member for Churchlands. I know you might find that a bit hard to believe, but he is actually speaking a bit more quietly now, so could you please stop the interjections.

**Mr S.K. L'ESTRANGE:** When we looked at his jobs bill and asked some serious questions, such as, “What about the agreement that the commonwealth and the states have with New Zealand? Can you exclude New Zealand companies and businesses from applying for contracts with the Western Australian government?”, he said, “Oh, well, actually, no, you can't.” When we said, “What about the Constitution of the commonwealth and the states' agreement that says you cannot preclude another state from bidding for a government contract in Western Australia?”, he scratched his head on that one and looked for advice. Members, it was a hollow bill and a publicity stunt, and we identified it as that. It will not produce one extra job.

**Mr T.J. Healy:** You voted for it.

**Mr S.K. L'ESTRANGE:** We let go through; we did not oppose it. There is a difference.

It will not produce one extra job, and the people will judge the Labor Party for that. The government comes into this place saying that since it has been in power, things have gotten better. Things are not getting better when it comes to jobs because, as reported in the editorial in yesterday's *The West Australian*, the people of

Western Australia are saying that it takes 27 weeks to find work. I think, from memory, that that article states that since records have been kept, that is the longest time it has taken to find work in WA since 1990–91.. It has never taken longer. The last time we had a full-blown Australian recession was in 1990–91, and this government, after being elected off the back of a jobs plan, has come into this place and it now takes 27 weeks for somebody who is lucky enough to get a job to find a job. Notwithstanding that, only a few months prior we also read in the papers that we now have 95 000 people, or one-third more than ever before, in the dole queue because they cannot find a job. The government promised jobs. Jobs are, and going into the last election were, the number one economic issue facing this state that concerns those mums and dads who put all the new backbenchers into Parliament. Although this government comes in with a social agenda that might have merit, it is not producing the jobs and building the economy in the way that it should be and in line with what it promised the people of Western Australia going into the election. They are now starting to see that this government is nothing more than a double-down, do-nothing McGowan Labor government. They are starting to see that for what it is. I think today was just testament to the fact that even the Premier of Western Australia was not prepared to take a leadership stance on the issue of the member for Darling Range's credentials and background, and instead let him make his own decision to go to the crossbench. It showed a complete lack of leadership when the people of Western Australia on talkback radio all through yesterday, for those who listen, were calling for action from the government.

The government cannot come into this place and say it has had a good year. It has had an atrocious year. If the government thinks, looking at an opposition of 13 Liberals and five Nationals, that we are a terrible opposition and are not doing our job well enough, I can tell members now that the government has lost one MP in its first year and the Premier is simply not cutting through to the people of Western Australia. There is division in its cabinet. Only this week the Minister for Veterans Issues took a completely different position from the Premier on the issue with the member for Darling Range. That was the first bit of division we saw from this government. Earlier this year the Minister for Health and the Treasurer were in disagreement over whether to take the keys for Perth Children's Hospital. We exposed that by going through all the reports and creating a time line that showed the sequence of events that led to the taking of the keys of Perth Children's Hospital. We discovered, as did the media, that the director general of the Department of Health made a key recommendation to the Minister for Health not to take the keys; 16 days, or thereabouts, later the Treasurer took the keys. That was a clear point of conflict between Treasury and Health over what to do with Perth Children's Hospital. The government played the spin of politics over the substance of what was in the best interests of the people of Western Australia and put its spin ahead of their needs. That is what the government did and continues to do on the hospital, and it will be found out. If the government continues the pattern of deceit of the people of Western Australia on these serious issues, I can tell members what: roll on 2021, because the Labor party will be a one-term government. All those backbenchers sitting on less than six per cent should make sure they have something lined up for 2022, because the way their cabinet is behaving and communicating to the people of WA and the way the Premier is lacking leadership on the key issues that people worry about is what this government will be judged on in 2021. The member for Kalamunda may shake his head, but he should go out and talk to his community or poll it and ask how successfully the government is going. The member for Kalamunda will be one of the first to go. The community has the member for Kalamunda well and truly in its sights. I am hearing from some of the member for Kalamunda's Labor colleagues that he will resign early anyway.

**Mr M.P. Murray:** Is that right?

**Mr S.K. L'ESTRANGE:** That is what I am hearing. I am hearing that the member for Kalamunda does not even want to be here. When the member for Kalamunda pulls the pin, that will be two gone—two down! He has had enough already. He knows it has been a terrible year and he wants out. He wants to catch the bus to Kalamunda and go. He has had enough! We know he has had enough.

**Mr M.P. Murray** interjected.

**The ACTING SPEAKER:** Thank you, minister!

**Mr S.K. L'ESTRANGE:** There are a couple of key and pertinent points I want to make before I hand over to some of my learned friends on this side of the chamber who can help the government understand why it has had such a terrible year.

**Mr M.P. Murray** interjected.

**Mr S.K. L'ESTRANGE:** The minister should not talk. I will tell the Minister for Sport and Recreation what: he has had a terrible year. He is a great Western Australian. He knows he wanted that stadium to be Perth Stadium for the people of WA and he acquiesced and gave into that man, because he wants to call it Optus Stadium. That is a disgrace and the minister knows it. The minister knows he wanted that stadium to be called Perth Stadium because he knows that Western Australians are proud people.

**Mr W.R. Marmion:** Integrity!

**Mr S.K. L'ESTRANGE:** It is about integrity. The minister is a man of integrity. Why does that man not have the minister's integrity? Why did he not call it Perth Stadium?

**Mr M.P. Murray:** Everyone on my side has integrity.

**Mr S.K. L'ESTRANGE:** The people will judge.

**Mr M.P. Murray:** What about all the backstabbers you've got over there?

**Mr S.K. L'ESTRANGE:** I will tell the minister what: the member for Darling Range has a few knives in his back right now as he is wandering about out there in the wilderness. He is wandering out there in the wilderness right now.

**Mr M.P. Murray:** Turn around and let me have a look at the back of your suit coat. I bet there are half a dozen holes in it.

**Mr S.K. L'ESTRANGE:** The minister should not worry about that.

Let us get on to the real issues that matter to the people of WA.

[Member's time extended.]

**Mr S.K. L'ESTRANGE:** I —

**Ms J.J. Shaw** interjected.

**Mr S.K. L'ESTRANGE:** I know that the member for Swan Hills —

**Ms J.J. Shaw** interjected.

**Mr S.K. L'ESTRANGE:** They are very excited.

**The ACTING SPEAKER (Ms S.E. Winton):** I am exhausted!

**Mr S.K. L'ESTRANGE:** I just want to wrap up with a few key points. The most significant point to do with this Labor government's first year, which adds up to it being a double-down, do-nothing, untrustworthy government, is the fact that it promised not to increase taxes and not to introduce new taxes. The Labor Party went to the election with a promise. The Premier repeated it twice to the people of Western Australia. He went into the election and told the people of Western Australia that there would be no increases to fees and charges. He said that what the Liberal-National government did in keeping increases in charges to inflation was terrible. He said that the Labor Party would keep them down. I noted at the time that the Treasurer gave himself some wriggle room. The Premier said that there would be no new taxes and no increases to taxes, but when the Treasurer was asked the same question, he said, "I am not going to say that." That is a point of difference right there. The Minister for Veterans Issues disagrees with the Premier and the Treasurer disagrees with the Premier. When the minister talks about knives, I think they are all lining up well back. They have been lining up well back in the Labor Party.

**Mr M.P. Murray:** Just look up *Champagne Charlie*. That is what your side was.

**Mr S.K. L'ESTRANGE:** I will tell the minister what: we all know that if he is talking *Champagne Charlie*, he is talking about the Minister for Corrective Services. There is no chardonnay set minister in this place other than the Minister for Corrective Services swanning around out there in Swanbourne.

**Mr M.P. Murray** interjected.

**The ACTING SPEAKER:** Minister!

**Mr S.K. L'ESTRANGE:** The Minister for Corrective Services is swanning out there in Swanbourne when his electorate is doing it tough with increased fees and charges. That is the Labor Party's Minister for Corrective Services and the Minister for Sport and Recreation knows it. He knows exactly what I am talking about.

**Mr M.P. Murray** interjected.

**Mr S.K. L'ESTRANGE:** There we go!

**Mr M.P. Murray** interjected.

**The ACTING SPEAKER:** Minister!

**Mr S.K. L'ESTRANGE:** Although the Minister for Sport and Recreation is interested in my appearance, I can tell members that the people of Western Australia are interested in trust. They do not trust the Labor government, because it promised, and the Premier promised, no increases in taxes and no new taxes, and what did the government do? It increased taxes.

**Mr M.P. Murray** interjected.

**The ACTING SPEAKER:** Minister, I am not going to warn you anymore.

**Mr S.K. L'ESTRANGE:** What did the Premier do? He went straight out there and increased taxes. The people asked him what he was doing that for. The Premier increased taxes and introduced new ones when he said he would not do it, but he did it. I do not think we are allowed to use the word "lie" in this place, but that is called a breach of trust. How does that sound? It is a breach of trust.

**Ms C.M. Rowe** interjected.

**Mr S.K. L'ESTRANGE:** Let me go to the next breach of trust, member for Belmont. The former member for Belmont, that wonderful lady Glenys Godfrey, she knows, because she always got out in the member for Belmont's community. The member for Belmont knows this. The former member was a hardworking local member; the member for Belmont cannot deny that.

A government member: She didn't work hard enough.

**Mr S.K. L'ESTRANGE:** The member might not know her. There was a mutual respect between these two members. They both know how hard each is prepared to work; I will grant that to the member for Belmont. I know that Glenys Godfrey was one of the hardest working MPs in this place. Nobody can deny that, so if members do not know her, I suggest they keep their mouth shut on this one, because she really was a very hard working local member. I can tell members now that she is a retired lady and she is well connected with some real battlers of Belmont. She is a former Mayor of Belmont. She is well connected to those battlers. The biggest group of battlers who are doing it tough at the moment are those pensioners on fixed incomes, particularly those on the full government pension. Going to the election, this government promised pensioners that it would keep fees and charges down and that it would not sell Western Power—which is a policy we took the election—because if Western Power was sold, fees and charges would go up and pensioners would freeze in winter because they would not be able to afford their power. When this Labor government came in, on 1 July, even before it laid down its first budget, it decided to whack an increase in fees and charges on power of over 10 per cent. What was most concerning was that \$170 of that was an increase to fixed charges, irrespective of how much power those age pensioners used in their homes. Age pensioners under our regime might have been doing it tough with increases in power charges of three per cent or four per cent and they were turning off the power in winter to save money, but under this government, they cannot even turn off their power to save money because the government has increased the fixed rate, which means that it does not matter if someone uses zero power, they still get an increase to the fixed rate of \$170. That means that despite trying to stay warm in winter without power and trying to save money, they are losing money anyway. I think that was the single meanest thing that this government did this year. It was bad enough to increase taxes and introduce new taxes, which it said it would not do. That was bad enough. But for the government to tell the punters who were doing it really tough that it was going to keep charges down and then to do what it did was just really shameful. The member for Belmont has left now, but if she got out there and talked to those people that the former member for Belmont would talk to, that is the message she would get loud and clear from her constituency. That was the first thing.

I will wrap up shortly, but the other big bit of deceit from this government was that it went to an election saying it was going to pay off debt like a mortgage, that everything was under control and that it had a plan to reduce debt. There is one reporter out there, Joe Spagnolo of *The Sunday Times*, who consistently asks “What's the plan, Stan?” in relation to the government's plan to bring down debt, because it does not have a plan. We knew that.

**Mr M.P. Murray:** Your credit card was overdrawn.

**Mr S.K. L'ESTRANGE:** Minister for Sport and Recreation, the government is adding \$11.3 billion to that credit card.

**Mr M.P. Murray** interjected.

**The ACTING SPEAKER:** Minister!

**Mr M.P. Murray** interjected.

**The ACTING SPEAKER:** Minister for Sport and Recreation, I call you for the first time.

**Mr S.K. L'ESTRANGE:** The Minister for Sport and Recreation knew that debt was a key issue going to the last election and he knows that the people of Western Australia's focus was on jobs and they were concerned about debt. He knows that. He also knows that in his government, the government he is a minister in, cabinet has not presented a plan to this place or the people of Western Australia for how it is going to pay down debt. It has not produced a plan yet. We are one year in and there is no plan. In fact, the only thing it came up with was that before the election it said it would create a debt reduction account.

**Mr M.P. Murray** interjected.

**Mr S.K. L'ESTRANGE:** Wait, Minister for Sport and Recreation. Before the election, the Labor Party said that it would create a debt reduction account and that when iron ore prices got to \$85 a tonne and when the GST share reached 65c per capita, it would start putting money into this debt reduction account and paying down debt. That is what the Labor Party went to the election with. After the election, the government put out its first budget and it changed that debt reduction plan to implement the creation of an unintended revenue account. I do not know what unintended revenue is, but it is referred to in budget paper No 1. Nobody from the government has yet explained to this place or the people of Western Australia where this unintended revenue is likely to come from to help it pay down debt. That tells me that it has no plan to pay down debt.

Let us just sum up: no increases in taxes; no new taxes. How did it go on that? What is the scorecard on that, members? Fail; absolute F. It increased taxes and it introduced new taxes. How is it going with its debt reduction, which it went to the election saying it would pay off like a mortgage? How is that going? Fail. It has failed there. How is it going with fees and charges, particularly for the hardworking people of Western Australia doing it tough and pensioners? How is it going with that? Fail. Those are three key fails that the government went to the election on, in its first year.

Then we have the integrity test. The biggest integrity test the Premier faced this year was how he handled the turmoil around the member for Darling Range's background, as found out and put through by the media.

**Mr M.P. Murray:** Same as when you had Troy Buswell!

**Mr S.K. L'ESTRANGE:** As the minister knows, the former member for Vasse, Troy Buswell, resigned from this place. We know he resigned, but that is history.

Several members interjected.

**The ACTING SPEAKER (Mr S.J. Price):** Members!

**Ms S.E. Winton** interjected.

**Mr S.K. L'ESTRANGE:** Member for Wanneroo —

Several members interjected.

**The ACTING SPEAKER:** Members! Thank you.

**Mr S.K. L'ESTRANGE:** The last big test for the Premier in this first year of the Labor government in Western Australia was an integrity test on his leadership and how he handled the situation surrounding the member for Darling Range, and he squibbed; he let it go. He decided to do nothing. He said, "I'm not doing anything. It's too hard. I don't want to be attached to this." That was a real integrity test, because people were looking to the Premier for leadership on that. They said, "We've got a member of Parliament whose military history is in question, whose police service history is in question, whose CV with regard to his academic qualifications is in question", and what did the Premier do? The Premier said, "I'm not going to do anything." He waited for the member, not to resign from Parliament, but to resign from the Labor Party and stay on as a crossbencher. That is what the Premier did today. I tell members that they may not like my speech, but let us watch and see what the commentators think, because they will reflect on whether they think the Premier acted with integrity and they will make their commentary, on which the people of Western Australia will judge the government. I say roll on 2021 because if the Labor government thinks its first year was a good year, it is living in fairyland. It had a terrible year—it failed on three key election promises and it lacked integrity.

**MS S.F. McGURK (Fremantle — Minister for Child Protection)** [6.12 pm]: I am quite keen to address this motion about how the McGowan government has gone in its first parliamentary year. In my portfolio, and in a number of other social portfolios, we have been very busy. It is one thing for the member for Churchlands to get to his feet and raise the volume—he likes to raise the volume and make sure he has everyone's attention—but let us have a look at the previous government's record.

The opposition is asking us to talk about integrity, but it knows its record in government was pathetic—absolutely pathetic. We need look no further than the former member for Vasse. His behaviour was tolerated time and again by the entire Liberal caucus room and the party leadership. When he was called to account for ongoing bad behaviour, I remember the Premier at the time saying he would ride him like Black Caviar and keep on his back, and that was how he was going to try to bring him to heel. Later on, when we heard that the member for Vasse got drunk at a wedding and drove his car home through Subiaco—it was lucky that no-one was hurt or killed—we were told not to talk about the incident because there were mental health issues involved and we were being insensitive for speaking about it.

Those were the standards by which the previous government conducted itself, so it is a little galling for the opposition to criticise us. The Premier has handled very well the issue of the member for Darling Range's questionable credentials by saying he should come clean and explain himself to the Parliament, and we will wait for him to do that. That is not defending the member's actions or hiding from the issues; it is urging the member to be upfront with the Parliament and with his electorate, and that is what we are waiting for him to do.

It is also galling to be lectured by the other side about how we have performed in our first parliamentary year because we have to manage the most appalling set of books that could have been left to us in respect of the amount of debt and ongoing deficit we have inherited, which comes after a period of record economic growth. Just when the community needs support and the state needs job-creating opportunities, the government is forced to operate in an incredibly constrained budget environment. But we are determined to continue to support the community and we are determined to make sure that we do not cut too hard and too fast to stimulate the economy, bring about job-creating possibilities and bring the budget under control. We on this side of the house have confidence in the leadership and stewardship of the Treasurer to manage that process, but it is not at all helped by the opposition and its pandering to the gold industry, with the result that the gold industry does not have to make any contribution to repairing the state's finances.



I want to speak about an area that I have responsibility for, the prevention of family and domestic violence. There are no quick fixes for the terrible rate of family violence we have in our community. We have known about this for a number of years as a result of the significant advocacy by some very brave individuals, such as Rosie Batty, and determined efforts by other governments, such as the Queensland government and, in particular, the Victorian government, which held a royal commission into the issue. We are starting to appreciate the extent of the problem, but we have to also appreciate the complexities if we really want to turn this issue around.

I am very proud that we went to the election with a package of initiatives. We have talked about the framework time and again, but it is worth reminding the Parliament and the public about our strategy, which is that if people need help, we are determined to make sure there are services available for them. That is not easy. It is one thing to say that there should be women's refuge beds available, once people can come into the women's refuge system—from all accounts I have heard, the support there is very good—but, of course, it is not always practical for people to come into a women's refuge. It might be because of where they live—in a regional or remote area—or because of their own circumstances. They may not feel ready or able to come forward and ask for help. We have to make sure there are appropriate services available for people escaping violence to get advice and know that someone will be there for them. We are increasing the services available. Members will be aware that we backed up our commitment to two new refuges in the last state budget, and we are getting on and planning those two new refuges, with funding of more than \$8.2 million—one in the metropolitan area and one regional.

We are also determined to make sure that we have culturally appropriate responses. We have allocated \$1.7 million to look specifically at culturally and linguistically diverse and Aboriginal communities to understand what it will take to make services available that women will feel safe to seek help from, and to understand the circumstances of violence. It was interesting meeting with Our Watch, the national organisation that the state government has signed up to. Its job is to understand and analyse what is going on with domestic violence and to work with other states and the federal government and move towards understanding the problems so that we can have a better response in our community to try to prevent domestic violence. I met recently with one of its lead researchers, as well as a woman dedicated to working with Aboriginal communities, to talk about the extent of violence against women in those Aboriginal communities. I believe domestic violence is partly a result of sexism in our community and the fact that women are not equal partners and there is often a disregard for women and girls in our community. I think that is one of the reasons we have high levels of violence. What has been the effect of white settlement over time in Aboriginal communities? What has been the effect of the removal and disregard of traditional Aboriginal culture, the traditional forms of community organisation and the cultural connection in those communities, or the disempowerment, if you like? What role is that playing in the extent of domestic violence? If we understand that a bit more fulsomely, will it mean that we can give a better response and have healthier and happier communities, which will be good for everyone in those communities—men and women alike, but certainly the children in communities who are disproportionately impacted by violent situations? We allocated money to that in the last budget.

On that point, it is worth highlighting the terrible family and domestic violence statistics. In WA, 50 000 cases are reported to police each year. In the last 12 months, we have had 12 completely avoidable deaths. We know that two-thirds of the cases that are reported to police and that go on to be triaged by child protection workers, police and support services involve children. Children are seeing or experiencing the violence themselves. It is obviously very traumatic and detrimental to those children. There is a high number of children in out-of-home care in WA. Over 4 800 children are now in out-of-home care and 54 per cent of those children are Aboriginal. It is a terrible figure. If we really want to turn those figures around, we have to look at the pipeline earlier. We have to look at what is happening with families and communities and at how we can build healthy families and communities. I do not shy away from bringing children into the care of the child protection system if that is what it takes to keep them safe. However, everyone would agree that children are better off with their parents and their families in a happy and healthy environment. They are the communities that we have to try to work with, and that is enormously challenging. Through our family and domestic strategy, and through working with Aboriginal-controlled organisations and the Aboriginal leadership in those communities, that is what I hope to do. Under my other portfolios, I will also work on early intervention to build happy and healthy families.

Not only are we looking at prevention and early intervention for those families and communities that are disproportionately affected by family and domestic violence, but also we want to make sure that we build a conversation in our community. That is why members are wearing badges for the 16 Days in WA to Stop Violence Against Women campaign, which starts with White Ribbon Day and ends with Human Rights Day. The idea of that campaign is to ensure that there is awareness raising that we all have a role to play in stopping domestic violence and challenging the behaviours that underpin domestic violence and allow it to occur, including sexism and stereotyping and disregarding women in our community. I look forward to seeing a video that is about to come out. A lot of this campaign has been online. A number of male leaders in our community were very happy to say to other men, "We have a role to play in stepping up and saying that we are all stronger and better off if we have a violence-free community." This is awareness raising. This is positive leadership by our Parliament and our government. It is important for the general community, but it is certainly important for young people and young men in our community. This government is determined to continue to roll out this program of change.

We have committed to spending just under \$1 million in building up respectful relationships training in schools. It is not just a matter of standing up and saying, “We reject domestic violence. We do not support domestic violence; it should not occur.” Of course we think that, but it is also about living those values in the structures of organisations. For instance, if someone gets up in a school environment, a sporting environment or a community group and says, “We don’t accept domestic violence. We think domestic violence is bad” but then allows bullying to occur or demeaning attitudes to women to continue to go unchecked, the message is completely weakened and ineffective. These attitudes are being exposed in the light of the Weinstein revelations coming out of the United States and the exposure of ongoing sexual harassment and bullying in the entertainment industry and at senior levels of government in the US now flowing through to Australia. It is important that those stories see the light of day and are talked about in our community. It is important that not only are the perpetrators held to account, but also there is a conversation about what this means in our families, workplaces, sporting clubs and community groups, as well as in our schools. As I said, we are determined to ensure that this government plays a leadership role in challenging those behaviours that have allowed violence against women to go unchecked.

It has been interesting to see some of the online comments as we have worked through our 16 Days in WA. Many people have come forward and thanked us for our efforts, but some people are challenged by these ideas. I understand that change is uncomfortable. The whole idea of challenging existing beliefs is to get people to look at their behaviour or their beliefs that may lead to unacceptable behaviour. I hope to do that in a positive and constructive way, but we hope to challenge those beliefs nevertheless. For instance, on social media, some men are asking, “Why is the government talking about ending violence against just women? What about violence against men?” Of course it is the case that all violence is bad, whether that violence is against women or men. Of course we think that should be challenged. But the domestic and family violence statistics are very clear. Violence against women is mainly at the hands of an intimate or former partner. The vast majority of violence against men and women is at the hands of a male perpetrator. The Australian Bureau of Statistics 2012 personal safety survey found that 95 per cent of all victims of violence in Australia, whether they be male or female, reported a male perpetrator. That is the sad fact. I am not saying that men are not victims sometimes—they are certainly victims of violence—and I am not saying that men or boys are not at times victims of domestic violence, but the vast majority of that violence is against women and children, but particularly women. Unless we face up to that fact, we will not understand the particular circumstances within which it occurs and is allowed to occur. We do not shy away from challenging those views. We hope to bring the community along in that conversation and have a constructive and positive conversation, but a challenging conversation nevertheless.

[Member’s time extended.]

**Ms S.F. McGURK:** When we have had these debates, many members have talked about how they have made contact with some of the services that are provided in their electorate. The member for Geraldton, who is sitting across the chamber, has some fantastic services in his electorate, as do many members. Those services are doing fantastic work across the state. Many members have acknowledged the important work of women’s refuges and support groups and understand how difficult that work is. A number of months ago, I visited a women’s refuge in the south west. They have decided to put in closed-circuit television, because they are concerned that drones are being employed to track what is going on at that refuge. They spoke about how the police had asked whether they could bring in a woman from another town, because the police were not convinced that she would be alive by the end of the week if they could not bring her into that refuge.

Some very severe violence is still occurring in our community. We need to have an effective and concerted response to that violence. I am very pleased that the national family violence restraining order scheme is now law in this state. Western Australia was late to the party, but we expedited that legislation and got in by the skin of our teeth to put that in place by 25 November. Those types of protections are very important. However, unfortunately the reality is that domestic and family violence is happening at the extreme end of the continuum. It often manifests in a less obvious but more insidious and coercive way, but it is violence nevertheless, and it fits the definitions contained in the family violence restraining order scheme and other criminal definitions of domestic violence. We need the community to understand what is going on within those dimensions.

As I have said, I get the impression that people welcome those conversations. There would not be a time when I speak at a public forum or at a community or business group when someone does not come up to me afterwards and say, “It’s funny you have said that; I have just had this happen with a friend of mine”—or it might be in their family or extended family—and tell their story. Some of those stories are quite shocking.

As a government, we have elected to support victims of family and domestic violence by providing up to 10 days paid leave for public sector workers who are experiencing domestic violence and need support. Over half of the victims of domestic violence are in paid employment. It is important that those women can remain connected to their work colleagues and continue to have financial independence. The government is a large employer, and we have a role to play for the 100 000-plus employees for whom we have responsibility. It also sends the message that if people need help, they should come forward. The provision of that leave also starts a conversation in the workplace and in the community: Do we really need this? Is this really necessary? Is this the extent of domestic violence in our community? Sadly, we do need it. That is why it is good to have these conversations.

I was pleased to meet with Rio Tinto shortly after we announced that we would implement 10 days leave for victims of family and domestic violence. It has since announced the same amount of leave for its 19 000 employees nationally. Similarly, other large organisations, whether it is BHP, Programmed or Qantas, and a number of the universities and some local government organisations, are also understanding that they could implement leave for victims of domestic violence with the supporting education and infrastructure that goes around that leave as a way of not only supporting victims, as I said, but also having a conversation in the workplace.

Support for the RSPCA Pets in Crisis program also works on a number of levels—firstly, on a practical level. If a woman with children and family pets is thinking that she may need to leave the family home in order to leave a violent situation, trying to understand how she is going to manage the logistics, it can often be a practical barrier and make her second-guess whether it is worth leaving, thus leaving herself in a violent situation. We need to make a transition towards safety and ease that path for those women. Making sure that the family pets can be looked after in a temporary and safe environment is important, particularly for children, so that they know their pets are being looked after. As *The West Australian* reported just this week, there are unfortunately times when violence against pets is used as a threat to members of the family. It is either the threats of violence against the pets or actually harming those pets. I have heard some shocking stories in which pets have been killed or tortured in front of family members as a way of threatening other people or other members of the family. Supporting the Pets in Crisis program is a good practical measure of something that the state government could do. In fact, recently, at one of the briefings of the department that I have responsibility for, the Department for Communities, one of the employees told me that on reading about this program in the paper, she decided to ring up the RSPCA and say, “I would like to foster a pet, if that is helpful.” People can also support that program by agreeing to foster a pet.

There are many more initiatives in my portfolio of Women’s Interests. There is a huge appetite in the public sector and also, I am pleased to say, in the corporate sector, of finding ways we can better utilise the human capital we currently under-utilise—that is, women in our workforce and in our community. That is perhaps a speech for another time. I am really enjoying having those conversations with leaders in the public sector. There is certainly work to do in the public sector; there is no doubt about that. We have a huge amount of talent, but we need to foster that talent up through the classification structure, particularly at senior levels. Without a concerted effort, attitudes by itself will not achieve that. I am also very pleased to have those conversations with members of the corporate sector. They are very interested in understanding how they can break down the gender biases within their own conversations. PricewaterhouseCoopers has just done some work looking at how we can change attitudes to challenge some of the gender biases within our workforce. I welcome that analysis and those contributions to our work. We have a huge amount of talent in this state. We know that we have talent in a range of different areas. We have to harness that talent so that a pipeline of the workforce is going into different areas of industry, particularly science, technology, engineering and mathematics, for instance and not just the traditional areas. I know the minister responsible for science and technology is interested in not only how to encourage more women to think about training and working in STEM, but also diversity across our workforce.

We are all the stronger for increasing diversity at a leadership level, whether it is through membership on boards or committees, or in different industries throughout our economy. We made a commitment to have 50 per cent of the membership of our government boards and committees made up of women by the end of 2019. I am very pleased to say that we are moving along well towards that goal. Our OnBoardWA website recently reported to me that it has over 500 expressions of interest. People have logged on and indicated in which industry or area that they might be interested in sitting on a board or committee, and have put their curriculum vitae on that website. Over 300 of those expressions of interest have come from women. There is a lot of talent out there. Our job is to harness it and utilise it throughout the workforce. I am very proud to be part of a McGowan Labor government that is determined to do just that.

**MR I.C. BLAYNEY (Geraldton)** [6.40 pm]: Mr Acting Speaker, thank you very much for sitting in the seat for me so that I can make my speech.

**The ACTING SPEAKER (Mr S.J. Price)**: My pleasure.

**Mr I.C. BLAYNEY**: I want to talk mostly about my shadow portfolios: agriculture, food, fisheries and forestry. I also want to talk a bit about my electorate of Geraldton and, if I have time, a bit about the Standard and Poor’s report.

Agriculture is an interesting area. It needs careful and good management, but it is a long-term portfolio. One of the things I learnt as a farmer, and other farmers will say the same thing, is that farmers do not really think from year to year; they think from decade to decade. That is also true of the fishery and forestry industries. The deregulation in many areas has taken the levers away from government. Of course, the levers now lie in the invisible hands of the market. The most recent example of that change was the deregulation of the potato industry. Agriculture has a very bright future, if for no other reason than the 850 million middle-class Chinese who, by 2030, will be demanding high quality, clean produce, which we can produce. The world demand for protein is lifting, and we can see that very clearly in the prices for beef and lamb and very encouraging prices for wool. It is also

very pleasing to see an increase in the amount of meat that has been processed locally and then exported, which is a very good development. Strategically, I have been doing a bit of work in agricultural education, which is one of my interests. It is interesting to compare Australia with Israel. I looked at agricultural education in Israel a couple of years ago. Israel is a nation with 8.5 million people. It is a world leader in many areas in agriculture. Western Australia has 2.5 million people and is also a world leader in some areas. Israel has one agricultural faculty in the whole country and Western Australia has three universities involved in agriculture. I know from a previous life as a research funder that it is very hard to get universities to change. Change has to be imposed on them, as a rule. The suggestion by the Chief Scientist a while ago that we start this process by developing a virtual institute that combines all three is a very good idea and should be pursued.

I welcome the government's recent announcement about wild dogs. I will be watching closely to see the effectiveness of the strategy and also talk to industry to see what areas need more attention. I have had a couple of interesting discussions with Co-operative Bulk Handling Ltd—the grain handler. CBH has a new boss, Jimmy Wilson, who used to run the iron ore division of BHP. He has a very clear focus on safety and on making the whole network more efficient. I get the feeling he will do that. He does not seem to have a problem with the industry and the industry is quite happy to go with him. A review is currently underway, and I think submissions are being taken at the moment on the railway code under which the network is accessed. We have only to look at the amount of time it has taken CBH and Arc Infrastructure to reach an agreement. They have been negotiating for a number of years now and they do not seem to be any closer to a final result. The code is clearly not good enough. I am told that if they were to adopt the federal rules, which are better, it would take six years. It seems to be a real problem. I am quite happy to acknowledge that the Liberal–National government sold the lease over the railway system a few years ago, but the code and rules that it works under are not good enough. If this is an opportunity to change the rules, then the government should bite the bullet and do it. When Karara Mining, the magnetite producer east of Morawa from my electorate, was negotiating with Brookfield Rail to access and lease the railway lines, it concluded that the code was a complete waste of time and did not go near it. Next year, I will be trying to look at the South Australian model for transport of agricultural machinery at harvest time. It also occurs, obviously, at seeding. I am told that South Australia has a better model than ours, so I will have to look at that.

There has been a bit of commentary about the government having to find the money to match research funds. Growers pay compulsory levies and those levies have to be matched by the state government in order for research to be undertaken in Western Australia, funded by those bodies. I have a subtle warning: a lot of the research we are doing in Western Australia could be done in South Australia. The South Australians are hungrier for it and, some would say, are better at it. If we do not put that on the table, it will leave the state. Western Australian growers would be disappointed to see the funds that should be spent on research in Western Australia being spent by another state. However, I also think that they would accept that if the funding bodies explained to them why they had to do that.

Pastoral land reform is another issue that has been on the table for a long time. It needs to be tackled and dealt with this time. We need certainty and it needs to be easier for operators—people on pastoral leases—to get environmental clearances. I had a look at a situation at Mowanjum in the Kimberley recently where they want to put in another centre pivot. A bilby has not been seen in that area for 20 years, but because a bilby was seen there 20 years ago, it looks as though they will not get the clearing permit that they need. That just does not make any sense.

**Mr W.R. Marmion:** Is that in Mowanjum?

**Mr I.C. BLAYNEY:** Yes. Also, someone else south of Broome wants to put up a heap of centre pivots but he cannot get permission to get the water out of the ground. The Water Corporation is saying that it wants to monitor it for three years. We cannot say to investors to come back in three years' time.

**Mr W.R. Marmion:** Is that Pardoo?

**Mr I.C. BLAYNEY:** I think it is at Pardoo.

The precautionary principle seems to have completely taken over in Western Australia. If we can find a reason to stop anything, it is dragged out and used as a means to not do something. I do not think we are doing it right. We are being too hard. People do not want to completely trash the environment, but I think we have gone too far with the precautionary principle.

Animal welfare is another issue that has raised its head, which happens quite regularly. There is a balance to be struck here. There has to be respect for producers, but of course the producers have to understand community concerns, so we are working on that at the moment.

I was very pleased to hear the government announcement the other day that it had settled with Kimberley Agricultural Investment for Ord stage 2. I met with them in Kununurra in July. At that time there were serious issues with their leases and a couple of promised titles, one on which they have their Case IH agricultural dealership and the other one is a grain cleaning plant. From what I read in the rural press, I understand that those

issues have been fixed, so I am pleased to see that has happened. Once again, it is another area that I will keep a close eye on.

I met with representatives from Curtin University to discuss Muresk Institute. I broadly agree with what the government wants to do at Muresk. I think it is a good idea that Curtin University is running a specialist two-year management qualification. It is the right course to have there. When I was overseas and visited the Hebrew University in Israel, I also visited what was recommended to me to be arguably the best agricultural management college in the world—the Royal Agricultural University in the UK. I do not see why we cannot have as good an institution here. If we focus and we want to do it, we could do it; we could have the best in the world if we want it, we just have to want to do it. One of the things we have to do is avoid the issue of what is called academic creep in which the status of academics comes from the courses that they teach. If people are not careful, they can get control of the situation and keep trying to push up longer and more complicated qualifications. I think that is what happened before at the Muresk Institute.

Another issue I take a slight interest in is people being able to remove water from the Fitzroy River when it is in flood to store it for irrigation. I look forward to talking to the member for Kimberley about it. Nearly all the water—it is 99 point something per cent—that goes down the Fitzroy goes straight out to sea. I cannot see how allowing one per cent of that to be diverted to storage could do any damage. If members do not know, the Fitzroy is the biggest river in Australia. Plenty of water goes out into the gulf every year. It would lead to employment possibilities in that area and, at the moment of course, there is not a huge number of employment possibilities. I think that is another issue on which we have to perhaps be prepared to bite the bullet.

Fisheries is also interesting. I have dealt with fisheries since becoming the member for Geraldton, obviously because my electorate is home to the largest commercial fishery in Australia—the western rock lobster fishery. Fisheries is very scientific and built around the scientific management of wild stocks. It has a really strong basis in science. Government rules, of course, can be incredibly important to the industry. The reforms that the Barnett government brought in in 2008 and 2009 to switch the western rock lobster fishery to a quota transformed the industry. Of course, the majority of fish eaten in the world are farmed; they are not wild catch. It is pleasing to see our first aquaculture zone at Cone Bay in the Kimberley. We were nearly organised to visit it when I was there in July, but it is a funny story. We were going to fly out there by helicopter; we had paid to go on a helicopter. It was close to the time when Bronwyn Bishop was dragged into “Choppergate”. The political advice to us was not to go on a helicopter—politicians in a helicopter would have been pasted by the media! As a result, that visit is for another day.

**Mr W.R. Marmion:** You wouldn't have been attending a Liberal Party event though.

**Mr I.C. BLAYNEY:** At Cone Bay, I suspect not, no.

The second aquaculture zone is in the Abrolhos Islands. I am glad to see \$10 million is in the budget for the Abrolhos Islands over two years. I did a grievance on the Abrolhos Islands, which was more focused around the national park. When the Liberal–National government first came in—I am glad to see the current government seems to have come around to our point of view on this—the aquaculture zone was there and ready to go. The national park is probably the best way to do it. I went to a half-day seminar about it in Geraldton the other day. People are still doing a lot of thinking about it. There has been talk of up to 1 400 jobs. I do not know how many jobs we can get in the aquaculture zone and from the tourism industry there, but I can tell members that in my electorate every job counts. In every electorate, every job counts but, if we look across the landscape, it is very hard to get new industries into that area, so any jobs we can get would be good.

Another project I am interested in is the Seafarms Group's proposal for a prawn farm. The prawn farm will be in the Northern Territory but the processing will be in Kununurra—Project Sea Dragon. There are huge projections for employment of about 500 people in the East Kimberley. I think that would be a fantastic project but people who know about these things tell me there are all kinds of reasons it might encounter a few problems. It will be an interesting one to watch.

**Mr W.R. Marmion:** How's it going now, do you know?

**Mr I.C. BLAYNEY:** I think it has done the approvals and things like that, but the project is in the billions, so it is not mucking around.

I have to admit that forestry is an area I did not know a huge amount about until I was given this job. It is not a huge industry; it is worth about \$1 billion a year to Western Australia, but, once again, in the regions where it is concentrated, it is really important because, as I said, every job counts. I have looked through the strategic plan for the growth of the softwood industry, and a gap is coming up. The decision a few years ago to get pine trees out of the Gngangara mound has meant that we need significant plantings to address the approaching supply gap. I welcome the commitment in the budget to start the expansion of softwood plantings in the Wellington catchment but I really urge the government to carry on and do more.

On hardwood, there seems to be a complete acceptance of the rule brought in to preserve the old-growth forests some years ago. However, the industry is concerned, as we would expect, that it faces constant battles getting access to areas it is allowed to access. The industry would also like to move away from the fixed 10-year agreement that it has now to a different model that allows the industry more investment certainty. Forestry fits in with three major themes of our times, if you like: locking up carbon, addressing salinity and stable, long-term jobs. I think the industry is worthy of a lot more government time and money. These three industries are all very valuable to Western Australia from many angles. They all have long-term markets and futures. As I said, expansion and new industries in this state are frequently hamstrung by environmental red tape driven by the precautionary principle. Projects need to be evaluated, but the system we have seems to be in place to stop developments rather than to encourage them.

On the electorate of Geraldton, the previous government obviously put quite a lot of money into the regions. There was a large amount of local involvement in how that money was allocated. Estimates I have been able to come up with vary, but it seems that the Midwest Development Commission had a midwest investment plan that it was allocating. It was to be over five years, but it had slipped out to six or seven years. But my estimate is that between \$80 million and \$100 million may have been taken out of the Midwest Development Commission. Quite a lot of that money was earmarked for projects that were still in the approval process. There was \$20 million for the expansion of the Geraldton Museum, which is a mostly interpretive project for HMAS *Sydney (II)*.

[Member's time extended.]

**Mr I.C. BLAYNEY:** An amount of \$40 million was earmarked for the Geraldton Hospital and the majority of the funds was for sealing the road between Meekatharra and Wiluna, which it has been waiting for since 1957 when the railway was closed. Our Liberal–National government had committed \$138 million for the Geraldton Hospital. This year's budget promised planning for only a \$45 million expansion, with no figures in the budget for the out years. We see this as a litmus test for the government. It pulled twice that amount of money from the Midwest Development Commission but it has not spent anything on the hospital. However, I would like to acknowledge the investments in the Geraldton Airport runway and the Abrolhos Islands funds.

Finally, I am very pleased to see progress towards setting up our two high schools as standalone high schools running all the way from years 7–12. The commitment of \$25 million from the previous government has been spent on the ground. The board of John Willcock College recently made the decision to rename the school the Champion Bay Senior High School, and I fully endorse that. With the introduction of the specialist science, technology, engineering and mathematics program—a dividing line has been drawn between the two schools, and they have done a very good job of that—I am confident of the future of both schools.

Finally, I acknowledge Lisa Criddle, principal of Allendale Primary School, for being awarded Western Australia's Primary Principal of the Year. Lisa is a very focused person. I have had the focus turned on me quite a few times when she has been chasing something for her school! I do not seem to be able to solve her car parking issues, so I hope they will have a bit more luck with that in the future.

I was going to talk about the Standard and Poor's report, but I appear to have run out of time.

Several members interjected.

**Mr I.C. BLAYNEY:** I have to keep talking. I enjoyed the presentation of the member for Fremantle. She came up to the electorate for a conference on domestic violence and stayed until lunchtime, which was noticed.

I urge anyone with an interest in these things to read the Standard and Poor's report. The only comment I would make would be my conclusion, if I can find it somewhere. Having read the Standard and Poor's report, the government needs to change its narrative. After reading the report, I saw that the debt levels are not particularly high.

Debate adjourned, pursuant to standing orders.

### **PORTS LEGISLATION AMENDMENT BILL 2017 — EXPLANATORY MEMORANDUM — REPLACEMENT**

*Statement by Acting Speaker*

**THE ACTING SPEAKER (Mr S.J. Price):** The Speaker has received advice that the explanatory memorandum for the Ports Legislation Amendment Bill 2017, tabled on 29 November 2017, was in draft form. The draft did not include the final correct numbering provisions. The Speaker has authorised the explanatory memorandum for the bill to be replaced with the correct version of the document, and for the website to be updated accordingly. Members who have previously obtained a copy of that document are advised to obtain the updated version from the Assembly office.

*House adjourned at 7.01 pm*

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**QUESTIONS ON NOTICE**

Questions and answers are as supplied to Hansard.

**MINISTER FOR REGIONAL DEVELOPMENT — PORTFOLIOS —  
WORKPLACE CLOSURES AND STAFF RELOCATIONS**

**2094. Mr D.T. Redman to the minister representing the Minister for Regional Development; Agriculture and Food; Minister Assisting the Minister for State Development, Jobs and Trade:**

- (1) Can the minister list regional offices and/or established workplaces under her portfolio that will be closed or are currently under consideration for possible closure?
- (2) Can the minister also provide details of regional based staff under her portfolio that have been/will be required to move to alternative work premises?
- (3) In reference to a letter sent to staff at the Vasse research station telling them they will be required to relocate, can the minister confirm that the processes deployed in these circumstances were in strict adherence to the public sector standards for agency staff?

**Mr M. McGowan replied:**

- (1) The Medina and Vasse Research Facilities are currently in the process of closure. The decisions to close these facilities were made by the former Liberal National Government in their 2014–15 and 2015–16 strategic asset plans.

There are no plans to close any regional development offices.

- (2) Five staff at the Vasse Research Facility will be required to relocate following the closure of the facility in April 2018.

Opportunities for co-location in the regions of the former independent agencies will also be assessed.

- (3) I am advised by the Director General of DPIRD that all processes were in keeping with the public sector standards. Ongoing consultation with staff and the union regarding alternate accommodation options is continuing.

**ATTORNEY GENERAL — PORTFOLIO — SENIOR EXECUTIVE SERVICE**

**2133. Dr M.D. Nahan to the Attorney General:**

- (1) As at 28 April 2017, for each Public Sector Agency/Department for which the Attorney General is responsible:
  - (a) how many Senior Executive Staff (PSA 9 and HSU 11 and above) were employed in the Agency/Department; and
  - (b) how many of these are targeted to be abolished to meet the Government's 20 per cent reduction target?
- (2) Since 28 April 2017, for each Public Sector Agency/Department for which the Attorney General is responsible:
  - (a) how many Senior Executive Staff (PSA 9 and HSU 11 and above) have exited the public service;
  - (b) can the Attorney General please list the title and classification of each position identified in (a); and
  - (c) what is the total cost in payouts/redundancies?
- (3) Since 28 April 2017, how many Senior Executive Staff (PSA9 and HSU 11 and above) have been permanently appointed and/or provided a five year contract, and:
  - (a) can the Minister please list the title and classification of each position identified in (3)?
- (4) Since the 28 April Machinery of Government announcement, in the newly formed Agencies/Departments for which the Attorney General is responsible, can the Attorney General please provide the previous and new post 1 July 2017 Agency/Departmental structures, identifying all Senior Executive Staff (PSA9 and HSU 11 and above) positions within these?
- (5) What is the Government's plan for staff whose positions are abolished by the Machinery of Government reforms, and where those staff do not leave or are made redundant through mutual agreement?

**Mr J.R. Quigley replied:**

Please refer to Legislative Assembly Question on Notice 2141.

## ATTORNEY GENERAL — PORTFOLIOS — STAFF — OVERPAYMENTS

**2217. Mr Z.R.F. Kirkup to the Attorney General:**

Within the Minister's portfolio departments, agencies, boards or publicly owned corporations, since 1 January 2017 have there been any overpayments paid to employees and if so will the Minister provide a breakdown of the quantum of each overpayment and the title of the employee who received that overpayment?

**Mr J.R. Quigley replied:**

Please refer to Legislative Assembly Question on Notice 2225.

## MINISTER FOR POLICE — PORTFOLIOS — STAFF — OVERPAYMENTS

**2221. Mr Z.R.F. Kirkup to the Minister for Police; Road Safety:**

Within the Minister's portfolio departments, agencies, boards or publicly owned corporations, since 1 January 2017 have there been any overpayments paid to employees and if so will the Minister provide a breakdown of the quantum of each overpayment and the title of the employee who received that overpayment?

**Mrs M.H. Roberts replied:**

The recovery of known overpayments to employees are handled as per Labour Relations Circular 3 of 2012, either through mutual agreement between the employer and the employee or through the relevant mechanism outlined in the applicable industrial agreement, ensuring that there is minimal to no impact on the taxpayer in the event of an inadvertent overpayment.

Unknown overpayments, are by definition unknown to department and therefore a complete answer wouldn't be able to be provided.

## POLICE — FIREARM LICENCES

**2234. Mr Z.R.F. Kirkup to the Minister for Police:**

Since 1 January 2017, how many firearm licences were issued for:

- (a) an air rifle;
- (b) a single shot rim fire rifle;
- (c) a repeating rim fire rifle;
- (d) a single shot shotgun;
- (e) a double barrel shotgun;
- (f) a repeating shotgun (lever or bolt action);
- (g) a muzzle loading firearm (except a handgun);
- (h) a single shot centre fire rifle;
- (i) a double barrel centre fire rifle;
- (j) a self loading rim fire rifle with a magazine capacity of no more than 10 rounds;
- (k) a self loading shotgun with a magazine capacity of no more than 5 rounds;
- (l) a pump action shotgun with a magazine capacity of no more than 5 rounds;
- (m) a self loading centre fire rifle designed or adapted for military purposes or a firearm that substantially duplicates such a firearm in design, function, or appearance;
- (n) a self loading centre fire rifle that is not defined as part of (m) above;
- (o) a self loading shotgun with a magazine capacity of more than 5 rounds;
- (p) a pump action shotgun with a magazine capacity of more than 5 rounds;
- (q) a self loading rim fire rifle with a magazine capacity of more than 10 rounds;
- (r) a cannon;
- (s) a captive bolt;
- (t) a line thrower;
- (u) a tranquilliser;
- (v) a paintball gun;
- (w) a handgun (including an air pistol); and
- (x) an underwater explosive device?

**Mrs M.H. Roberts replied:**

The Western Australian Police Force advises that the information requested is not readily available and would require significant resources to extract, requiring the diversion of staff.



## ATTORNEY GENERAL — PORTFOLIO — ABORIGINAL OR TORRES STRAIT ISLANDER STAFF

**2245. Mr Z.R.F. Kirkup to the Attorney General:**

- (1) With respect to full time equivalents (FTEs) within the Minister's portfolio departments, agencies, boards or publicly owned corporations as at 1 July 2017:
  - (a) how many FTEs identify as having an Aboriginal or Torres Strait Islander background and what is this as a percentage of the overall agency workforce;
  - (b) how many FTEs who identify as having an Aboriginal or Torres Strait Islander background have applied for the Voluntary Targeted Separation Scheme 2017 (VTSS); and
  - (c) how many FTEs who identify as having an Aboriginal or Torres Strait Islander background have been approved for the VTSS?
- (2) With respect to FTEs within the Minister's portfolio departments, agencies, boards or publicly owned corporations as at 1 July 2016 how many identified as having an Aboriginal or Torres Strait Islander background?

**Mr J.R. Quigley replied:**

Please refer to Legislative Assembly Question on Notice 2253.

## MINISTER FOR POLICE — PORTFOLIOS — ABORIGINAL OR TORRES STRAIT ISLANDER STAFF

**2249. Mr Z.R.F. Kirkup to the Minister for Police; Road Safety:**

- (1) With respect to full time equivalents (FTEs) within the Minister's portfolio departments, agencies, boards or publicly owned corporations as at 1 July 2017:
  - (a) how many FTEs identify as having an Aboriginal or Torres Strait Islander background and what is this as a percentage of the overall agency workforce;
  - (b) how many FTEs who identify as having an Aboriginal or Torres Strait Islander background have applied for the Voluntary Targeted Separation Scheme 2017 (VTSS); and
  - (c) how many FTEs who identify as having an Aboriginal or Torres Strait Islander background have been approved for the VTSS?
- (2) With respect to FTEs within the Minister's portfolio departments, agencies, boards or publicly owned corporations as at 1 July 2016 how many identified as having an Aboriginal or Torres Strait Islander background?

**Mrs M.H. Roberts replied:**

- (1)
  - (a) Please refer to the Public Sector Commission's State of the Sector statistical bulletin 2017.
  - (b) As at July 1, zero.
  - (c) As at July 1, zero.
- (2) Please refer to the Public Sector Commission's State of the Sector statistical bulletin.

## ATTORNEY GENERAL — THE TRUSTEE FOR ECG ADVISORY TRUST — CONTACT

**2279. Mr Z.R.F. Kirkup to the Attorney General:**

I refer to the Premier's answer to Legislative Assembly Question on Notice 250 and ask, since 17 March 2017:

- (a) has the Attorney General or his current Ministerial staff met, or had any contact with, representatives of registered lobbyist The Trustee for ECG Advisory Trust, and if so:
  - (i) what are the dates for each meeting or instance of contact;
  - (ii) who did The Trustee for ECG Advisory Trust meet with or contact;
  - (iii) what was the topic of discussion for each meeting or instance of contact;
  - (iv) what third party, if any, was being represented by The Trustee for ECG Advisory Trust;
  - (v) was any follow-up action agreed to by the Attorney General or his Ministerial staff, and if so what action was agreed to; and
  - (vi) what form did the contact take (i.e. email, phone), or for meetings, where did they take place?

**Mr J.R. Quigley replied:**

None, not applicable.

## ATTORNEY GENERAL — THE SATTLER FILES PTY LTD — CONTACT

**2296. Mr Z.R.F. Kirkup to the Attorney General:**

I refer to the Premier's answer to Legislative Assembly Question on Notice 250 and ask, since 17 March 2017:

- (a) has the Attorney General or his current Ministerial staff met, or had any contact with, representatives of registered lobbyist The Sattler Files Pty Ltd, and if so:
- (i) what are the dates for each meeting or instance of contact;
  - (ii) who did The Sattler Files Pty Ltd meet with or contact;
  - (iii) what was the topic of discussion for each meeting or instance of contact;
  - (iv) what third party, if any, was being represented by The Sattler Files Pty Ltd;
  - (v) was any follow-up action agreed to by the Attorney General or Ministerial staff, and if so what action was agreed to; and
  - (vi) what form did the contact take (i.e. email, phone), or for meetings, where did they take place?

**Mr J.R. Quigley replied:**

The Minister and his current Ministerial Staff may have had contact with representatives for administrative purposes only or may have had incidental or irregular social contact in which cases this is not listed.

## ATTORNEY GENERAL — THE ENDEAVOUR CONSULTING GROUP PTY LTD — CONTACT

**2313. Mr Z.R.F. Kirkup to the Attorney General:**

I refer to the Premier's answer to Legislative Assembly Question on Notice 250 and ask, since 17 March 2017:

- (a) has the Attorney General or his current Ministerial staff met, or had any contact with, representatives of registered lobbyist The Endeavour Consulting Group Pty Ltd, and if so:
- (i) what are the dates for each meeting or instance of contact;
  - (ii) who did The Endeavour Consulting Group Pty Ltd meet with or contact;
  - (iii) what was the topic of discussion for each meeting or instance of contact;
  - (iv) what third party, if any, was being represented by The Endeavour Consulting Group Pty Ltd;
  - (v) was any follow-up action agreed to by the Attorney General or his Ministerial staff, and if so, what action was agreed to; and
  - (vi) what form did the contact take (i.e. email, phone), or for meetings, where did they take place?

**Mr J.R. Quigley replied:**

None, not applicable.

## POLICE — CRIME STATISTICS

**2354. Dr M.D. Nahan to the Minister for Police; Road Safety:**

- (1) Why were the quarterly crime statistics for July, August and September not released in October as stated on the Western Australia Police Force website?
- (2) When will the quarterly crime statistics be released?

**Mrs M.H. Roberts replied:**

- (1) Following a 2016 review of the WA Police Force crime statistics, work has been underway to align the statistics with Australian Bureau of Statistics recommendations.
  - (2) As soon as practicable.
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